

**From:** HOWARD Judi [Judi.Howard@dnrm.qld.gov.au]  
**Sent:** Monday, 14 April 2014 9:36 AM  
**To:** s.73 @sibelco.com.cu'  
**Subject:** 2014/000849  
**Attachments:** Signed Invite to renew.pdf; state-land-form-la10.pdf

Hi

Just checking to see if you are sending me the application forms for the renewal of Term Lease 0/221125 being Lot 76 on Crown Plan SL4907 (single person barracks), I have just checked the conditions and there is no condition that prevents Sibelco from making application to purchase the land, I have attached the application Form B purchase or lease state land, see the below link for the fact sheets

<http://www.dnrm.qld.gov.au/land/accessing-using-land/state-land/purchases-exchanges/purchase-state-land>

Please send me an application form as soon as possible as the current lease expires 19 July 2014, and process the renewal or purchase may take as long as a one year.

Kind Regards

*Judi Howard*

Land Administration Officer  
Land Management Beenleigh  
Department of Natural Resources and Mines  
PO Box 1164 Beenleigh 4207  
phone: 07 3884 8047 facsimile: 07 3884 8079  
[judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au)  
[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

*Work Safe, Home Safe*

white

Author: Judi Howard  
File / Ref number 2014/000849  
State Land Asset Management  
Phone (07)3884 8047



Department of  
**Natural Resources and Mines**

13 February 2014

Stradbroke Rutile Pty Ltd  
PO Box 74  
ROSEWATER EAST SA 5013

Dear Sir / Madam

**APPLICATION FOR RENEWAL OF TERM LEASE 0/221125 being, Lot 76 on SL4907  
14 – 16 Ballow Road, Dunwich – North Stradbroke Island**

The term of the above Lease expires on 19 July 2014 and upon expiry of the lease on 19 July 2014 you must vacate the property and any improvements remaining on the leased land become the property of the State.

If you wish to apply for a new lease, you must complete the attached application forms and forward to this office, *immediately*.

Link for application forms:-

<http://www.dnrm.qld.gov.au/land/accessing-using-land/state-land/forms>

Also attached is a **supporting fact sheet** to guide you through the application process.

An application fee of \$236.20 is required to be paid if you decide to make an application for a new lease. This fee is payable at the time you advise this Department you wish to proceed with the application for a new lease.

If you wish to discuss this matter please contact Judi Howard on (07)3884 8047.

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to SLAM-beenleigh@dnrm.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 2014/000849 in any future correspondence.

Yours sincerely

s.73

Judi Howard  
Land Administration Officer  
Beenleigh

CURRENT STATE TENURE SEARCH  
DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Search Date: 13/02/2014 08:27

Title Reference: 40043954  
Date Created: 13/08/2004

Previous Title: 17748095

DESCRIPTION OF LAND

Tenure Reference: TL 0/221125

LOT 76      CROWN PLAN SL4907  
              County of STANLEY                      Parish of STRADBROKE  
              Local Government: REDLAND

Area:      0.653100 Ha. (SURVEYED)

No Land Description

No Forestry Entitlement Area

No Future Conservation Area

Purpose for which granted:  
RESIDENTIAL

TERM OF LEASE

Term and day of beginning of lease

Term: 10 years commencing on 20/07/2004

Expiring on 19/07/2014

REGISTERED LESSEE

STRADBROKE RUTILE PTY LTD A.C.N. 009 693 074

CONDITIONS

CURRENT STATE TENURE SEARCH  
DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Search Date: 13/02/2014 08:27

Title Reference: 40043954  
Date Created: 13/08/2004

CONDITIONS

- A61
- (1) The lessee must use the leased land for residential purposes namely single person's quarters and no other purpose whatsoever.
  - (2) This lease may be forfeited if not used for the purpose stated above.
  - (3) The annual rent must be paid in accordance with the Land Act 1994.
  - (4) The Parties acknowledge that GST may be payable in respect of a supply made under this lease. Where GST becomes payable in respect of a supply made under this lease, the State (lessor) may recover the GST from the lessee by increasing the consideration payable by the lessee to the State by an amount equal to that which the State is obliged to remit to the Commonwealth as GST on the supply and that amount may be recovered from the lessee as part of the money payable to the State under this lease. The State will upon request by the lessee, issue to the lessee a valid GST tax invoice in respect of any taxable supply made under this lease. (NOTE: For the purposes of this condition "GST" means the goods and services tax which results from the enactment of A New Tax System (Goods and Services Tax) Act 1999 and the related Acts which constitute the Commonwealth taxation reform (as amended from time to time)).
  - (5) The lessee must pay the cost of any required survey or re-survey of the leased land.
  - (6) The lessee must control pest plants and animals, on the leased land, in accordance with the Land Protection (Pest and Stock Route Management) Act 2002 and the Local Laws and requirements of the Redland Shire Council.
  - (7) The lessee has the responsibility for a duty of care, to take all reasonable and practicable measures to sustainably manage the leased land by conserving the physical, biological, productive and cultural values, either on the leased land or in areas affected by the management of the leased land.
  - (8) The lessee indemnifies and agrees to keep indemnified the State of Queensland, Crown Instrumentalities, local governments and other statutory bodies (the Indemnified) against all actions, suits, proceedings, claims, demands, costs, losses, damages and expenses (Claim) arising out of or in any way connected to or resulting from the State of Queensland granting this lease to the lessee and which is connected to or resulting from the lessees' use and occupation of the leased land (all referred to as the indemnified acts or omissions) save to the extent that the Claim arises as a result of any negligent act or omission of the State of Queensland. The lessee hereby releases and discharges the Indemnified from any Claim relating to the indemnified acts or omissions which may be made against the Indemnified.
  - (9) The lessee must ensure that the use and development of the leased land conforms to the Planning Scheme, Local Laws and requirements of the Redland Shire Council, binding on the lessee.
  - (10) The lessee must give the Minister administering the Land Act



CURRENT STATE TENURE SEARCH  
DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Search Date: 13/02/2014 08:27

Title Reference: 40043954  
Date Created: 13/08/2004

CONDITIONS

- 1994, information about the lease, when requested.
- (11) The lessee must not clear any vegetation on the leased land, unless in accordance with the Integrated Planning Act 1997.
- (12) No compensation for improvements or developmental work is payable by the State at the forfeiture, surrender or expiry of the lease, but the lessee has the right to remove moveable improvements within a period of three (3) months from the forfeiture, surrender or expiry of the lease, provided all money due by the lessee to the State on any account whatsoever has been paid, or be required to remove those improvements as specified in any further condition of lease.
- (13) This lease is subject to the Land Act 1994 and all other relevant State and Commonwealth Acts.
- A68 (1) The lessee must allow any person authorised under the Forestry Act 1959 access to the leased land for the purpose of cutting and removing timber or removing other forest products, or quarry material, or other material from the leased land.
- (2) Except as hereinafter provided the lessee must not interfere with any forest products or remove any quarry material (including any stone, gravel, sand, earth, soil, rock, guano or clay which is not a mineral within the meaning of the Mineral Resources Act 1989) or other material upon the leased land without the permission of the Minister administering the Land Act 1994 except under the authority of and in compliance in every respect with the requirements or a permit, licence, agreement or contract granted or made under the Forestry Act 1959.
- A69 Further to Condition A61(12) above, the lessee must remove all improvements and rehabilitate the area to the satisfaction of the Minister administering the Land Act 1994 from the date of expiry or forfeiture of the lease.
- A70 If the lessee fails to remove the improvements and rehabilitate the area as detailed in Condition A69 above, the Minister administering the Land Act 1994, can remove the improvements and rehabilitate the area and is hereby authorised to do whatever is necessary to effect the said removal and rehabilitation. The said Minister may recover from the lessee the total cost incurred in the said removal and rehabilitation.
- C342 The lessee must comply with any lawful requirements of Redland Shire Council.
- L109 The lessee must not effect any further structural improvements on the leased land, without the approval of the Minister administering the Land Act 1994 and any other relevant authority, having been first obtained.

CURRENT STATE TENURE SEARCH  
DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Search Date: 13/02/2014 08:27

Title Reference: 40043954  
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CONDITIONS

L110 The lessee must , to the satisfaction of the Minister administering the Land Act 1994 and Redland Shire Council , maintain all existing improvements on the leased land in a good and substantial state of repair.

ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Lease No. 40043954

ADMINISTRATIVE ADVICES

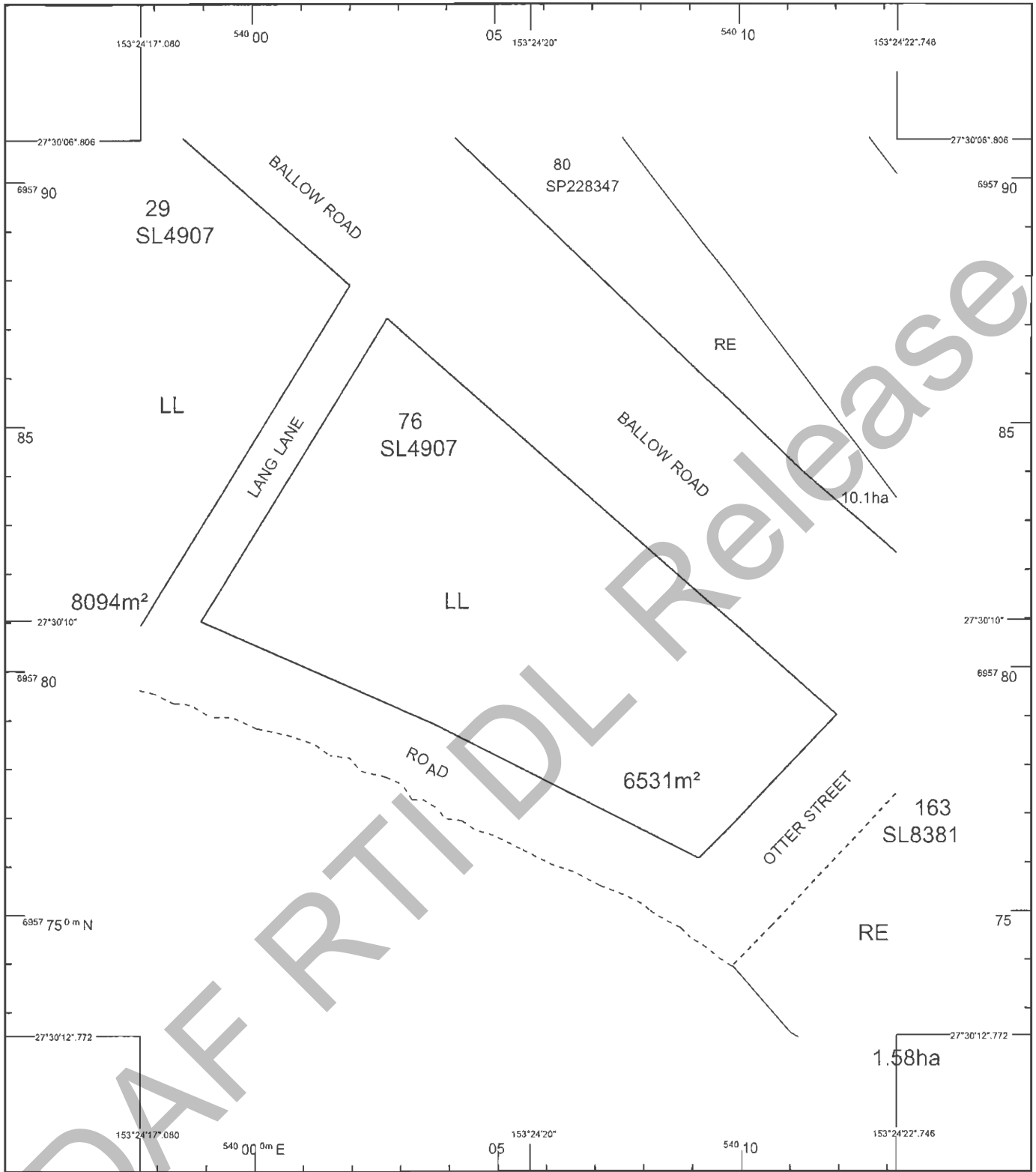
Dealing	Type	Lodgement Date	Status	Location
713923333	DSI/OFFSET	24/06/2011 13:33	CUR	GC-GEN -00

LAND VALUATION ACT 2010

UNREGISTERED DEALINGS - NIL

\*\* End of Current State Tenure Search \*\*

Information provided under section 34 Land Title Act(1994) or  
section 281 Land Act(1994)



STANDARD MAP NUMBER  
9542-11441



MAP WINDOW POSITION & NEAREST LOCATION



**SUBJECT PARCEL DESCRIPTION**

DCDB	
Lot/Plan	76/SL4907
Area/Volume	6531m <sup>2</sup>
Tenure	LANDS LEASE
Local Government	REDLAND CITY
Locality	DUNWICH
Parish	STRADBROKE
County	STANLEY
Segment/Parcel	20182/35

**CLIENT SERVICE STANDARDS**

PRINTED (dd/mm/yyyy) 13/02/2014

DCDB 12/02/2014

Users of the information recorded in this document (the Information) accept all responsibility and risk associated with the use of the Information and should seek independent professional advice in relation to dealings with property.

Despite Department of Natural Resources and Mines (DNRM)'s best efforts, DNRM makes no representations or warranties in relation to the Information, and, to the extent permitted by law, exclude or limit all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability for any direct, indirect and consequential costs, losses, damages and expenses incurred in any way (including but not limited to that arising from negligence) in connection with any use of or reliance on the Information.

For further information on SmartMap products visit <http://nrv.qld.gov.au/property/mapping/blinmap>

**SmartMap**

An External Product of SmartMap Information Services

Based upon an extraction from the Digital Cadastral Data Base



Queensland Government

(c) The State of Queensland, (Department of Natural Resources and Mines) 2014.



Application form  
Contact and Land Details  
Part A

### Application form requirements

1. **Part A:** Contact and land details will need to be completed.
2. **Part B:** Application specific form will need to be completed.
3. Payment of the prescribed application fee, if relevant. A refund of application fees will not be given. (Details of fees are available on the Department of Natural Resources and Mines (DNRM) website or from a regional DNRM office)
4. All parts of this application form need to be completed accurately, otherwise your application may be returned to you to complete.

### Important information

All applications will be processed having regard to the requirements of the *Land Act 1994* and related legislation, approved policies and procedures and the requirements of all other agencies with an interest in the land.

All completed applications can be lodged with DNRM by sending information to the following email or postal addresses or in person at your local DNRM business centre.

**Email:**

[SLAMlodgement@dnrm.qld.gov.au](mailto:SLAMlodgement@dnrm.qld.gov.au)

If lodging an application via email the application form must be signed and details of payment method included in the email along with all relevant supporting documentation.

**Post:**

Department of Natural Resources and Mines  
PO Box 5318  
TOWNSVILLE QLD 4810

In terms of the *Right to Information Act 2009* interested parties may seek access to DNRM records and view relevant documents.

Information on this form, and any attachments, is being collected to process and assess your application under the *Land Act 1994*. The consideration of your application may involve consultation and if so details of your application may be disclosed to third parties. They will not be otherwise disclosed outside the department unless required or authorised by law.

**Contact details**

**Lodger Details and Mailing Address**

A lodger is only required when a solicitor, bank, consultant etc lodges the application on behalf of the applicant.

**Full Name(s)**

<b>Title</b>	<b>First name</b>	<b>Surname</b>

**Company name(s)**


**Postal Address**


**Phone number**

**Mobile phone**

**Email**

**Fax**

### Applicant(s) Details and Mailing Address

If the applicant is a Corporation, either the Australian Company number, Australian Registered Body number or the Australian Business number must be shown.

**Full Name(s)**

Title	First name	Surname

**Company name(s)**


If a Corporation then record  ACN  ARBN  ABN

**Postal Address**


**Phone number**

**Mobile phone**

**Email**

**Fax**

Future correspondence should be sent to

Lodger

Applicant

### Details of land for which the application is being lodged

1. Select the type of land for which the application is being lodged.

Permit

Lease

Licence

Unallocated State Land (USL) go to 2

Trust Land Reserve/Deed of Grant in Trust (DOGIT)

Road

Other

2. Enter the description of the land for which the application is being lodged. If this application concerns a road, enter the description of the land adjoining the road.

Schedule 1		
You must enter either the Lot on Plan or Title Reference of the land for which the application is being lodged.		
Lot	Plan	Title Reference

go to 3

The details of the land can be found on a current copy of the Title or on your rates notice. If insufficient space, please add additional description as an attachment.

3. Enter additional details of the land

Dealing number

Tenure type

Tenure number

Local Government

Other details of land location (optional)

go to 4

4. Have you participated in a pre-lodgement meeting with the department?

Yes

go to 5

No

5. Provide details of pre-lodgement meeting. (optional)  
(If there is insufficient space, please lodge as an attachment)


Departmental Officers contact details and any reference number should be included if known.

**THIS FORM MUST BE ACCOMPANIED BY THE RELEVANT PART B APPLICATION FORM.**

# Application for Renewal of Lease Part B

## Application form requirements

1. This application is for a renewal of a lease.
2. Read the *Renewal of a Lease* fact sheet that includes application restrictions.
3. Payment of the prescribed application fee.  
(Details of fees are available on the Department of Natural Resources and Mines (DNRM) website or from a regional DNRM office)
4. Any additional information to support application.
5. **Part A:** Contact and details of land will need to be completed and submitted with your application.
6. All parts of this application form need to be completed accurately, otherwise your application may be returned to you to complete.

## Important information

An application for renewal of a Lease cannot be accepted until 80 per cent of the term of the lease has expired, however, an application may be made at an earlier time if special circumstances exist. Refer to Policy - Land Holdings - Leases - Expiry and Renewal of a Lease, available on the web at [www.nrm.qld.gov.au](http://www.nrm.qld.gov.au).

Any renewal of a term lease is limited to the grant of a new term lease to the same lessee and for the same purpose as the existing lease. However, investigations could result in an offer being made for an area smaller than the area of your current lease to enable the state to secure land for uses such as road or a reserve for community purposes etc.

If your application for a renewal of lease is successful, you may also be required to provide a plan of survey at your expense.

All outstanding rental must be paid on the current lease, before submitting an application for renewal of a lease.

An application for a renewal of a Lease is not to be made if the lease is subject to a condition that states that an application for renewal cannot be made.

Information on this form, and any attachments, is being collected to process and assess your application under the *Land Act 1994*. The consideration of your application may involve consultation, and if so details of your application may be disclosed to third parties. They will not be otherwise disclosed outside the department unless required or authorised by law.







9. Have you entered into any unregistered agreements with any other parties that provide for certain use or management of the land?  Yes go to 10  No go to 11  
(For example tourism based agreements/ nature conservation agreement/transfer/sublease/easement.)

10. Provide details and copies of any documentation relating to these agreements. go to 11  
(If there is insufficient space, please lodge as an attachment)


11. Provide details of any additional information to support the application. (optional) go to 12  
(If there is insufficient space, please lodge as an attachment)


**Attachments**

The following will need to be lodged with your application for it to be considered a properly made application. If all this information is not submitted, your application will be returned.

12. Tick the box to confirm the attachments for part of the application.

- Application fee
- Views of the Property Services Group, Department of State Development, Infrastructure and Planning for an industrial estate administered by that Department, if applicable
- Copies of documentation relating to unregistered agreements, if applicable

It is recommended that any attached plans, sketches or maps be of A4 or A3-size. Your application will not be considered as having been properly made, unless all parts of this application form are completed accurately. In this instance your application may be returned to you for completion.

**Declaration**

I certify that I have read the information which forms part of this application and the information I have provided is true and accurate.

Signature of applicant (or their legal representative)


Date:                    /                    /

If applicant, section 142 of the *Land Act 1994* states a person is eligible to apply for, buy or hold land under the *Land Act 1994* if the person is an adult, that is, 18 years of age or over.  
 If the legal representative of the applicant is signing as the applicant then the legal representative's full name must be printed immediately below the signature.

## Renew a lease

Landholders can apply to renew their lease, unless the lease includes terms that specifically exclude renewal. Road licences, occupation licences and permits to occupy cannot be renewed.

You may apply at any time during the term of the lease, except for term leases, which can only be renewed after 80% of the existing term has expired (unless there are special circumstances).

Note: If we have refused an earlier application and the reasons for refusal have not changed, your application may not be considered.

**Refer to the section on rural leasehold land (<http://www.dnrm.qld.gov.au/land/accessing-using-land/state-land/leases/rural-leasehold/reforms>) for important information about the renewal of rural leases.**

## How to apply

Your application should include:

- LA00—Application form part A (PDF, 92.1KB)  
([http://www.dnrm.qld.gov.au/\\_\\_data/assets/pdf\\_file/0018/101781/state-land-form-la00.pdf](http://www.dnrm.qld.gov.au/__data/assets/pdf_file/0018/101781/state-land-form-la00.pdf))
- LA02—Application for renewal of lease (PDF, 56.9KB)  
([http://www.dnrm.qld.gov.au/\\_\\_data/assets/pdf\\_file/0020/101783/state-land-form-la02.pdf](http://www.dnrm.qld.gov.au/__data/assets/pdf_file/0020/101783/state-land-form-la02.pdf))
- Application fee: \$236.20
- Any additional attachments, as requested

**To avoid processing delays, read the forms carefully and include all required information.**

## Lodging your application

You can lodge your application in person at your nearest business centre (<http://www.dnrm.qld.gov.au/our-department/contact-us>), by emailing to [SLAMlodgement@dnrm.qld.gov.au](mailto:SLAMlodgement@dnrm.qld.gov.au) (<mailto:SLAMlodgement@dnrm.qld.gov.au>) or by posting it to Department of Natural Resources and Mines, PO Box 5318, Townsville QLD 4810.

Payment options are cash (in person only), EFTPOS (in person at some centres only), cheque (in person or by post), or credit card.

Cheques should be made out to the 'Department of Natural Resources and Mines' and marked 'not negotiable'.

If paying by credit card, attach a credit card payment form (PDF, 436.1KB)  
([http://www.dnrm.qld.gov.au/\\_\\_data/assets/pdf\\_file/0009/104994/slam-payment-options-jan14.pdf](http://www.dnrm.qld.gov.au/__data/assets/pdf_file/0009/104994/slam-payment-options-jan14.pdf)).

**Credit card payments are accepted in person, over the phone, by fax or by Australia Post mail. Please do not send credit card payment forms by email.**

## How your application is assessed

We will assess your application against legislative requirements and our own policies, procedures and guidelines. We will seek the views of other stakeholders (e.g. state, regional and local agencies) and inspect the land if required.

### Native title

Our review will also include an assessment of whether native title (<http://www.dnrm.qld.gov.au/land/indigenous-land/native-title>) issues need to be addressed, and how this should be done. Depending on the outcome, you may be required to address native titles issues as a condition of the offer.

### Other considerations

We will also ensure all outstanding rent on the lease has been paid.

## What happens next?

Once we have received the advice of other stakeholders and all issues, including native title, have been investigated, we will send you a written notice.

If your application is successful, a written offer will set out the various conditions and requirements. You must complete the acceptance form and return it to us by the date specified or the offer will lapse.

The requirements that must be met before the offer is considered to have been accepted may include:

- acceptance of term and conditions of the new lease
- the written consent to the conditional surrender of the existing lease from any registered mortgagee or holder of a sublease
- lodgement of a plan of survey, if needed
- payment of all regulatory fees and charges.

The new lease may be issued over a smaller area to enable the state to secure land for other uses such as a road or a reserve for a community purpose.

The Governor in Council or the Minister grants the new tenure. Once you have accepted the offer and satisfied all conditions, the existing lease will be surrendered the day before the date the new lease commences.

The new lease will be issued subject to all the relevant encumbrances to which the previous lease was subject, and in the same priority order.

## Reviews and appeals

If your application is refused solely on the basis that you have not fulfilled the lease conditions, you can appeal against the decision (<http://www.dnrm.qld.gov.au/land/accessing-using-land/state-land/leases/other-forms/reviews>).

## Find out more

- Read about how rents are determined (<http://www.dnrm.qld.gov.au/land/accessing-using-land/state-land/leases/rents/categories/determination>).
- Find out about your landholder responsibilities (<http://www.dnrm.qld.gov.au/land/accessing-using-land/state-land/leases/landholder-responsibilities>).
- Get advice on how to fill out the application forms from your nearest business centre (<http://www.dnrm.qld.gov.au/our-department/contact-us>) or call 13 QGOV (13 74 68).

## Policies and legislation

- Land Act 1994 ([https://www.legislation.qld.gov.au/Acts\\_SLs/Acts\\_SL\\_L.htm](https://www.legislation.qld.gov.au/Acts_SLs/Acts_SL_L.htm))
- Eligibility and assessment to hold land ([http://www.dnrm.qld.gov.au/?a=109113:policy\\_registry/eligibility-assessment-hold-land.pdf](http://www.dnrm.qld.gov.au/?a=109113:policy_registry/eligibility-assessment-hold-land.pdf))
- Land holdings: early renewal and conversion of leases ([http://www.dnrm.qld.gov.au/?a=109113:policy\\_registry/early-renewal-conversion.pdf](http://www.dnrm.qld.gov.au/?a=109113:policy_registry/early-renewal-conversion.pdf))

DAFER TI DL Release

**From:** MCQUADE Diane [Diane.Mcquade@dnrm.qld.gov.au]  
**Sent:** Tuesday, 29 April 2014 1:37 PM  
**To:** DEVOIL Catherine; HOOPER Roslyn  
**Subject:** Short Term Extension under S164 of Land Act 1994  
**Attachments:** Short Term Extension requested TL221125.doc; SmartMap of TL221125.pdf

Hi Catherine and Ros

Please find attached a short term extension for a Term Lease for your approval before I seek the Executive Director's approval in this instance.

The Term Lease is due to expire on 19 July 2014, under section 164 of the *Land Act 1994* a short term extension can be approved by the ED for a period of 12 months or 2 years. Hopefully we will receive the application from the lessee for the renewal soon, but just getting in a little early to secure the extension so that the lessee has continuity of the existing lease during the renewal process.

Any questions you have, please don't hesitate to contact me.

Thanks so much  
Kind regards  
Di

Diane McQuade  
Senior Land Officer  
Beenleigh Office, South Region

Phone: (07) 3884 8055  
Fax: (07) 3884 8079

Postal Address: PO Box 1164, Beenleigh Qld 4207  
Address: 32 Tansey Street, Beenleigh Qld 4207

To: Wally Kearnan  
 Executive Director, South Region  
 Natural Resources and Mines

From: Diane McQuade  
 Senior Land Officer  
 Beenleigh

<p><b>Approved / Not Approved / Noted</b>  <b>Further information required</b></p> <p>.....</p> <p><b>Executive Director</b></p> <p><b>Dated</b> ...../...../.....</p>
--

Endorsed: Roslyn Hooper

**29 April 2014**

**Short term extension of Term Lease 0/221125**  
**Lessee: Stradbroke Rutile Pty Ltd A.C.N. 009 693 074 - Lot 76 on Crown Plan SL4907**

**Recommendation**

It is recommended that the Executive Director:

- Approve** the short term extension of Term Lease 0/221125, under the provisions of section 164 of the *Land Act 1994* (the Act), for a period of 12 months from the expiry date of 19 July 2014 to allow an application for renewal of the lease to be finalised.

**Timing**

- Approval of this brief is required by 19 June 2014 as the term lease is due to expire on 19 July 2014, time is required for preparation of the appropriate land registry forms to be lodged.

**Background**

- Term Lease 0/221125 held by Stradbroke Rutile Pty Ltd A.C.N. 009 693 074, the lessee, was issued for a term of ten (10) years, commencing 20 July 2004. The lease has a surveyed area of 0.653100 hectares over Lot 76 on Crown Plan SL4907 on North Stradbroke Island, located at 14-16 Ballow Road, Dunwich.
- The lease is granted for residential purposes, namely single person's quarters and no other purposes whatsoever.
- The lessee has been invited to make application for the renewal of the lease on 13 February 2014 and a follow up request was sent on 14 April 2014. eLVAS case 2014/000849 has been created for the renewal action.
- To date no application has been received from Stradbroke Rutile Pty Ltd A.C.N. 009 693 074.
- Section 164 of the Act allows a short term extension "If it appears a lease would expire before a renewal application is finalised, the Minister may extend the term of the lease for periods no longer than two years, until the application is finalised".
- Land Act (Ministerial) Delegation (No.1) 2012 allows the Executive Director to approve an extension to a lease for one period up to 2 years, provided that it is the first extension of the term lease.
- An extension of 12 months only is requested.

**Attachments**

- Attachment 1:** Department smartmap showing location of the lease.

**Next Steps**

- Following approval, the department will extend the term by 12 months from **20 July 2014** to **19 July 2015** to ensure the lessee has continuity of tenure.
- The signing and lodgement of the relevant registry forms will be managed by the region once the briefing note is approved.

Action Officer: Judi Howard, Land Administration Officer  
 Telephone: 3884 8047

**Executive Director - Natural Resources and Mines**

**Comments:**

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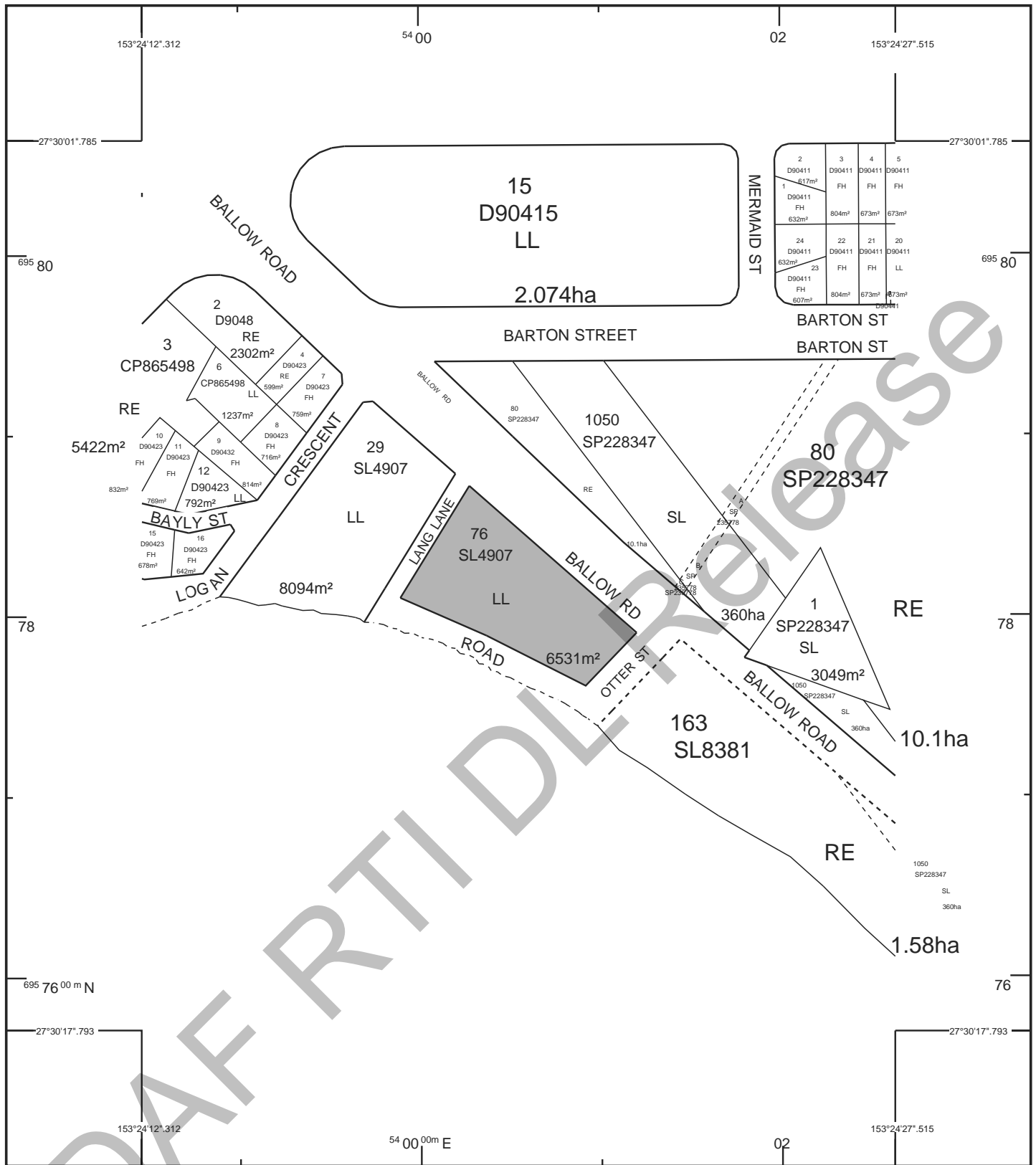
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DAE RTI DL Release





2 D90411 617m <sup>2</sup>	3 D90411 FH 804m <sup>2</sup>	4 D90411 FH 673m <sup>2</sup>	5 D90411 FH 673m <sup>2</sup>
1 D90411 FH 632m <sup>2</sup>	24 D90411 FH 632m <sup>2</sup>	22 D90411 FH 804m <sup>2</sup>	21 D90411 FH 673m <sup>2</sup>
	23 D90411 FH 807m <sup>2</sup>	20 D90411 LL 873m <sup>2</sup>	

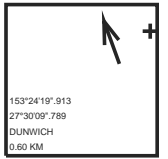
STANDARD MAP NUMBER  
9542-11441



**SmartMap**

An External Product of  
SmartMap Information Services  
Based upon an extraction from the  
Digital Cadastral Data Base

MAP WINDOW POSITION &  
NEAREST LOCATION



**SUBJECT PARCEL DESCRIPTION**

DCDB	76/SL4907
Lot/Plan	76/SL4907
Area/Volume	6531m <sup>2</sup>
Tenure	LANDS LEASE
Local Government	REDLAND CITY
Locality	DUNWICH
Parish	STRADBROKE
County	STANLEY
Segment/Parcel	20182/36

**CLIENT SERVICE STANDARDS**

PRINTED (dd/mm/yyyy) 29/04/2014  
For additional information regarding this SmartMap see page 2.  
Shading Rules have been applied.

DCDB 28/04/2014

Users of the information recorded in this document (the Information) accept all responsibility and risk associated with the use of the Information and should seek independent professional advice in relation to dealings with property.

Despite Department of Natural Resources and Mines(DNRM)'s best efforts, DNRM makes no representations or warranties in relation to the Information, and, to the extent permitted by law, exclude or limit all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability for any direct, indirect and consequential costs, losses, damages and expenses incurred in any way (including but not limited to that arising from negligence) in connection with any use of or reliance on the Information

For further information of FileMap products visit <http://nrw.qld.gov.au/property/mapping/blinmap>



(c) The State of Queensland,  
Department of Natural  
Resources and Mines) 2014.



**From:** SLAM Lodgement [SLAMlodgement@dnrm.qld.gov.au] on behalf of SLAM Lodgement [SLAMLodgement@dnrm.qld.gov.au]  
**Sent:** Thursday, 15 May 2014 10:20 AM  
**To:** s.73  
**Subject:** Application to renew TL221125 - Lot 76 on SL4907  
**Attachments:** Application\_-\_Original\_Receipt\_2114621.pdf

Thank you for lodging your application for renewal under *the Land Act 1994* with the Department of Natural Resources and Mines.

Your application was received on 12 May 2014 and the department has initiated assessing it. Your reference number is 2014/000849. Your receipt attached.

An officer of the department who has been assigned your case will be in contact with you to provide information about how the application is being assessed and to answer any questions that you may have.

The department contacted in a separate email regarding an application to purchase that you lodged. This matter is separate to this renewal as not enough information or maybe the correct application type was lodged. If you do make an application to purchase a separate state land parcel (not Lot 76 on SL4907) or you do make an application for Conversion to freehold of TL221125, the corrected application will be linked to the renewal case.

The department encourages the use of electronic correspondence and any hard copy correspondence received is electronically scanned and filed. For this reason, it is recommended that any attached plans, sketches or maps are no larger than 4MB and A3-sized.

For more information about land tenure applications please contact your nearest DNRM business centre or call 13 QGOV (13 74 68).

**Madonna Reid**  
CPL Co-Ordinator,  
**Central Point of Lodgement**  
**State Land Asset Management Unit**  
**Service Delivery – North Region**  
**Telephone:** 07-47997663 **QNET:** 37663 **Fax:** 07-47997533  
**Email:** [Madonna.Reid@dnrm.qld.gov.au](mailto:Madonna.Reid@dnrm.qld.gov.au)

Department of Natural Resource & Mines  
Level 3, State Government Building,  
Cnr Stanley and Walker Sts, Townsville Qld 4810

*The DNRM – Townsville Office will soon relocate to the Verde Tower, Level 9, 445 Flinders Street, Townsville My new phone number will be 07 4447 9166.*

Department of Natural Resources & Mines  
PO Box 5318, Townsville Q 4810  
**Facsimile:** 07-47997533  
**CPL Email:** [SLAMlodgement@dnrm.qld.gov.au](mailto:SLAMlodgement@dnrm.qld.gov.au)

#### NOTE

All applications to change tenure or for use of State land administered under the Land Act are to be forwarded to the Central Point of Lodgement. The Central Point of Lodgement email address is [SLAMlodgement@dnrm.qld.gov.au](mailto:SLAMlodgement@dnrm.qld.gov.au). For more information please refer to [Application forms](#) on the departments webpage.

---

**From:** @sibelco.com.au]  
**Sent:** Monday, 12 May 2014 2:18 PM  
**To:** SLAM Lodgement

**Subject:** renewal and purchase application for TL 0/221125

Dear sir / madam,

Please find attached the renewal and application to purchase forms and credit card payment forms for TL 0/221125. My contact officer is s.73 and of Beenleigh office. Could you please advise receipt of this correspondence and to whom and where you would like the hard copy forwarded to.

If there are any issues with the application please don't hesitate to contact me on

Regards

External Relations Manager



**Sibelco Australia Limited**  
Level 3, 99 Melbourne Street

South Brisbane QLD 4101  
Australia

**Tel** +61 7 3409 6958

**Fax** +61 7 3409 6901

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Queensland Government  
Department of Natural Resources & Mines

ABN: 59 020 847 551

RECEIPT

Received from: Sibelco Australia -  
ABN/Address: 2014/0008401

s.73

No.: 2114621

Description	Qty	Unit Val.	Extended	Discount	Ext Value	GST	Total Price
APPLICATION OFFER OF NEW LEASE-LA02/LA25	1	236.20	236.20	0.00	236.20		236.20

Date: 14/05/14	Time: 16:00	DVISA	236.20	Tot Value:	236.20
Brch: nrmtown	SPer: wld			GST:	0.00
CYC: 13416	Reg: 36	Tendered	236.20	Tot Price:	236.20
				Tendered:	236.20
				Change:	0.00

Cheques or other negotiable instruments accepted subject to clearance.

**From:** MCQUADE Diane [Diane.Mcquade@dnrm.qld.gov.au]  
**Sent:** Tuesday, 20 May 2014 1:00 PM  
**To:** Titles Leasehold Corrections  
**Subject:** Amendment to TL 0/221125  
**Attachments:** Form 14 & Adjustment Notice.pdf

Good afternoon

Please find attached the Form 14 and adjustment notice for the short term extension of 0/221125 for a further 12 months.

If you require any further information, please don't hesitate to contact me.

Thanks so much  
Kind regards  
Di

Diane McQuade  
Senior Land Officer  
Beenleigh Office, South Region

Phone: (07) 3884 8055  
Fax: (07) 3884 8079

Postal Address: PO Box 1164, Beenleigh Qld 4207  
Address: 32 Tansey Street, Beenleigh Qld 4207

DAFER TTDL Release

Dealing Number.

Duty Imprint



**Privacy Statement**

The information from this form is collected under the authority of the Land Title Act 1994, the Land Act 1994 and the Water Act 2000 and is used for the purpose of maintaining the publicly searchable registers in the land registry and the water register.

**1. Nature of request**

Short Term Extension of Lease under  
Section 164 of the *Land Act 1994*

**Lodger** (Name, address & phone number)

Department of Natural Resources and  
Mines  
PO Box 1164  
**BEENLEIGH QLD 4207**  
Att: Judi Howard Phone: 3884 8047  
2014/000849

**Lodger  
Code**  
BH2340

**2. Lot on Plan Description**

Lot 76 on Crown Plan SL4907

**County**

Stanley

**Parish**

Stradbroke

**Title Reference**

40043954

**3. Registered Proprietor/State Lessee**

Stradbroke Rutile Pty Ltd A.C.N 009 693 074

**4. Interest**

State Land

**5. Applicant**

The State of Queensland (Represented by the Department of Natural Resources and Mines)

**6. Request**

I hereby request that: the term of TL 0/221125 be extended for a period of 1 year under section 164 of the *Land Act 1994* as per attached adjustment notice under the *Land Act 1994*

**7. Execution by applicant**

**Execution Date**

20 15 /2014

**Applicant's or Solicitor's Signature**

s.73

Diane Therese McQuade  
Senior Land Officer  
A duly authorised delegate of the  
Minister under the current Land Act  
(Ministerial) Delegation

Note: A Solicitor is required to print full name if signing on behalf of the Applicant

Title Reference [40043954 ]

eLVAS Case Id [ 2014/000849]

## Adjustment notice under the Land Act 1994

### 1. Property Description for the Lease, Licence or Reserve

Lot/Plan	Title Reference
Lot 76 on Crown Plan SL4907	40043954

go to 2

### 2. Select the type of adjustment dealing

#### Adjustment to details of tenure

- Section 31A boundaries of a reserve are changed
- Section 31B changing community purpose
- Section 360 amend the description or anything else in a Freeholding lease
- Section 360A (3) – amend the description or anything else in the term or perpetual lease if
  - (a) the lease is defective because of an error or omission in its preparation; or
  - (b) the court has made a decision under section 435 on a dispute about the boundaries; or
  - (c) the Minister has approved that an area of unallocated State land be included in the lease
  - (d) the Minister considers it necessary for another reason to correct the lease.
- Section 360B – amend the description or anything else in a State lease if—
  - (a) the boundaries of the lease land are not stated in the lease with adequate certainty or do not agree with the boundaries shown on the relevant plan; or
  - (b) a survey of the land gives more accurate knowledge of the lease; or
  - (c) the Minister has approved of a mutual exchange of areas adjoining a common boundary between State leases that are within the boundaries of 1 reserve, and the lessees of the leases agree to the exchange; or
  - (d) the Minister has approved that an area of trust land be included in the lease; or
  - (e) the State lease is defective because of an error or omission in its preparation; or
  - (f) the Minister considers it necessary for another reason to correct the State lease.

go to 3

#### Adjustment to term of lease

- Section 164 Short term extension
- Section 173A Short term extension

Extension granted to:

19	07	2015
DD	MM	YYYY

Extension granted to:

DD	MM	YYYY

go to 3

Title Reference [ 40043954 ]

eLVAS Case Id[ 2014/000846 ]

**3. Select details of the particular item being amended**

<input type="checkbox"/>	Description	
<input checked="" type="checkbox"/>	Term of lease	
<input type="checkbox"/>	Name of lessee	
<input type="checkbox"/>	Other	

go to 4  
 go to 5  
 go to 5  
 go to 5

**4. New Description**

Omit	Insert
eg. Lot 8 on RP1236544 eg. area - 523.469 ha	eg. Lot 121 on SP1236544 eg. area - 323.111 ha

go to 4

**5. Enter details of the particular item being amended (other than the description)**

Omit	Insert
eg. Mary Ann Smith	eg. Mary Anne Smith
Expiring on 19/07/2014	Expiring on 19/07/2015

go to 6

**6. Declaration**

I hereby declare that this action is approved under the relevant legislation and request details shown in this notice be recorded in the Land Register.

**Signature of Delegated Officer**

\_\_\_\_\_ s.73

**Delegated Officers full name:**

Diane Therese McQuade

**Delegated Officers position title:**

Senior Land Officer

**Regional Office:**

Beenleigh

**Date:**

20 / 5 / 2014



**From:** Vanessa L Faulkner [Vanessa.Faulkner@atsis.qld.gov.au]  
**Sent:** Thursday, 5 June 2014 2:20 PM  
**To:** HOWARD Judi  
**Subject:** Cultural Heritage Search - 1401241 (Stradbroke Rutile)

I refer to your application in which you requested advice on Aboriginal cultural heritage places recorded on the above location.

I wish to advise that no Aboriginal cultural heritage is recorded on the Cultural Heritage Database and Register in your specific search area, from the data provided by you. However, it is probable that the absence of recorded Aboriginal cultural heritage places reflects a lack of previous cultural heritage surveys of the area. Therefore, our records are not likely to reflect a true picture of the Aboriginal cultural heritage values of the area.

All significant Aboriginal cultural heritage in Queensland is protected under the Aboriginal Cultural Heritage Act 2003, and penalty provisions apply for any unauthorized harm. Under the legislation a person carrying out an activity must take all reasonable and practical measures to ensure the activity does not harm Aboriginal Cultural Heritage. This applies whether or not such places are recorded in an official register and whether or not they are located in, on or under private land.

Aboriginal cultural heritage, which may occur on the subject property, is protected under the terms of the Aboriginal Cultural Heritage Act 2003 even if the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs has no records relating to it.

Please refer to our website [www.atsis.qld.gov.au/atsis/aboriginal-torres-strait-islander-peoples/indigenous-cultural-heritage](http://www.atsis.qld.gov.au/atsis/aboriginal-torres-strait-islander-peoples/indigenous-cultural-heritage) for a copy of the gazetted Cultural Heritage duty of care guidelines, which set out reasonable and practical measures for meeting the duty of care.

The Cultural Heritage body for the 76 SL4907 area is:

Quandamooka Yoolooburrabee Aboriginal Corp RNTBC Pty Ltd  
Mr Cameron Costello  
Chief Executive Officer  
PO Box 235  
Dunwich QLD 4183  
Phone: s.73  
Email: [ceo@qyac.com.au](mailto:ceo@qyac.com.au)

Should you have any further queries, please do not hesitate to contact me on (07) 3033 0165.

Kind regards

**Vanessa Faulkner** | Policy Officer | Monday (alternate), Tuesday and Thursday  
Cultural Heritage | Department of Aboriginal and Torres Strait Islander and Multicultural Affairs  
6B Neville Bonner Building, 75 William Street, BRISBANE QLD 4000

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DAF RTI DL Release

**From:** s.73 @sibelco.com.au]  
**Sent:** Thursday, 26 June 2014 1:59 PM  
**To:** SLAM Lodgement  
**Subject:** RE: renewal and purchase application for TL 0/221125  
**Attachments:** Barracks lease TL0221125 purchase part A 260614.pdf

**Categories:** With Tracy

Dear Madonna, please find attached complete Part A and Part B forms for the conversion of Term Lease to Freehold

Any questions, please don't hesitate to give me a call

Regards

External Relations Manager



**Sibelco Australia Limited**

Level 3, 99 Melbourne Street

South Brisbane QLD 4101  
Australia

**Tel** +61 7 3409 6958

**Fax** +61 7 3409 6901

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**From:** SLAM Lodgement [mailto:SLAMLodgement@dnrm.qld.gov.au]  
**Sent:** Monday, May 12, 2014 2:36 PM  
**To:**  
**Subject:** RE: renewal and purchase application for TL 0/221125

Thank you for your application. The application to purchase is incomplete as there is no Part A form to determine which Unallocated state land parcel you wish to make application to purchase. If you are wanting to make an application for conversion to freehold over TL221125 being Lot 76 on SL4907 then an Application for conversion of a lease with Part A must be lodged instead of purchase application.

Please note that as the purchase application is not properly made, this department cannot begin investigations. Please notify by 13 June 2014 if you wish to make purchase over a parcel of Unallocated state land that is Not Lot 76 on SL4907 or wish to

make an application for conversion of lease over TL221125 and forward the completed correct forms

The department cannot guarantee the security of any credit card information sent via the email system, thus it is departmental policy that applicants do not send credit card details by email. The credit card form will be delete from your PDF's to assist with the security of your credit card information.

**Madonna Reid**  
CPL Co-Ordinator,  
**Central Point of Lodgement**  
**State Land Asset Management Unit**  
**Service Delivery – North Region**  
**Telephone:** 07-47997663 **QNET:** 37663 **Fax:** 07-47997533  
**Email:** [Madonna.Reid@dnrm.qld.gov.au](mailto:Madonna.Reid@dnrm.qld.gov.au)

Department of Natural Resource & Mines  
Level 3, State Government Building,  
Cnr Stanley and Walker Sts, Townsville Qld 4810

*The DNRM – Townsville Office will soon relocate to the Verde Tower, Level 9, 445 Flinders Street, Townsville My new phone number will be 07 4447 9166.*

Department of Natural Resources & Mines  
PO Box 5318, Townsville Q 4810  
**Facsimile:** 07-47997533  
**CPL Email:** [SLAMlodgement@dnrm.qld.gov.au](mailto:SLAMlodgement@dnrm.qld.gov.au)

#### NOTE

All applications to change tenure or for use of State land administered under the Land Act are to be forwarded to the Central Point of Lodgement. The Central Point of Lodgement email address is [SLAMlodgement@dnrm.qld.gov.au](mailto:SLAMlodgement@dnrm.qld.gov.au). For more information please refer to [Application forms](#) on the departments webpage.

---

**From:** s.73 [mailto:s.73@sibelco.com.au]  
**Sent:** Monday, 12 May 2014 2:18 PM  
**To:** SLAM Lodgement  
**Subject:** renewal and purchase application for TL 0/221125

Dear sir / madam,

Please find attached the renewal and application to purchase forms and credit card payment forms for TL 0/221125. My contact officer is [redacted] and [redacted] of Beenleigh office. Could you please advise receipt of this correspondence and to whom and where you would like the hard copy forwarded to.

If there are any issues with the application please don't hesitate to contact me on

Regards

External Relations Manager



**Sibelco Australia Limited**  
Level 3, 99 Melbourne Street

South Brisbane QLD 4101  
Australia

**Tel** +61 7 3409 6958

**Fax** +61 7 3409 6901

s.73

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Application form  
Contact and Land Details  
Part A

**Application form requirements**

1. **Part A:** Contact and land details will need to be completed.
2. **Part B:** Application specific form will need to be completed.
3. Payment of the prescribed application fee, if relevant. A refund of application fees will not be given. (Details of fees are available on the Department of Natural Resources and Mines (DNRM) website or from your regional DNRMS office)
4. All parts of this application form need to be completed accurately, otherwise your application may be returned to you to complete.

**Important information**

All applications will be processed having regard to the requirements of the *Land Act 1994* and related legislation, approved policies and procedures and the requirements of all other agencies with an interest in the land.

All completed applications can be lodged with DNRM by sending information to the following email or postal addresses or in person at your local DNRM business centre.

**Email:**

[SLAMlodgement@dnrm.qld.gov.au](mailto:SLAMlodgement@dnrm.qld.gov.au)

If lodging an application via email the application form must be signed and details of payment method included in the email along with all relevant supporting documentation.

**Post:**

Department of Natural Resources and Mines  
PO Box 5318  
TOWNSVILLE QLD 4810

In terms of the *Right to Information Act 2009* interested parties may seek access to DNRM records and view relevant documents.

Information on this form, and any attachments, is being collected to process and assess your application under the *Land Act 1994*. The consideration of your application may involve consultation and if so details of your application may be disclosed to third parties. They will not be otherwise disclosed outside the department unless required or authorised by law.



### Applicant(s) Details and Mailing Address

If the applicant is a Corporation, either the Australian Registered Body number or the Australian Business number must be shown

**Full Name(s)**

Title	First name	Surname

**Company name(s)**

Stradbroke Rutile Limited

If a Corporation then record  ACN  ARBN  ABN 009 693 074

**Postal Address**

PO Box 74  
 Rosewater East  
 SA 5013

**Phone number**

08 8240 8251 **Mobile phone**  

**Email**

**Fax**

08 8341 1010

**Future correspondence should be sent to**  Lodger  Applicant

### Details of land for which the application is being lodged

1. Select the type of land for which the application is being lodged.

- |  |  |
|--|--|
| <input type="checkbox"/> Permit  | <input checked="" type="checkbox"/> Lease                            |
| <input type="checkbox"/> Licence   | <input type="checkbox"/> Unallocated State Land (USL) <b>go to 2</b> |
| <input type="checkbox"/> Trust Land Reserve/Deed of Grant in Trust (DOGIT)   | <input type="checkbox"/> Road  |
| <input checked="" type="checkbox"/> Other <span style="border: 1px solid black; padding: 2px;">Conversion of term lease to freehold</span> |  |



2. Enter the description of the land for which the application is being lodged. If this application concerns a road, enter the description of the land adjoining the road.

Schedule 1		
You must enter either the Lot on Plan or Title Reference of the land for which the application is being lodged.		
Lot	Plan	Title Reference
Lot 76	SL4907	40043954
The details of the land can be found on a current copy of the Title or on your rates notice. If insufficient space, please add additional description as an attachment.		

go to 3

3. Enter additional details of the land

Dealing number

Tenure type  Tenure number

Local Government

Other details of land location (optional)

go to 4

4. Have you participated in a pre-lodgement meeting with the department?  Yes go to 5  No

5. Provide details of pre-lodgement meeting. (optional)  
 (If there is insufficient space, please lodge it as an attachment)

Preliminary discussions with Judi Howard, Lands Administration officer at the Beenleigh office of DNRM to determine if there are any conditions that may impede an application to purchase. The advice was positive and we were informed that we should proceed with the application to renew the lease as well as make application for the conversion to freehold, to ensure continuity of tenure.

Departmental Officers contact details and any reference number should be included if known.

**THIS FORM MUST BE ACCOMPANIED BY THE RELEVANT PART B APPLICATION FORM.**

# DEPARTMENT OF NATURAL RESOURCES AND MINES

## Application for Conversion of a Lease

### Part B

#### Application form requirements

1. This application is for Conversion of a Lease.
2. Read the *Conversion of a Lease* fact sheet that includes application restrictions.
3. Payment of the prescribed application fee, if relevant. A refund of application fees will not be given. (Application fees are available on the Department of Natural Resources and Mines (DNRM) website or from a regional DNRM office.)
4. Any additional information to support application.
5. **Part A:** Contact and details of land will need to be completed and submitted with your application.
6. Your application will not be considered as having been properly made unless.
7. All parts of this application form need to be completed accurately, otherwise your application may be returned to you to complete.

#### Important information

1. If your application for conversion to freehold is successful, in most instances the purchase price payable will be equivalent to the unimproved value of the land as if it were freehold, plus GST if applicable.
2. Unless a price or formula has already been stated in the conditions of the lease to be converted, the purchase price is calculated as at the day the completed conversion application is received by the Department of Natural Resources and Mines (DNRM).
3. If your application for conversion to freehold is successful, you may be required to pay the market value of any commercial timber on your lease.
4. If your application for conversion to freehold is successful, you may also be required to provide a plan of survey at your expense.
5. You must continue to pay the rent until a new tenure (if offered) is issued.
6. All outstanding rental must be paid, before submitting an application for Conversion of a Lease.
7. You may be required to consider entering into a nature conservation agreement.  
(Details on Nature Conservation Agreements are available on the Environmental website: <http://www.eph.qld.gov.au/>)
8. Investigations could result in an offer being made for an area smaller than the area of your current lease to enable the state to secure land for uses such as road or a reserve for community purposes etc.
9. An application for conversion cannot be considered while the lease is subject to a condition precluding conversion.

(Details on other conditions are available on the online Title Search of the land and details on obtaining a Title Search are available on the DNRM website: <http://www.dnrm.qld.gov.au/property/titles/land-leases.html> searching for the relevant

Information on this form, and any attachments, is being collected to process and assess your application under the *Land Act 1994*. The consideration of your application may involve consultation, and if so details of your application may be disclosed to third parties. They will not be otherwise disclosed outside the department unless required or authorised by law.



9 311662 185303

1. The application is for Conversion of:

<input type="checkbox"/>	Perpetual Lease to Freehold	go to 4
<input type="checkbox"/>	Non Competitive Lease to Freehold	go to 4
<input type="checkbox"/>	Grazing Homestead Perpetual Lease to Freehold	go to 4
<input type="checkbox"/>	Term Lease (not issued for Pastoral purposes) to Freehold	go to 4
<input type="checkbox"/>	Term Lease for Pastoral Purposes (including a Pastoral Holding) to Perpetual Lease	go to 2
<input type="checkbox"/>	Special Lease to Freehold	go to 4

2. Has 80 per cent of the existing term on the lease expired?  Yes go to 4  No go to 3

A lessee issued with a term lease for a pastoral purpose may apply to convert the lease only to a perpetual lease, and only after 80% of the existing term on the lease has expired unless special circumstances exist.

The main reasons for special circumstance could include:

- a known substantial public interest such as a requirement for national park or state forest
- where there is an opportunity for land to be surrendered for use in additional area build-up

For additional details of special circumstances please contact the nearest regional DNRM office.

An application for conversion of a special lease or a term lease (other than a term lease for pastoral purposes) may be made at any time during the term of the lease

3. Provide sufficient evidence for the Minister to decide whether there are special circumstances that would lead the Minister to the opinion that this application should be accepted. go to 4

4. Have you made a previous application for conversion of this lease?  Yes go to 5  No go to 8

5. Was this application refused?  Yes go to 6  No go to 8

6. Has there been any change in circumstances from the previous application, which may lead to this application being accepted for further consideration?  Yes go to 7  No go to 8

Under Section 166 of the *Land Act 1994* the application may be rejected without further consideration.

7. Provide details of the change in circumstances from the previous application.  
(If there is insufficient space, please lodge as an attachment) go to 8


8. Lease expiry date 19 / 07 / 2014 go to 9  
(Details of your lease expiry date can be found on a current Title Search of the land)

9. Provide details of the current use of land e.g. grazing  
(If there is insufficient space, please lodge as an attachment) go to 10

Residential accommodation barracks for shift workers employed by Sibelco Australia at their sand
mining operations on North Stradbroke Island.

10. List below ALL existing improvements on the current leased land e.g. fencing, dams, buildings etc.  
(If there is insufficient space, please lodge as an attachment) go to 11

Accommodation buildings, ablution facilities, fencing, concrete pathways, electrical services and sewerage services. Please refer to the accompanying drawings SP-1016A and SP-1017A
--

A property sketch and /or aerial photo overlay of the improvements should also be attached to the application.

11. Is the lease within an industrial estate managed by the Property Services Group of the Office of the Co-Ordinator General?  Yes go to 12  No go to 12

If YES, Provide the views of the Property Services Group of the Department of State Development, Infrastructure and Planning (DIP) Industrial Estates that fall under the responsibility of the Property Services Group may also be known as DBIRD or Department of State Development (DSD) Industrial Estates. For additional information refer to the website for the Co-Ordinator General, Industrial Land Planning <<http://www.dsdip.qld.gov.au/land-for-industry/property-services-group.html>>

12. Is there a condition of your lease that requires you to:  
 • comply with any requirements of another government department or statutory authority; or  
 • develop the land in a certain way; or  
 • construct improvements to a certain value, size or type  
 Yes go to 13  No go to 14  
(Details of your lease conditions can be found on a current Title Search of the land)

13. Provide details of the compliance of the conditions in Question 12  
(If there is insufficient space, please lodge as an attachment) go to 14


14. Have you entered into any unregistered agreements with any other parties that provide for certain use or management of the land?  Yes go to 15  No go to 16  
(For example certain listed groves with nature conservation restrictions or other special use agreements)

**15.** Provide details and copies of any documentation relating to these agreements. **go to 16**  
(If there is insufficient space, please lodge as an attachment)


**16.** Provide details of any additional information to support the application. **go to 17**  
(If there is insufficient space, please lodge as an attachment)


**Attachments**

The following will need to be lodged with your application for it to be considered a properly made application. If all this information is not submitted, your application will be returned.

**17.** Tick the box to confirm the attachments for part of the application.

- Application fee
- Property sketch and /or aerial photo overlay
- Views of the Property Services Group, of the Department of State Development, Infrastructure and Planning for an industrial estate, if applicable
- Copies of documentation relating to unregistered agreements, if applicable

It is recommended that any attached plans, sketches or maps be of A4 or A3-size. Your application will not be considered as having been properly made, unless all parts of this application form are completed accurately. In this instance your application may be returned to you for completion.

**Declaration**

I certify that I have read the information which forms part of this application and the information I have provided is true and accurate.

Signature of applicant (or their legal representative)

--

Date:                    /                    /

If applicant, section 142 of the *Land Act 1994* states a person is eligible to apply for, buy or hold land under the *Land Act 1994* if the person is an adult, that is, 18 years of age or over.  
 If the legal representative of the applicant is signing as the applicant then the legal representative's full name must be printed immediately below the signature.

**From:** HOWARD Judi [Judi.Howard@dnrm.qld.gov.au]  
**Sent:** Wednesday, 9 July 2014 3:55 PM  
**To:** Forest Products - SLAM Use - South East FMA  
**Subject:** Request for Views 2014/000849  
**Attachments:** Current Title Search 9-7-14.doc; SmartMap\_for\_76\_SL4907.pdf

Hello

**APPLICATION FOR CONVERSION OF TERM LEASE 0/221125 being, Lot 76 on SL4907  
14 – 16 Ballow Road, Dunwich – North Stradbroke Island**

The term of the above Lease expires on 19 July 2015 and the Department is considering further dealings with this land.

Please advise if you have any objections to the conversion of the lease to freehold, and any views or requirements that may affect the future use of the land.

Copy of Current Title Search and Smartmap is attached for your information.

If you offer an objection to the conversion of this lease, a full explanation stating the reason for such an objection should be forwarded to this Office.

If no reply is received by 8 August 2014, it will be assumed you have no interests in this dealing.

If you wish to discuss this matter please contact Judi Howard on (07)3884 8047.

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to SLAM-beenleigh@dnrm.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 2014/000849 in any future correspondence.

Yours sincerely

*Judi Howard*

Land Administration Officer  
Land Management Beenleigh  
Department of Natural Resources and Mines  
PO Box 1164 Beenleigh 4207  
phone: 07 3884 8047 facsimile: 07 3884 8079  
[judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au)  
[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

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**SIBELCO - MINERAL SANDS**

**Plan of SAL Special Leases in Dunwich on North Stradbroke Island with 2014 orthophoto Image**

Drawing No.: **SP-1016A**

Page Size: **A4**

**SIBELCO**

MINERAL SANDS

**NOTE:**

1. This plan shows the general arrangement of the SAL leases within the town of Dunwich.
2. The aerial photography was captured by AAM on 19/1/2014.

Image:	AAM	Date:	Jan 2014
DRAWN:	DC	Date:	9/5/14
Checked:		Date:	
Approved:		Date:	
Coordinates:	CRL Grid		
Height Datum:	AHD		
Contour Interval:	n/a	Index Contours:	n/a

Lot 29  
SL4907

OTTER STREET

BALLOW ROAD

Lot 76  
SL4907

Deanbilla Bay

Approximate Shoreline

Light Pole

Light Pole

Gravel Access

1.2m chainwire perimeter fence

To Adam's Beach camp ground

**LEGEND**

- Concrete footpath/slab
- Bitumen road
- Gravel road/track
- Vegetation
- Fenceline
- Power line
- Special Lease boundary (approx)
- Fire Hydrant
- Building

Surveyed:	Sibelco	Date:	2009
Drawn:	DC	Date:	8/5/14
Plotted:	DC	Date:	8/5/2014
Checked:		Date:	
Approved:		Date:	
Coordinates: CRL Plane Grid			
Height Datum: AHD			
Contour Interval:	n/a	Index Contours:	n/a

SCALE: 1 : 500



**SIBELCO - MINERAL SANDS**

Plan of Sibelco's accommodation barracks on Lot 76 SL4907, Durwich

SIBELCO **SP-1017A** A3

Filename: path L:\SURVEY\140624\140624\Durwich\_report.pro Plotted on Thu May 8, 2014 at a scale of 1:500



CURRENT STATE TENURE SEARCH  
DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Search Date: 09/07/2014 15:46

Title Reference: 40043954

Date Created: 13/08/2004

Previous Title: 17748095

DESCRIPTION OF LAND

Tenure Reference: TL 0/221125

LOT 76           CROWN PLAN SL4907  
                  County of STANLEY                   Parish of STRADBROKE  
                  Local Government: REDLAND

Area:       0.653100 Ha. (SURVEYED)

No Land Description

No Forestry Entitlement Area

No Future Conservation Area

Purpose for which granted:  
RESIDENTIAL

TERM OF LEASE

Term and day of beginning of lease

Term: 10 years commencing on 20/07/2004

Expiring on 19/07/2015

REGISTERED LESSEE

STRADBROKE RUTILE PTY LTD A.C.N. 009 693 074

CONDITIONS

CURRENT STATE TENURE SEARCH  
DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Search Date: 09/07/2014 15:46

Title Reference: 40043954

Date Created: 13/08/2004

CONDITIONS

- A61 (1) The lessee must use the leased land for residential purposes namely single person's quarters and no other purpose whatsoever.
- (2) This lease may be forfeited if not used for the purpose stated above.
- (3) The annual rent must be paid in accordance with the Land Act 1994.
- (4) The Parties acknowledge that GST may be payable in respect of a supply made under this lease. Where GST becomes payable in respect of a supply made under this lease, the State (lessor) may recover the GST from the lessee by increasing the consideration payable by the lessee to the State by an amount equal to that which the State is obliged to remit to the Commonwealth as GST on the supply and that amount may be recovered from the lessee as part of the money payable to the State under this lease. The State will upon request by the lessee, issue to the lessee a valid GST tax invoice in respect of any taxable supply made under this lease. (NOTE: For the purposes of this condition "GST" means the goods and services tax which results from the enactment of A New Tax System (Goods and Services Tax) Act 1999 and the related Acts which constitute the Commonwealth taxation reform (as amended from time to time)).
- (5) The lessee must pay the cost of any required survey or re-survey of the leased land.
- (6) The lessee must control pest plants and animals, on the leased land, in accordance with the Land Protection (Pest and Stock Route Management) Act 2002 and the Local Laws and requirements of the Redland Shire Council.
- (7) The lessee has the responsibility for a duty of care, to take all reasonable and practicable measures to sustainably manage the leased land by conserving the physical, biological, productive and cultural values, either on the leased land or in areas affected by the management of the leased land.
- (8) The lessee indemnifies and agrees to keep indemnified the State of Queensland, Crown Instrumentalities, local governments and other statutory bodies (the Indemnified) against all actions, suits, proceedings, claims, demands, costs, losses, damages and expenses (Claim) arising out of or in any way connected to or resulting from the State of Queensland granting this lease to the lessee and which is connected to or resulting from the lessees' use and occupation of the leased land (all referred to as the indemnified acts or omissions) save to the extent that the Claim arises as a result of any negligent act or omission of the State of Queensland. The lessee hereby releases and discharges the Indemnified from any Claim relating to the indemnified acts or omissions which may be made against the Indemnified.
- (9) The lessee must ensure that the use and development of the leased land conforms to the Planning Scheme, Local Laws and requirements of the Redland Shire Council, binding on the lessee.
- (10) The lessee must give the Minister administering the Land Act

Page 2/4

CURRENT STATE TENURE SEARCH  
DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Search Date: 09/07/2014 15:46

Title Reference: 40043954

Date Created: 13/08/2004

CONDITIONS

- 1994, information about the lease, when requested.
- (11) The lessee must not clear any vegetation on the leased land, unless in accordance with the Integrated Planning Act 1997.
- (12) No compensation for improvements or developmental work is payable by the State at the forfeiture, surrender or expiry of the lease, but the lessee has the right to remove moveable improvements within a period of three (3) months from the forfeiture, surrender or expiry of the lease, provided all money due by the lessee to the State on any account whatsoever has been paid, or be required to remove those improvements as specified in any further condition of lease.
- (13) This lease is subject to the Land Act 1994 and all other relevant State and Commonwealth Acts.
- A68 (1) The lessee must allow any person authorised under the Forestry Act 1959 access to the leased land for the purpose of cutting and removing timber or removing other forest products, or quarry material, or other material from the leased land.
- (2) Except as hereinafter provided the lessee must not interfere with any forest products or remove any quarry material (including any stone, gravel, sand, earth, soil, rock, guano or clay which is not a mineral within the meaning of the Mineral Resources Act 1989) or other material upon the leased land without the permission of the Minister administering the Land Act 1994 except under the authority of and in compliance in every respect with the requirements or a permit, licence, agreement or contract granted or made under the Forestry Act 1959.
- A69 Further to Condition A61(12) above, the lessee must remove all improvements and rehabilitate the area to the satisfaction of the Minister administering the Land Act 1994 from the date of expiry or forfeiture of the lease.
- A70 If the lessee fails to remove the improvements and rehabilitate the area as detailed in Condition A69 above, the Minister administering the Land Act 1994, can remove the improvements and rehabilitate the area and is hereby authorised to do whatever is necessary to effect the said removal and rehabilitation. The said Minister may recover from the lessee the total cost incurred in the said removal and rehabilitation.
- C342 The lessee must comply with any lawful requirements of Redland Shire Council.
- L109 The lessee must not effect any further structural improvements on the leased land, without the approval of the Minister administering the Land Act 1994 and any other relevant authority, having been first obtained.

CURRENT STATE TENURE SEARCH  
DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Search Date: 09/07/2014 15:46

Title Reference: 40043954

Date Created: 13/08/2004

CONDITIONS

L110 The lessee must , to the satisfaction of the Minister administering the Land Act 1994 and Redland Shire Council , maintain all existing improvements on the leased land in a good and substantial state of repair.

ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by Lease No. 40043954

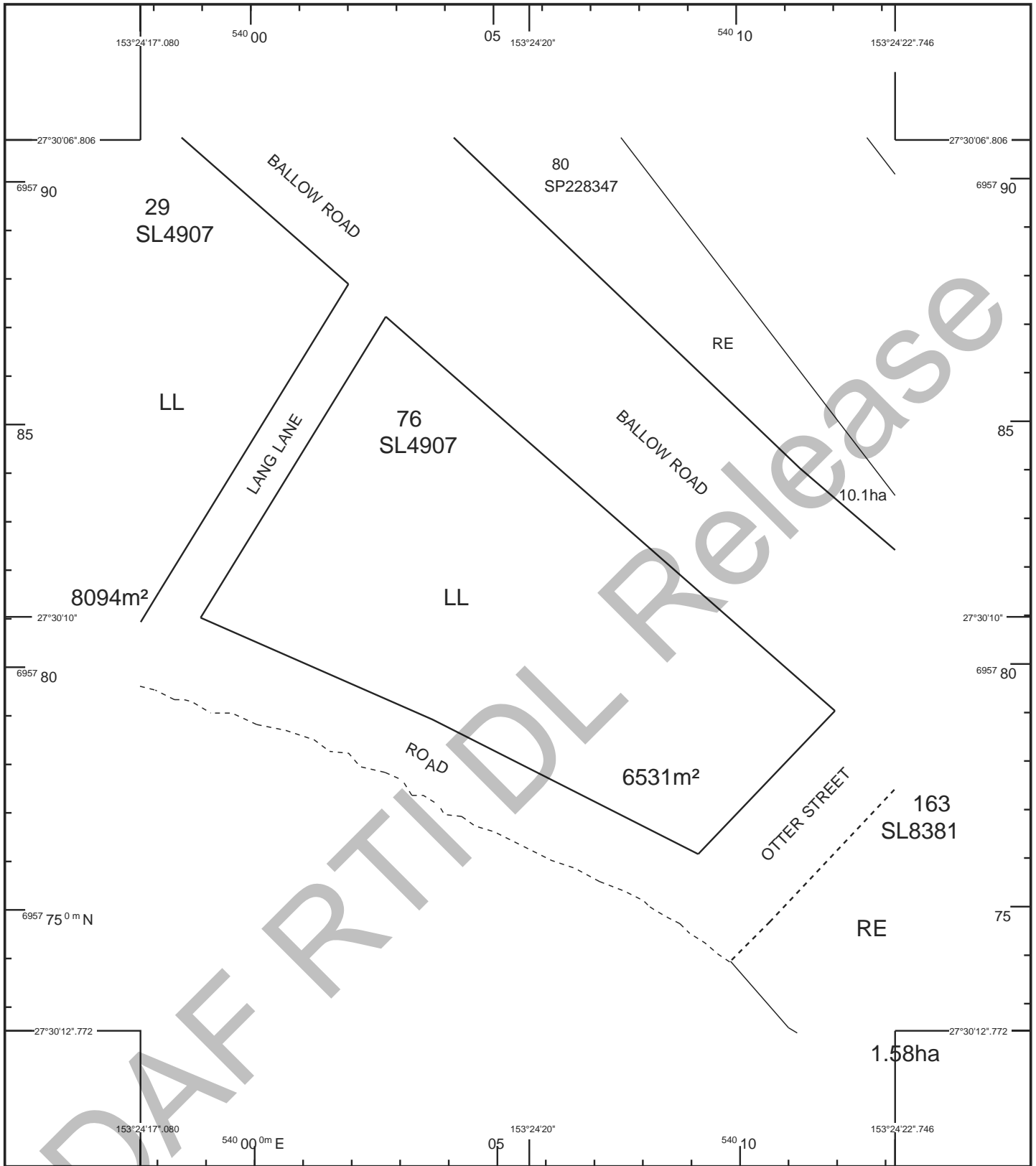
ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status	Location
713923333	DSI/OFFSET	24/06/2011 13:33	CUR	GC-GEN -00

LAND VALUATION ACT 2010  
UNREGISTERED DEALINGS - NIL

\*\* End of Current State Tenure Search \*\*

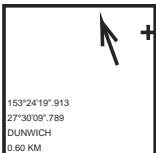
Information provided under section 34 Land Title Act(1994) or section 281 Land Act(1994)



STANDARD MAP NUMBER  
9542-11441



MAP WINDOW POSITION &  
NEAREST LOCATION



**SUBJECT PARCEL DESCRIPTION**

DCDB	
Lot/Plan	76/SL4907
Area/Volume	6531m <sup>2</sup>
Tenure	LANDS LEASE
Local Government	REDLAND CITY
Locality	DUNWICH
Parish	STRADBROKE
County	STANLEY
Segment/Parcel	20182/36

**CLIENT SERVICE STANDARDS**

PRINTED (dd/mm/yyyy) 13/02/2014

DCDB 12/02/2014

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File A

For further information on SmartMap products visit <http://nrw.qld.gov.au/property/mapping/blinmap>

**SmartMap**

An External Product of  
SmartMap Information Services  
Based upon an extraction from the  
Digital Cadastral Data Base



**Queensland**  
Government

(c) The State of Queensland,  
Department of Natural  
Resources and Mines) 2014.



15-424

**From:** HOFFMAN Belinda [Belinda.Hoffman@daff.qld.gov.au]  
**Sent:** Monday, 14 July 2014 10:03 AM  
**To:** HOWARD Judi  
**Subject:** RE: Request for Views 2014/000849

Hi Judi,

Forest Products have conducted an assessment of this application and have determined that we have no commercial interest.

We therefore, have no objection to this application.

Regards,

Belinda Hoffman  
Manager Business Operations  
South East Forest Management Area, Gympie  
**Forest Products**  
**Department of Agriculture, Fisheries and Forestry**  
**Telephone:** 07 5480 5351 **Mobile:** s.73  
**Facsimile:** 07 5480 5302  
**Email:** [belinda.hoffman@daff.qld.gov.au](mailto:belinda.hoffman@daff.qld.gov.au)  
<http://www.daff.qld.gov.au>

27 O'Connell Street, Gympie Q 4570  
LMB 383, Gympie Q 4570



---

**From:** HOWARD Judi  
**Sent:** Wednesday, 9 July 2014 3:55 PM  
**To:** Forest Products - SLAM Use - South East FMA  
**Subject:** Request for Views 2014/000849

Hello

**APPLICATION FOR CONVERSION OF TERM LEASE 0/221125 being, Lot 76 on SL4907  
14 – 16 Ballow Road, Dunwich – North Stradbroke Island**

The term of the above Lease expires on 19 July 2015 and the Department is considering further dealings with this land.

Please advise if you have any objections to the conversion of the lease to freehold, and any views or requirements that may affect the future use of the land.

Copy of Current Title Search and Smartmap is attached for your information.

If you offer an objection to the conversion of this lease, a full explanation stating the reason for such an objection should be forwarded to this Office.

If no reply is received by 8 August 2014, it will be assumed you have no interests in this dealing.

If you wish to discuss this matter please contact Judi Howard on (07)3884 8047.

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to [SLAM-beenleigh@dnrm.qld.gov.au](mailto:SLAM-beenleigh@dnrm.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 2014/000849 in any future correspondence.

Yours sincerely

*Judi Howard*

Land Administration Officer  
Land Management Beenleigh  
Department of Natural Resources and Mines  
PO Box 1164 Beenleigh 4207  
phone: 07 3884 8047 facsimile: 07 3884 8079  
[judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au)  
[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

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DAFER TI DL Release

**From:** Merv Elliott [Merv.Elliott@redland.qld.gov.au]  
**Sent:** Wednesday, 16 July 2014 11:03 AM  
**To:** HOWARD Judi  
**Subject:** RE: 2014/000849

Sorry for delay Judi. Council offers no objection to the freeholding of the subject block provided Native Title issues are addressed if necessary.

Merv Elliott  
Property Services Manager  
38298494

---

**From:** HOWARD Judi [mailto:Judi.Howard@dnrm.qld.gov.au]  
**Sent:** Thursday, 3 July 2014 1:52 PM  
**To:** Merv Elliott  
**Subject:** 2014/000849

Hi Merv

Stradbroke Rutile have made application for a conversion of Term Lease 0/221125 being Lot 76 on SL4907 to Freehold, council advised via letter (see attached) no objection to the renewal of the lease, but would council have an objection to the conversion of the term lease to freehold.

Please advise if council has an objection to the conversion to freehold. Thanks

Kind Regards

*Judi Howard*

Land Administration Officer  
Land Management Beenleigh  
Department of Natural Resources and Mines  
PO Box 1164 Beenleigh 4207  
phone: 07 3884 8047 facsimile: 07 3884 8079  
[judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au)  
[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

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*Please consider the environment before you print this e-mail or any attachments.*

---

DAE RTI DL Release

**From:** MASKELL Alan [Alan.Maskell@dnrm.qld.gov.au]  
**Sent:** Wednesday, 23 July 2014 7:32 AM  
**To:** HOWARD Judi  
**CC:** BALL Les; DONALD Steve; CHAMBERLAIN Barry  
**Subject:** FW: 2014/000849 - Plan suitable for issue of Deed of Grant  
**Attachments:** 2014\_000849\_RR.pdf

Judi  
See attached

Al

---

**From:** CHAMBERLAIN Barry  
**Sent:** Tuesday, 22 July 2014 4:00 PM  
**To:** BALL Les; MASKELL Alan; DONALD Steve  
**Subject:** FW: 2014/000849 - Plan suitable for issue of Deed of Grant

Guys another Deed of grant survey plan check.  
Thanks,

*Barry Chamberlain*  
[Barry.Chamberlain@dnrm.qld.gov.au](mailto:Barry.Chamberlain@dnrm.qld.gov.au)  
**Spatial Information Officer, Ipswich, South Region**  
**Resource Assessment & Information, DNRM**  
PO Box 864, Ipswich, Q, 4305  
Icon Building, Level 4, 117 Brisbane St Ipswich  
Ph 3894 8128 Qnet 28128 Fax 3894 8143

---

**From:** HOWARD Judi  
**Sent:** Tuesday, 22 July 2014 3:08 PM  
**To:** CHAMBERLAIN Barry  
**Subject:** 2014/000849 - Plan suitable for issue of Deed of Grant

Hi Barry

An application has been made for the proposed conversion to freehold of Term lease 0/221125 being Lot 76 on Crown Plan SL4907, can you please advise if the applicant accepts the offer for conversion that SL4907 is suitable for the issue of the Deed of Grant – see attached.

Thanks

Kind Regards

*Judi Howard*

Land Administration Officer  
Land Management Beenleigh  
Department of Natural Resources and Mines  
PO Box 1164 Beenleigh 4207  
phone: 07 3884 8047 facsimile: 07 3884 8079  
[judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au)  
[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

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# Recording Request

eLVAS Case No: 2014/000849

Lease No: TL 0/221125

Description            Being Lot 76 on SL4907 ✓  
Area: 6531 m<sup>2</sup> ✓  
Parish of: Stradbroke ✓  
County of: Stanley ✓  
Shire of: Redland C.C. ✓

Is this plan satisfactory for the issue of a Deed of Grant?

Yes/~~No~~

Exclusions: ~~Yes~~/No

Forest Products – MUID affected ~~Yes~~/No

MUID No:

Signed: A Maskell

Date: 23/07/2014

Cartographer/~~Surveyor~~

**From:** HOWARD Judi [Judi.Howard@dnrm.qld.gov.au]  
**Sent:** Thursday, 24 July 2014 8:56 AM  
**To:** s.73 @sibelco.com.au  
**Subject:** 2014/000849 Conversion of Term Lease (Barracks) Dunwich  
**Attachments:** Signed Letter of Offer.pdf

Hi

Please find attached letter of offer for application for conversion of term lease 0/221125 being Lot 76 on SL4907 to Freehold, Ballow Road, Dunwich, North Stradbroke Island. The original is in the mail.

Please don't hesitate to contact me If you require further information.

Kind Regards

*Judi Howard*

Land Administration Officer  
Land Management Beenleigh  
Department of Natural Resources and Mines  
PO Box 1164 Beenleigh 4207  
phone: 07 3884 8047 facsimile: 07 3884 8079  
[judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au)  
[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

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Queensland  
Government

Department of  
**Natural Resources and Mines**

Author: Judi Howard  
File / Ref number 2014/000849  
State Land Asset Management  
Phone (07)3884 8047

24 July 2014

Sibelco Australia Limited  
Level 3, 99 Melbourne Street  
SOUTH BRISBANE QLD 4101

**Attention:** s.73

Letter of Offer

Dear \_\_\_\_\_

**Application for Conversion of Term Lease 0/221125 being Lot 76 on SL4907 to Freehold Ballow Road, Dunwich, North Stradbroke Island**

Reference is made to the above application received 26 June 2014 for the conversion of Term Lease 0/221125 being Lot 76 on Crown Plan SL4907 to Freehold.

It is advised that approval will be sought for the issue of a Deed of Grant over Lot 76 on Crown Plan SL4907, subject to the terms and conditions as set out in the attached **Agreement to Offer a Conversion of a Lease** and compliance with the requirements of offer to Stradbroke Rutile Pty Ltd.

The attached agreement duly signed, together with payment of all required monies, an amount sufficient to cover either the full purchase price or required deposit and associated fees as detailed in the attached accounts, must be returned to the Department by close of business on 21 August 2014, otherwise this offer lapses (please return the whole agreement). Business days include those days that the Department office is normally open and excludes weekends and public holidays

All conditions of this offer, must be satisfied by close of business on 17 October 2014 otherwise this offer lapses.

If you believe you will be unable to comply with any of the conditions of this offer by the specified date, you should apply in writing for an extension of time. Any application for an extension of time should 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 time for which the extension is requested, including reasons for the amount of time required.

Postal :  
DNRM Beenleigh  
PO Box 1164  
Beenleigh QLD 4207

Telephone : (07)3884 8047  
Fax: (07)3884 8079

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.

**Note** - Section 442 of the Land Act states that if an offer is not accepted in writing within the stated time, the offer lapses. An application to extend the stated time may be made at any time before the time passes.

Once the stated time has passed, an application may only be made within **42 days** after the time has passed. Where an application is made after the stated time has passed but within the following 42 day period, the time can only be extended where exceptional circumstances exist.

No applications for extension of time made after the 42 day period referred to in section 442 will be considered.

If you wish to discuss this matter please contact Judi Howard on (07)3884 8047 or email [judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au) .

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to [SLAM-Beenleigh@dnrm.qld.gov.au](mailto:SLAM-Beenleigh@dnrm.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.

You may wish to seek your own legal advice with regard to this offer.

Please quote reference number 2014/000849 in any future correspondence.

Yours sincerely

s.73

Judi Howard  
Land Administration Officer  
Beenleigh

# Offer Account

This is not a Tax Invoice

Issued



Department of  
Natural Resources and Mines

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 Natural Resources and Mines, (ABN 59 020 847 551)

<b>Payment Reference:</b>	624685	<b>Account No:</b>	1403000849
<b>Offer Account Date:</b>	24/07/2014	<b>Account Due Date:</b>	21/08/2014
<b>Enquiry Reference:</b>	2014/000849/3		

**Applicant:** Stradbroke Rutile Pty Ltd  
PO Box 74  
ROSEWATER EAST QLD 5013  
Australia

**ABN No.**  
**ACN/ARBN No.** 009 693 074

Item Description	Quantity	Amount (\$)	Amount Due (\$)
Total Sale Price (GST Incl if applicable)	1	2015000.00	
Property Value (Input Taxed)	1	2015000.00	2015000.00
Conveyance/Stamp Duty (GST Exempt)	1	96387.50	96387.50
Deed Fee (Div 81)	1	63.30	63.30
<b>Total Payable at Acceptance/Settlement:</b>			<b>\$ 2111450.80</b>

**Comment:**  
Conversion of Term Lease 0/221125 Being Lot 76 on Crown Plan SL4907, Dunwich, North Stradbroke Island

If applicable a Tax Invoice will be provided on completion of this dealing.  
24-Jul-2014

# SURRENDER OF LEASE / LICENCE / PERMIT

(In accordance with Sections 105, 180, 327 and 481 of the *Land Act 1994*)

*THIS APPLICATION IS TO BE LODGED WITH THE NEAREST OFFICE OF THE DEPARTMENT OF NATURAL RESOURCES AND MINES*

**1. Property Description**

<b>Title Reference</b>	<b>Lot/Plan</b>	<b>Parish</b>	<b>Local Government</b>
40043954	Lot 76 on Crown Plan SL4907	Stradbroke	Redland City Council

**2. Surrender of Part or Whole of the Lease or Whole of the Licence / Permit Area**

\*Part or  \*Whole ( *\*\*"X" which ever is applicable* )

If 'Part', specify area (in hectares) being surrendered :

**3. Lessee / Licensee / Permittee**

Stradbroke Rutile Pty Ltd

**4. Conditions of Surrender (If applicable)**

**5. Execution**

We being the lessee in item 3, do hereby surrender and transfer to The State of Queensland, all of our right, title and interest in and to the said lease as described in items 1 and 2, subject to any conditions detailed in item 4.

<b>Witness</b>	<b>Execution Date</b>	<b>Lessee / Licensee / Permittee Signature</b>
.....signature	...../...../.....	.....
.....full name		
.....qualification		
(eg Legal Practitioner, JP, C.Dec)		

<b>Witness</b>	<b>Execution Date</b>	<b>Lessee / Licensee / Permittee Signature</b>
.....signature	...../...../.....	.....
.....full name		
.....qualification		
(eg Legal Practitioner, JP, C.Dec)		

Postal :  
DNRM Beenleigh  
PO Box 1164  
Beenleigh Qld 4207

Telephone : (07)3884 8047  
Fax: (07)3884 8079





## Notes and Guide to Completion

This form is to be used when either the whole or part of a lease or road licence, or the whole of a permit to occupy or occupation licence issued under the *Land Act 1994* is to be surrendered to The State of Queensland. The surrender may be subject to conditions.

If the lease being surrendered is subject to any mortgage, sublease or sub-sublease, the written consent to the surrender must be obtained from the registered mortgagee, sublessee and/or sub-sublessee on a Land Registry Form 18 (General Consent) and lodged together with the surrender. *NOTE: This does not apply if the document is subject to a surrender or disclaimer under a law about bankruptcy.*

The following explains what should be included in each of the items on the form:

### Item 1

The following is an example of how this item should be completed:

Title Reference	Lot/Plan	Parish	Local Government
16243027	Lot 6 on SP137064	Tingalpa	Brisbane City Council

*NOTE: If only part of the lease area is being surrendered, only the description of the area being surrendered should be entered in this item.*

### Item 2

'X' whichever is applicable eg:  \*Part or  \*Whole

*NOTE: A Permit to Occupy must not be partially surrendered.*

### Item 3

Insert the full names of the Lessee / Licensee / Permittee

### Item 4

If the lease / licence / permit is being surrendered subject to conditions, the relevant condition/s are to be inserted in this item. *Example conditions are as follows:*

- For the purposes of being granted a new \*..... Lease (\*Insert Tenure Type eg: Term); or
- All that part described as road to be opened on Plan \*.....(\* Insert Plan Number eg: SP123456).

*NOTE: This list of example conditions is not exhaustive and may be added to as any need arises.*

### Item 5

The Lessee / Licensee / Permittee is to complete and execute this item where indicated in the presence of a Witness, being a Legal Practitioner, Justice of the Peace or Commissioner for Declarations.

## Agreement to Offer conversion of a lease – Requirements and notification of acceptance of offer

DNRM reference number: 2014/000849

### OVERVIEW

Subject to compliance with the Offer Requirements as set out in this document, approval has been given to the making of this offer in relation to the conversion to freehold of Term Lease 0/221125 over Lot 76 on Crown Plan SL4907, subject to the terms and conditions stated below.

Your completion and return of this form together with payment of the attached account constitutes written agreement to the offer and the subsequent issue of tenure on the stated terms and conditions.

**Note** - the Governor's approval for the issue of a Deed of Grant will be sought only if you decide to accept and comply with all conditions of the offer.

### OFFER REQUIREMENTS

This offer will lapse unless the following requirements are lodged by the specified time, with the DNRM Beenleigh Office –

1. Completion and return of this Agreement. This agreement document must be completed by all proposed tenure holders.
2. Forwarding of the sum of \$2,111,450.80 as detailed in the attached account. A copy of the account should be returned to the department along with your payment.

If you cannot pay the whole amount of the account being \$2,111,450.80 by the **21 August 2014** payment of an amount equivalent to the total of all prescribed fees and charges, plus \$10,000. The amount will consist of \$96,387.50 (Stamp Duty) + \$63.30 (Deed Fee) + \$10,000 = **\$106,450.80**. This will need to be paid by 21 August 2014 to accept the Departments' Offer; the balance will be required to be paid by 17 October 2014.

3. Execute the attached Form LA16 – Surrender of Lease and return to this office.

The **Agreement to Offer a conversion of a lease**, together with payment of all required monies, being the amount of \$2,111,450.80 or Deposit, must be returned to the department by close of business on **21 August 2014**, otherwise this offer will lapse. Final payment of monies owing must be made by **17 October 2014**.

If you believe you will be unable to comply with **any** of the conditions of this offer by the due dates, you should apply in writing for an extension of time. Any applications for extension of time should 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 condition/s cannot be complied with by the due dates; **AND**
- the time for which the extension is requested, including reasons for the amount of time required.

Great state. Great opportunity.



Note –

1. if you do not apply for an extension of time and the offer lapses, you will need to make a fresh application and pay the required application fee. If the new application is accepted, the application will be re-investigated and include re-assessment of the purchase price, all conditions and requirements applicable to the dealing. This re-investigation may also result in the application being refused.
2. Required monies -
  - o where the purchase price is \$10,000 or less - payment of an amount equivalent to the total amount of the offer.
  - o where the purchase price is more than \$10,000 - payment of an amount equivalent to the total of all prescribed fees and charges, the calculated GST, plus \$10,000

**PARTICULARS OF LAND**

**Description -** Lot 76 on Crown Plan SL4907

**Parish-** Stradbroke **County-** Stanley

**Area (ha) -** 0.653100 ha (Surveyed)

Note - this description relates to the area being converted and may include and exclude area from the original tenure.

**TENANCY DETAILS**

The holders of the Lease being converted will be recorded as the holders of the Deed of Grant/Freeholding Lease.

The holders of the current Lease are:-

**NAME**

Stradbroke Rutile Pty Ltd A.C.N. 009 693 074

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

**Town/City:**

**State:**

**Postcode:**

Note – if these particulars are not correct please advise.

---

## PURCHASE PRICE

The purchase price has been determined as at the date of your application at \$2,111,450.80 inclusive of any applicable GST, Stamp Duty and Fees.

The Purchase Price comprises the following –

<b>Unimproved Value of land</b>	\$2,015,000.00
---------------------------------	----------------

The unimproved value of the land is calculated at the day the department received the conversion application.

Payment of the purchase price is required -

- in full, to enable a Deed of Grant to issue

The purchase price detailed above is subject to the appeal provisions outlined in Sections 421-435 of the *Land Act 1994*. Should you wish to appeal the Chief Executive's determined purchase price, you must advise the DNRM Beenleigh, by way of completion of a **Form LA14 – Application for an Internal review of an original decision**, no later than the 4 September 2014. Please note, the initial review of the purchase price (an internal review) is a pre-requisite to your proceedings to the Land Court at a later date if you determine to do so.

**Note** – A Deed of Grant will only be issued for land contained in a freeholding lease when the conditions of the lease have been fulfilled and the purchase price (all instalments and interest) and all relevant fees have been paid in full.

---

## GOODS AND SERVICES TAX (GST)

Goods and Services Tax (GST) is payable on all land transactions in accordance with *A New Tax System (Goods and Services Tax) Act 1999* unless it is an input taxed supply under Division 40 or specifically exempted from GST under Division 38 of that Act.

Where GST is payable, the annual rent payable by the lessee to the department shall be increased by the amount equal to that which the department is obliged to remit to the Deputy Commissioner of Taxation as GST on the supply.

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## TAX INVOICE

A tax invoice for obtaining a Deed of Grant will be issued to the registered owner within 28 days of the date of the issue of the deed.

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## RENT FOR EXISTING LEASE

Please note that pursuant to Section 190(3) of the *Land Act 1994*, rent is still payable on the lease pending the outcome of the conversion process. Rental will continue to be owed to the State until the new tenure issues. After the new tenure has been issued, the balance (if any) of rental credit will be refunded.

---

## FOREIGN OWNERSHIP

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 or a foreign trust, must lodge a Notification of Ownership Form for each interest acquired. No fee is payable and further enquiries should be directed to the Foreign Ownership of Land Registry on (07) 3227 7262.

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

## **CONTAMINATION**

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Landowners and occupiers of land have a responsibility under section 371(1) of the *Environmental Protection Act 1994* to notify the administering authority within 22 business days if they become aware that a notifiable activity is being carried out on the land.

There are penalties for landowners under section 371 of the *Environmental Protection Act 1994* for not complying with the responsibility to notify.

For more information visit the EHP website: [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au); or contact Waste and Land Contamination Assessments, Department Environment and Heritage Protection - email: [WLCA@ehp.qld.gov.au](mailto:WLCA@ehp.qld.gov.au).

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## **ABORIGINAL OR TORRES STRAIT ISLANDER CULTURAL HERITAGE**

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All significant Aboriginal and Torres Strait Islander cultural heritage in Queensland, is protected under the *Aboriginal Cultural Heritage Act 2003* and the *Torres Strait Islander Cultural Heritage Act 2003*, and penalty provisions apply for any unauthorised harm. Under the legislation a person carrying out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage. This applies whether or not such places are recorded in an official register and whether or not they are located in, on or under private land.

Aboriginal cultural heritage which may occur on the subject land is protected under the terms of the *Aboriginal Cultural Heritage Act 2003* and *Torres Strait Islander Cultural Heritage Act 2003* even if DATSIMA has no records relating to it.

Please refer to the website -

<http://www.datsima.qld.gov.au/atsis/aboriginal-torres-strait-islander-peoples/indigenous-cultural-heritage> for a copy of the gazetted Cultural Heritage Duty of Care Guidelines which set out reasonable and practical measures for meeting the duty of care.

Further assistance or advice in relation to this matter please contact the Cultural Heritage Unit on (07) 3405 3050.

## DECLARATION

The information provided in this Agreement to Offer and any attachments is authorised under the *Land Act 1994* and is being used to process your application. The department will endeavour to maintain the confidentiality of information relating to your application. However, consideration of your application may involve consultation with other parties and if so, details of your application may be disclosed to third parties. This information will not otherwise be disclosed outside of the department unless required or authorised by law such as under the *Right to Information Act 2009*. If the proposed tenure issues, the details of the tenure, including the registered owner/lessees will be registered in the Land Registry which is available to the public to search.

- I/We accept the conditions of the offer and the purchase price and note that this acceptance shall not be effective until I/We have complied with the offer requirements within the time specified; OR
- I/We accept the conditions of the offer but I/we intend to appeal against the purchase price. Form **LA14 - Application for internal review of an original decision** will be lodged with the department within 42 days of date of the offer.

I/We elect to pay the purchase price

- By way of a single payment

## DECLARATION BY A CORPORATION

Executed for and on behalf of:

Corporation name

Stradbroke Rutile Pty Ltd

A.C.N or A.R.B.N No.

In accordance with section 127 of the *Corporations Act 2001*,

Dated

day of

Year

Name and Signature of authorised person/s

**Note** – Sole Directors simply insert name and sign as sole director. Other Companies require signature of two Directors or by a Director and Secretary. Where an attorney or other agent executes this Agreement on behalf of a company, the form of the execution must indicate the source of this authority and a certified copy of authority must be provided to Department. A witness is only required for an attorney or other agent where the source of authority requires a witness.



**DECLARATION BY AN INDIVIDUAL**

Name and Signature of all applicants	In the presence of: Full Name and Signature of Witness

**NOTE** - This document must be signed by all persons who are nominated as the holder/s of the proposed tenure. If insufficient space please add additional information as an attachment.

**A.B.N No.**

**Dated**  **day of**  **Year**

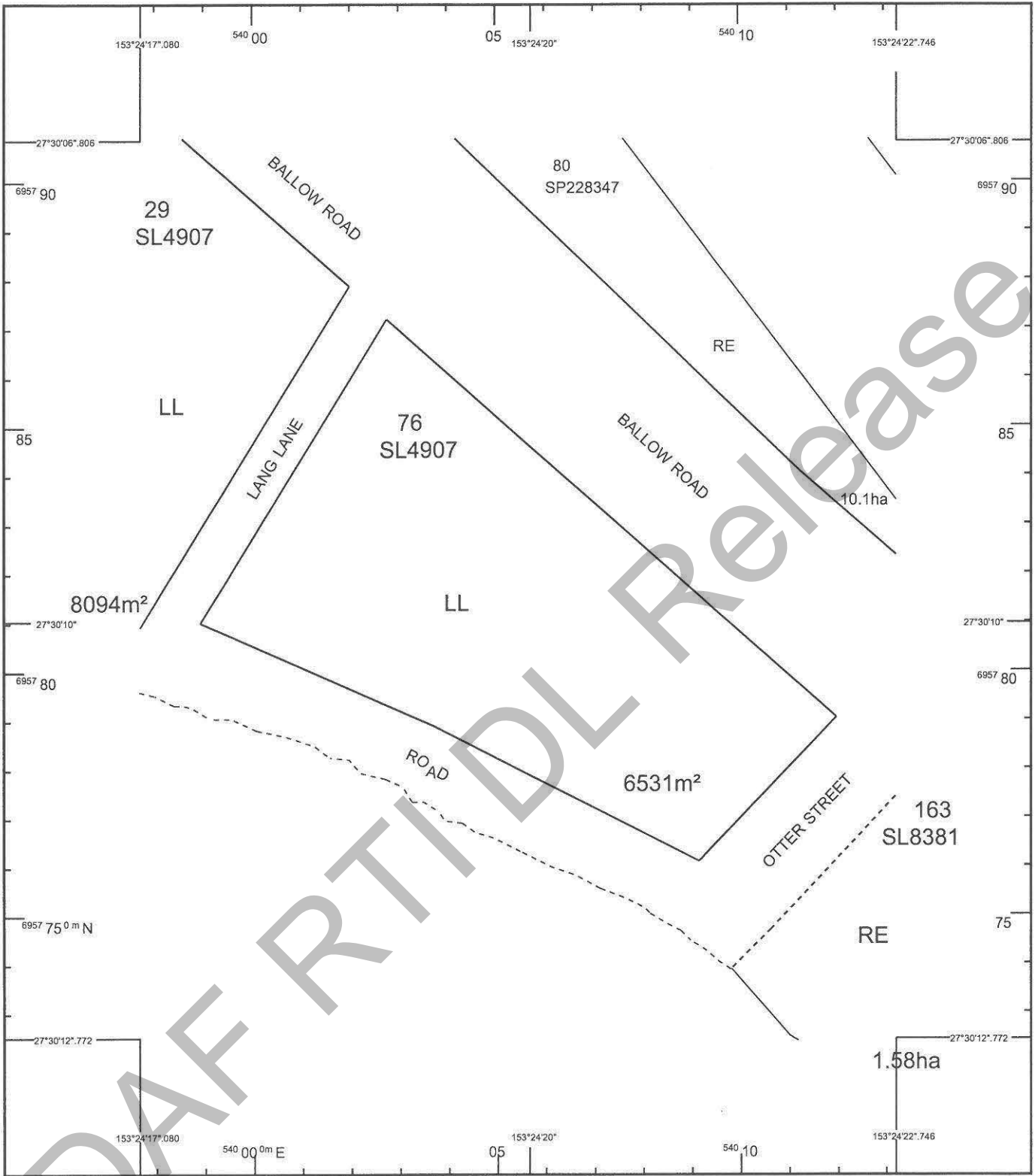
**In relation to this agreement to offer, it is recommended you seek independent legal advice.**

**Postal :**  
DNRM Beenleigh  
PO Box 1164  
Beenleigh QLD 4207

**Email:** SLAM-beenleigh@dnrm.qld.gov.au  
**Telephone :** (07)3884 8047  
**Fax:** (07)3884 8079

**END OF DOCUMENT**

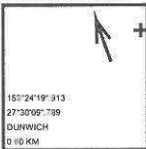
DAE RTI DL Release



STANDARD MAP NUMBER  
9542-11441



MAP WINDOW POSITION & NEAREST LOCATION



**SUBJECT PARCEL DESCRIPTION**

DCDB	
Lot/Plan	76/SL4907
Area/Volume	6531m <sup>2</sup>
Tenure	LANDS LEASE
Local Government	REDLAND CITY
Locality	DUNWICH
Parish	STRADBROKE
County	STANLEY
Segment/Parcel	20182/36

**CLIENT SERVICE STANDARDS**

PRINTED (dd/mm/yyyy)	13/02/2014
DCDB	12/02/2014
Users of the information recorded in this document (the Information) accept all responsibility and risk associated with the use of the Information and should seek independent professional advice in relation to dealings with property.	
Despite Department of Natural Resources and Mines(DNRM)'s best efforts, DNRM makes no representations or warranties in relation to the information, and, to the extent permitted by law, exclude or limit all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability for any direct, indirect and consequential costs, losses, damages and expenses incurred in any way (including but not limited to that arising from negligence) in connection with any use of or reliance on the Information	
For further information on SmartMap products visit <a href="http://nrw.qld.gov.au/property/mapping/blnmap">http://nrw.qld.gov.au/property/mapping/blnmap</a>	

**SmartMap**

An External Product of SmartMap Information Services  
Based upon an extraction from the Digital Cadastral Data Base



Queensland Government

(c) The State of Queensland, (Department of Natural Resources and Mines) 2014.  
Page 68 of 170



15-424

File A



**From:** MCQUADE Diane [Diane.Mcquade@dnrm.qld.gov.au]  
**Sent:** Friday, 29 August 2014 4:33 PM  
**To:** HOWARD Judi  
**Subject:** FW: Lot 76 SL4907 - Sibelco Lease Barracks Dunwich

Judi  
Can you please put your NT assessment into QNTime as per Deb's email below please.

Thanks  
Di

Diane McQuade  
Senior Land Officer  
Beenleigh Office, South Region

Phone: (07) 3884 8055  
Fax: (07) 3884 8079

Postal Address: PO Box 1164, Beenleigh Qld 4207  
Address: 32 Tansey Street, Beenleigh Qld 4207

DNRM-Public-Service-Value\_white\_V1



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**From:** CROSS Debbie  
**Sent:** Thursday, 28 August 2014 2:55 PM  
**To:** MCQUADE Diane  
**Cc:** SORRENTINI Joanna; HOOPER Roslyn  
**Subject:** RE: Lot 76 SL4907 - Sibelco Lease Barracks Dunwich




Di  
I found the case 2014/000849.....

Can you please arrange for your NT assessment to be put in QNtime and then we can discuss further with Joanna on Friday.

Thanks  
Deb

*Debbie Cross*

Department of Natural Resources and Mines  
South Region  
[debbie.cross@dnrm.qld.gov.au](mailto:debbie.cross@dnrm.qld.gov.au)

 07 54805 342  
 07 54805 301  
 s.73

27 O'Connell Street,  
Locked Mail Bag 383,  
Gympie Qld 4570



Please consider the environment before printing this e-mail

All applications to change tenure or for use of State land administered under the Land Act are to be forwarded to the central point of lodgement. The central point of lodgement email address is [SLAMlodgement@dnrm.qld.gov.au](mailto:SLAMlodgement@dnrm.qld.gov.au). For more information please refer to [Application forms](#) on the departments webpage.

CS2859 DNRM Public Service Value\_white\_V1 (2)



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**From:** SORRENTINI Joanna  
**Sent:** Thursday, 28 August 2014 12:12 PM  
**To:** CROSS Debbie  
**Cc:** MCQUADE Diane  
**Subject:** FW: Lot 76 SL4907 - Sibelco Lease Barracks Dunwich

Hi Debbie

Crown Law is wondering if there has been any application to freehold Lot 76 on SL4907 on North Stradbroke Island and/or if a future act or native title assessment has been done on the land?

QYAC says this lot has been raised with them by the Council.

Kind regards,

**Joanna Sorrentini**  
**Principal Policy Officer, North Stradbroke Island Project**  
Land and Mines Policy  
Department of Natural Resources and Mines  
Level 7, 61 Mary Street, Brisbane Queensland 4000

**T:**+ 61 7 3199 7378 **M:**  
**E:** [Joanna.Sorrentini@dnrm.qld.gov.au](mailto:Joanna.Sorrentini@dnrm.qld.gov.au)

---

**From:** Katie Stride [<mailto:katie.stride@crownlaw.qld.gov.au>]  
**Sent:** Thursday, 28 August 2014 10:12 AM  
**To:** SORRENTINI Joanna  
**Subject:** FW: Lot 76 SL4907 - Sibelco Lease Barracks Dunwich

Hi Jo - can you please advise of the State's position in regard to this issue? Katie

Katie Stride

Special Counsel  
Native Title and Resources  
Heritage | Environment, Resources and Dispute Resolution Branch  
Working: Tuesday, Thursday and Friday

Ph: (07)32222463 | Mob: Section 78B | Fax: (07) 323 96741 | Crown Law, State Law Building, 50 Ann Street, Brisbane Qld 4000  
E: [katie.stride@crownlaw.qld.gov.au](mailto:katie.stride@crownlaw.qld.gov.au) | W: <http://crownlaw.govnet.qld.gov.au>

---

**From:** Kathryn Ridge [<mailto:kathryn@ridgelegal.com>]  
**Sent:** Thursday, 28 August 2014 9:46 AM  
**To:** Katie Stride  
**Cc:** 'ROGERS Ken William'; [ceo@qyac.net.au](mailto:ceo@qyac.net.au); [JMC@qyac.net.au](mailto:JMC@qyac.net.au)  
**Subject:** Lot 76 SL4907 - Sibelco Lease Barracks Dunwich

Dear Katie

QYAC has been approached informally by RCC to discuss potential freeholding of this leasehold lot.

My clients are of the view that this would be a future act, could you please confirm that the State is not proceeding with this prior to negotiations, or if they are, the basis upon which they say consent is not required.

Kind Regards

KRA-email-footer-Kath



DAFER TTDL Release

**From:** s.73 @sibelco.com.au]  
**Sent:** Friday, 21 November 2014 12:31 PM  
**To:** HOWARD Judi  
**Subject:** RE: 2014/000849  
**Attachments:** image001.jpg; image920d38.JPG

Hi Judi,

Sibelco would like to request an extension of time to purchase the land on north Stradbroke island. The issue resolves around releasing capital from our parent company in Europe. The issue will resolve during December and we anticipate we should be able to transfer the funds to the state by the end of January 2015. Therefore we would like to ask the department to extend the payment period to COB January 31.

Many thanks for your assistance on this matter and if there are any issues please don't hesitate to contact me on the mobile.

Regards

Sent from my iPad

On 19 Nov 2014, at 11:54 am, "HOWARD Judi" <Judi.Howard@dnrm.qld.gov.au<mailto:Judi.Howard@dnrm.qld.gov.au>> wrote:

Hi

Can you please email me the postal address for South Brisbane office, we have the street address, but I need to update the computer system with your postal address, thanks.

Kind Regards

Judi Howard  
Land Administration Officer  
Land Management Beenleigh  
Department of Natural Resources and Mines  
PO Box 1164 Beenleigh 4207  
phone: 07 3884 8047 facsimile: 07 3884 8079  
judi.howard@dnrm.qld.gov.au<mailto:judi.howard@dnrm.qld.gov.au>  
www.dnrm.qld.gov.au<http://www.dnrm.qld.gov.au/>

Work Safe, Home Safe

<image001.jpg>

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s.73

External Relations Manager

[Sibelco Australia Logo]

Sibelco Australia Limited  
Level 3, 99 Melbourne Street

South Brisbane QLD 4101  
Australia  
Tel +61 7 3409 6958  
Fax +61 7 3409 6901

[www.sibelco.com.au](http://www.sibelco.com.au) <<http://www.sibelco.com.au>>

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**From:** HOWARD Judi [Judi.Howard@dnrm.qld.gov.au]  
**Sent:** Thursday, 5 March 2015 8:32 AM  
**To:** s.73  
**Subject:** RE: 2014/000849

Hi

Approval has been given for an extension of time to allow Sibelco time to investigate the new government's policy for mining on NSI and decide if continuing the application to purchase the land is the correct investment for the company.

Extension of time approved until the 5 June 2015.

Please let me know what decision Sibelco has made on or before the 5 June 2015.

I have attached a link (below) for the application forms if Sibelco requires to make a new application for renewal of term lease, the forms required are LA00 Part A and LA02 Renewal of Lease, there current is an application fee of \$244.40 this price may change on or after 1 July 2015.

<http://www.qld.gov.au/environment/land/state/forms/>

Kind Regards

*Judi Howard*

Land Administration Officer  
Land Services – South Region  
Department of Natural Resources and Mines  
PO Box 1164 Beenleigh 4207  
phone: 07 3884 8047 facsimile: 07 3884 8079  
[judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au)  
[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

Beenleigh Office – Customer Service: (07) 3884 8020  
Business Hours – Mon – Fri 8.30am – 4.30pm, excl public holidays

All applications to change tenure or use of State Land under the Land Act 1994 are to be forwarded to the Central Point of Lodgement. The Central Point of Lodgement email address is [SLAMLodgement@dnrm.qld.gov.au](mailto:SLAMLodgement@dnrm.qld.gov.au). For more information please refer to application forms on the Departments webpage.

*Work Safe, Home Safe*

white



---

**From:** @sibelco.com.au]  
**Sent:** Wednesday, 4 March 2015 11:45 AM

**To:** HOWARD Judi  
**Subject:** RE: 2014/000849

Hi Judi,

As discussed Sibelco will seek a further 3 months extension of time to the offer in light of the recent change in government and uncertainties surrounding the new government's policy on NSI mining. It is fair to say the investment profile of the property changes significantly if mining is curtailed from 2035 to 2019 and this needs to be taken into account and explored before we can commit the fund (which are available).

Should Sibelco decide to not continue with the sale, we will proceed with an renewal of the lease.

Many thanks for your assistance in this matter.

Regards

s.73

External Relations Manager



**Sibelco Australia Limited**  
Level 3, 99 Melbourne Street  
South Brisbane QLD 4101  
Australia  
**Tel** +61 7 3409 6958  
**Fax** +61 7 3409 6901

[www.sibelco.com.au](http://www.sibelco.com.au)

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---

**From:** HOWARD Judi [mailto:[Judi.Howard@dnrm.qld.gov.au](mailto:Judi.Howard@dnrm.qld.gov.au)]  
**Sent:** Thursday, January 29, 2015 12:19 PM  
**To:**  
**Subject:** RE: 2014/000849

Hi

Approval has been given for an extension of time for Sibelco to accept and pay the offer account for the purchase of Lot 76 on SL4907, payment of the offer account for the whole amount must be paid by cheque or credit card, (sorry no EFT is available) please make payment on or before 27 February 2015.

Kind Regards

*Judi Howard*

Land Administration Officer  
Land Services – South Region  
Department of Natural Resources and Mines  
PO Box 1164 Beenleigh 4207  
phone: 07 3884 8047 facsimile: 07 3884 8079  
[judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au)  
[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

Beenleigh Office – Customer Service: (07) 3884 8020  
Business Hours – Mon – Fri 8.30am – 4.30pm, excl public holidays

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**From:** s.73 @sibelco.com.au]  
**Sent:** Tuesday, 27 January 2015 4:15 PM  
**To:** HOWARD Judi  
**Subject:** RE: 2014/000849

Hi Judi,

As discussed last week, due to some internal changes within the company, and the early timing of the election. Sibelco request a further extension to the offer period for the purchase of Lot 76 on SL4907. We have a new CEO and a new operations manager that must receive a briefing on this purchase before final approval can be granted. The capital has been approved from the parent company but this company process must be followed for a purchase of this size.

May we please have an extension to the end of February (February 27<sup>th</sup>) to allow for the company process to be concluded and for a new minister to be appointed post election.

Many thanks



External Relations Manager



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Level 3, 99 Melbourne Street  
South Brisbane QLD 4101  
Australia  
**Tel** +61 7 3409 6958  
**Fax** +61 7 3409 6901

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-----Original Message-----

From: HOWARD Judi [<mailto:Judi.Howard@dnrm.qld.gov.au>]  
Sent: Monday, August 25, 2014 9:44 AM  
To:  
Subject: RE: 2014/000849

Hi

Approval for an extension of time has been granted until 21 November 2014, please return the executed agreement at your earliest convenience, payment of the offer account for the whole amount must be paid by cheque or credit card, (sorry no EFT is available) on or before 21 November 2014.

Kind Regards

Judi Howard  
Land Administration Officer  
Land Management Beenleigh  
Department of Natural Resources and Mines PO Box 1164 Beenleigh 4207  
phone: 07 3884 8047 facsimile: 07 3884 8079 [judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au) [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

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-----Original Message-----

From: [@sibelco.com.au](mailto: @sibelco.com.au)  
Sent: Friday, 22 August 2014 6:07 PM  
To: HOWARD Judi  
Subject: Re: 2014/000849

Hi Judi, apologies for the delay. Sibelco would like to ask the department for a three month

extension to allow us to process the capital throughout the company system.

Regards

s.73

Sent from my iPad

On 22 Aug 2014, at 9:14 am, "HOWARD Judi"

<[Judi.Howard@dnrm.qld.gov.au](mailto:Judi.Howard@dnrm.qld.gov.au)<mailto:Judi.Howard@dnrm.qld.gov.au>> wrote:

Hi

Please request an extension of time to accept the offer to purchase Lot 76 on SL4907.

Kind Regards

Judi Howard

Land Administration Officer

Land Management Beenleigh

Department of Natural Resources and Mines PO Box 1164 Beenleigh 4207

phone: 07 3884 8047 facsimile: 07 3884 8079

[judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au)<mailto:judi.howard@dnrm.qld.gov.au>

[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au/)<http://www.dnrm.qld.gov.au/>

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<image001.jpg>

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External Relations Manager

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Fax +61 7 3409 6901

s.73

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**From:** MCQUADE Diane [Diane.Mcquade@dnrm.qld.gov.au]  
**Sent:** Wednesday, 22 April 2015 3:29 PM  
**To:** GEITZ Rhonda  
**CC:** HOWARD Judi  
**Subject:** Short Term Extension - Stradbroke Rutile Pty Ltd 2014/000849  
**Attachments:** Attachment\_1.pdf; Draft\_Briefing\_Note.doc

Hi Rhonda

Please find attached a draft ministerial brief for the short term extension for Term Lease (use of the TL is residential accommodation for the employees working at the sand mine) on North Stradbroke Island. The department is currently investigating Conversion to freehold tenure, however the applicant has requested an extension of time till 5 June 2015 to investigate the new government's policy for mining on NSI and decide if continuing the application to purchase the land is viable to the company.

This brief will need to go to the Minister as the Regional Service Director approved the first extension last year.

Thanks, let me know if you need anything else.

Di

Diane McQuade  
Senior Land Officer  
Beenleigh Office, South Region

Phone: (07) 3884 8055  
Fax: (07) 3884 8079

Postal Address: PO Box 1164, Beenleigh Qld 4207  
Address: 32 Tansey Street, Beenleigh Qld 4207

DNRM-Public-Service-Value\_white\_V1



To: Dr Anthony Lynham  
Minister for Natural Resources and Mines

From: Dr Brett Heyward  
Director-General  
Natural Resources and Mines

Copy: Rachael Cronin  
Deputy Director-General  
Natural Resources and Mines

Endorsed: Wally Kearnan, Executive Director, South Region

Date: 22 April 2015

Snr Policy Advisor.....OK
Chief of Staff .....OK
<b>Approved / Not Approved / Noted</b> <b>Further information required</b>
<b>Minister</b> .....
<b>Dated</b> ...../...../.....

Action Officer:  
Telephone:

**Request for short term extension of Term Lease 0/221125**  
**Lessee: Stradbroke Rutile Pty Ltd – Single Person Quarters Stradbroke Island**

**RECOMMENDATION**

1. It is recommended that the Minister:
  - **approve** the short term extension of Term Lease 0/221125, under the provisions of section 434B of the *Land Act 1994* (the Act), for a period of two (2) years from the expiry of 19 July 2015 to allow an application for renewal or conversion of the lease to be finalised.

**TIMING**

2. Approval of this brief is required by 19 June 2015 as the term lease is due to expire on the 19 July 2015

**KEY ISSUES**

3. Term Lease 0/221125 will expire on 19 July 2015 if a short term extension is not applied for.
4. An offer has been made to the registered lessee for the conversion of the term lease, however due to the uncertainties surrounding the sand mining functions on North Stradbroke Island, the lessee has advised if the mining is amended from 2035 to 2019, this will be required to be taken into consideration before they accept the department's offer.

**BACKGROUND**

5. Term Lease 0/221125 held by Stradbroke Rutile Pty Ltd A.C.N. 009 693 074, the lessee, was issued for a term of ten (10) years, commencing 20 July 2004. The lease has a surveyed area of 0.653100 hectares over Lot 76 on Crown Plan SL4907 on North Stradbroke Island, located at Ballow Road, Dunwich (**Attachment 1**).
6. The lease is granted for residential purposes, namely single person's quarters and no other purpose. The property has been developed as residential complex housing employees of the lessee and comprises of eleven (11) low set accommodation barracks and associated structures.
7. The lessee was invited to make an application for the renewal of the lease on 13 February 2014 and 14 April 2014.
8. eLVAS case 2014/00849 has been created for the renewal action, an application has been received 12 May 2014, a short term extension of 12 months was requested and granted until 17 July 2015 to allow sufficient time to finalise before the expiry date.
9. On the 26 June 2014 the applicant requested the application be amended to an application for conversion of Term Lease 0/221125 to Freehold.

10. An offer was made to the applicant on 24 July 2014 for the conversion action, the applicant has requested two (2) extensions of time to organise payment of the offer account, with approval being given for those extension of time
11. The applicant has requested a third (3) extension of time till 5 June 2015 to enable a decision to be made by the applicant to proceed with the conversion application or to reapply for a new renewal application.
12. The lessee has requested an extension of time, due to the current government not indicating the certainty of the mining functions on North Stradbroke Island. The LNP government passed legislation that allowed sand mining on the island for an extra 16 years from 2019 to 2035. For mining to continue past 2019 at the Enterprise sand mine, the lease operator (Stradbroke Rutile Pty Ltd owned by Sibelco) would have to apply for an extension in 2019 under the legislative amendments passed by the Newman government in November 2013. However, if the amendments are repealed by the current government before 2019, the mine will close on 31 December 2019; the closure date legislated by the government in April 2011.
13. There has been some indication that the sand mining may not be continuing till 2035 and the lessee has indicated this.
14. The lessee provides residential accommodation to workers of the sand mining on this Term Lease parcel.
15. Section 434B of the Land Act 1994 allows a short term extension "if it appears the term lease will expire before the application is finalised, the Minister may extend the term of the lease, for periods of no longer than 2 years, until the application is fully dealt with"
16. An extension of 2 years is requested to allow the lessee to either accept the department's offer for conversion of the term lease to freehold tenure or renew the lease for a further period of time given the uncertainty of sand mining on the island.

**CONSULTATION** *(Significant consultation often takes place in preparation of briefs, please consider the implications the brief may have and provide details where appropriate, including who was consulted.)*

17. Champions or Relationship Managers;
18. Business Corporate Partnership - Finance; Legal; HR; Media and Communications;
19. Service Delivery or Policy and Program Support;
20. Election Commitments.

#### **ATTACHMENTS**

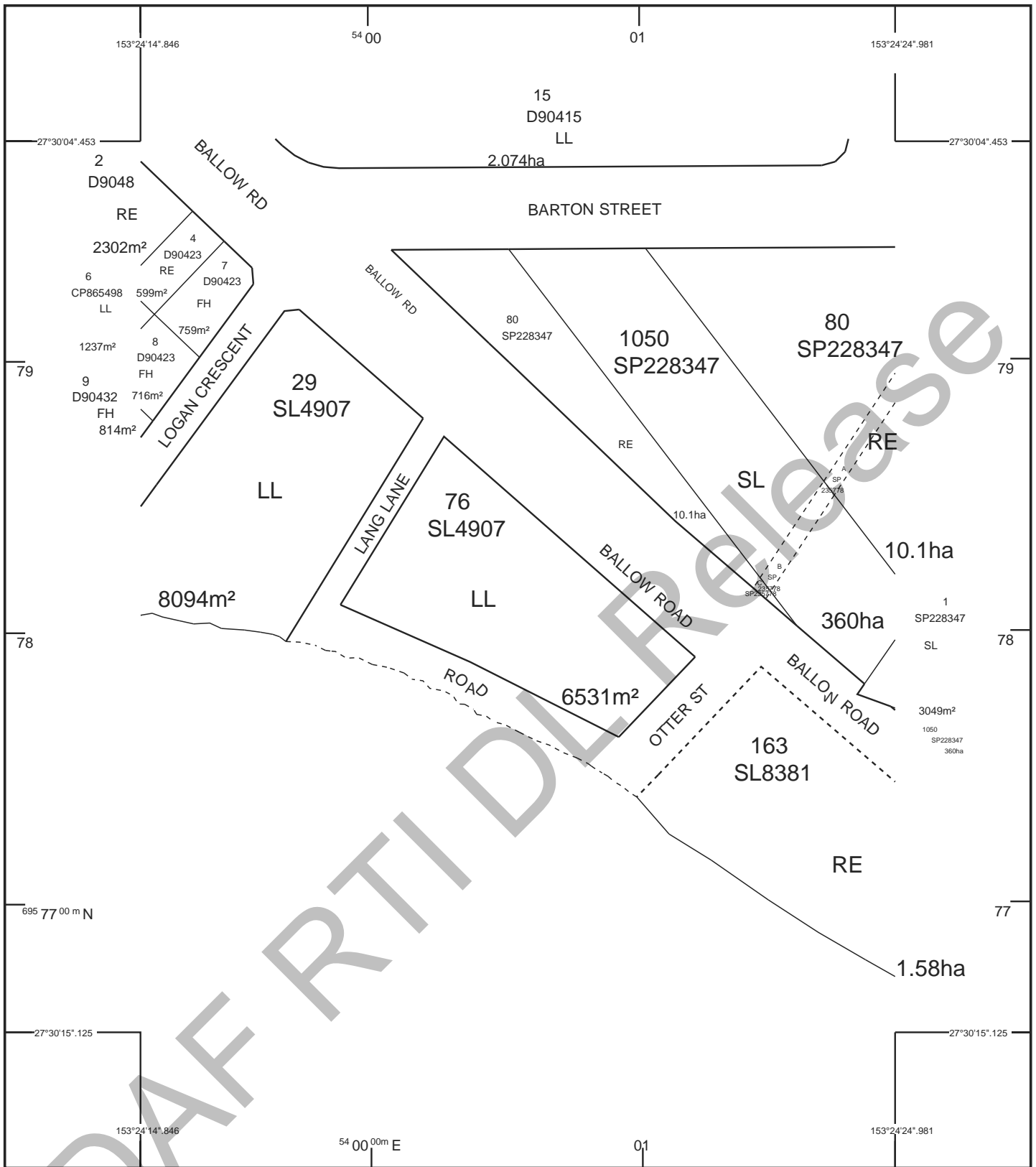
21. **Attachment 1:** Smartmap of Lot 76 on SL4907

#### **NEXT STEPS**

22. Following approval, the department will extend the term of the lease by 2 years from 20 July 2015 to 19 July 2017 to ensure the lessee has continuity of tenure
23. The signing and lodgement of the relevant registry forms will be managed by the region once the briefing note is approved.

**Rachael Cronin  
Deputy Director-General  
Natural Resources and Mines**

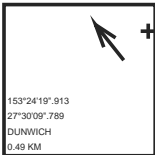
**Minister's Comments**



STANDARD MAP NUMBER  
9542-11441



MAP WINDOW POSITION & NEAREST LOCATION



**SUBJECT PARCEL DESCRIPTION**

DCDB	
Lot/Plan	76/SL4907
Area/Volume	6531m <sup>2</sup>
Tenure	LANDS LEASE
Local Government	REDLAND CITY
Locality	DUNWICH
Parish	STRADBROKE
County	STANLEY
Segment/Parcel	20182/36

**CLIENT SERVICE STANDARDS**

PRINTED (dd/mm/yyyy) 22/04/2015

DCDB 21/04/2015

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For further information on SmartMap products visit <http://nrw.qld.gov.au/property/mapping/blinmap>

**SmartMap**

An External Product of SmartMap Information Services

Based upon an extraction from the Digital Cadastral Data Base



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**From:** HOWARD Judi [Judi.Howard@dnrm.qld.gov.au]  
**Sent:** Wednesday, 20 May 2015 9:12 AM  
**To:** s.73  
**CC:** @sibelco.com.au'  
**Subject:** RE: Renewal of TL 0/221125 - review required please

Morning

Thanks for the below advice, please be advised that the Senior Land Officer from Warwick has advised that the application for renewal of the term lease can proceed on the current case 2014/000849, no need to make a new application, sorry for the conflicting advice.

Please don't hesitate to contact me if you require any further information, I will continue processing the renewal application.

Kind Regards

*Judi Howard*

Land Administration Officer  
Land Services – South Region  
Department of Natural Resources and Mines  
PO Box 1164 Beenleigh 4207  
phone: 07 3884 8047 facsimile: 07 3884 8079  
[judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au)  
[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

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**From:** @sibelco.com.au]  
**Sent:** Wednesday, 20 May 2015 8:49 AM  
**To:** HOWARD Judi  
**Subject:** FW: Renewal of TL 0/221125 - review required please

Hi Judi,

As discussed, here is an email of the email trail, saying we won't proceed with the sale and I will send you a formal letter advising you of the same very soon. Therefore we will need an extension to the lease please.

A disappointing result but with such uncertainty over our operations, it was a lot of capital to commit to on a "hope"



Regards

s.73

External Relations Manager



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---

**From:**  
**Sent:** Friday, May 15, 2015 8:33 AM  
**To:**  
**Subject:** RE: Renewal of TL 0/221125 - review required please

Thanks , appreciate it and I'll send the original to Sydney for execution – have a fabulous weekend!

Tenements Manager



**Sibelco Australia Limited**  
100 Eastern Parade  
Gillman SA 5013  
Australia  
**Tel** +61 8 8240 8244  
**Fax** +61 8 8341 1010

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**From:**  
**Sent:** Friday, 15 May 2015 8:02 AM  
**To:**

**Subject:** RE: Renewal of TL 0/221125 - review required please

Hi , all good from me, I was going to send a formal letter to Judi, so hopefully will get that done today. I send it on when I do

Cheers

s.73

External Relations Manager



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**From:**  
**Sent:** Tuesday, May 12, 2015 8:11 AM  
**To:**  
**Subject:** RE: Renewal of TL 0/221125 - review required please

Dear

Just wanted to check how you were going with the review of the draft renewal application for TL0/221125? As the form will require Derick Korte's signature, I do need details of any amendments you require this week so I can amend the form and send it to North Sydney for the execution process.

Also, it would be great to have a copy of your email to Judi Howard to pop on the file here.

Many thanks - & have a smiley day!  
Kind regards

Tenements Manager



**Sibelco Australia Limited**

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Gillman SA 5013  
Australia

**Tel** +61 8 8240 8244

**Fax** +61 8 8341 1010

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**From:**

**Sent:** Tuesday, 28 April 2015 2:57 PM

**To:** s.73

**Subject:** Renewal of TL 0/221125 - review required please

Dear

Further to our chat this morning, please find attached a draft renewal application for TL 0/221125 for your review – unfortunately the form is only accessible via an online pdf which can't be saved with the typed into it so if you could mark up any changes /amendments required either on a printed copy or just list the changes in an email, I'll make the amendments and then have the form executed in North Sydney and lodged with DNRM. I'll copy you in on the submission email to DNRM.

When I spoke to Judi Howard, she requested an email confirming that we don't wish to proceed with the sale. Given that you have had all the dealings with the potential sale I thought you may wish to send the formal confirmation email to Judi, however let me know if you would like me to do so on your behalf.

Kind regards

**From:** HOWARD Judi [Judi.Howard@dnrm.qld.gov.au]  
**Sent:** Wednesday, 20 May 2015 9:25 AM  
**To:** merv.elliott@redland.qld.gov.au  
**Subject:** 2014/000849 Sibelco Dunwich  
**Attachments:** RCC\_No\_Objection\_to\_Lease\_renewal.pdf

Morning Merv

Sibelco have advised this morning that they will not proceeding with the application to purchase Term Lease 0/221125 being Lot 76 on SL4907 due to the upcoming changes in legislation to be made in regard to mining on North Stradbroke Island, Sibelco would like to continue with the renewal application.

Can you please advised if the attached council views letter dated 20 March 2014 stating no objection to the renewal of the TL 0/221125 is still current.

Thanks very much

Kind Regards

*Judi Howard*

Land Administration Officer  
Land Services – South Region  
Department of Natural Resources and Mines  
PO Box 1164 Beenleigh 4207  
phone: 07 3884 8047 facsimile: 07 3884 8079  
[judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au)  
[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

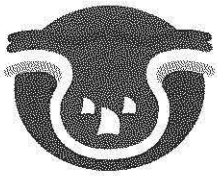
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[www.redland.qld.gov.au](http://www.redland.qld.gov.au)

20 March, 2014

Your Ref: 2014/000849  
Our Ref: ME:jms  
File No: **L:108759**  
Contact: Property Services

Department of Natural Resources & Mines  
PO Box 1164  
BEENLEIGH QLD 4207

ATT: Judi Howard

Dear Madam

**APPLICATION FOR RENEWAL OF TERM LEASE 0/221125 being, Lot 76 on SL4907  
14-16 Ballow Road, Dunwich – North Stradbroke Island**

Reference is made to your letter dated 13<sup>th</sup> February 2014 regarding the above lease.  
Please note that Council has no objection to the renewal of the term lease.

If you have any further queries please call 3829 8494.

Regards,

s.73

Merv Elliott  
**Property Services Manager**

**From:** HOWARD Judi [Judi.Howard@dnrm.qld.gov.au]  
**Sent:** Wednesday, 20 May 2015 9:40 AM  
**To:** Forest Products - SLAM Use - South East FMA  
**Subject:** FW: Request for Views 2014/000849

Morning Belinda

Sibelco have advised this morning that they will not proceeding with the application to purchase Term Lease 0/221125 being Lot 76 on SL4907 due to the upcoming changes in legislation to be made in regard to mining on North Stradbroke Island, Sibelco would like to continue with the renewal application.

Can you please advised if the below views stating no objection to the conversion of the lease is valid for the renewal application of the TL 0/221125.

Thanks very much

Kind Regards

*Judi Howard*

Land Administration Officer  
Land Services – South Region  
Department of Natural Resources and Mines  
PO Box 1164 Beenleigh 4207  
phone: 07 3884 8047 facsimile: 07 3884 8079  
[judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au)  
[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

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**From:** HOFFMAN Belinda  
**Sent:** Monday, 14 July 2014 10:03 AM  
**To:** HOWARD Judi  
**Subject:** RE: Request for Views 2014/000849

Hi Judi,

Forest Products have conducted an assessment of this application and have determined that we have no commercial interest.

We therefore, have no objection to this application.

Regards,

Belinda Hoffman  
Manager Business Operations  
South East Forest Management Area, Gympie  
**Forest Products**  
**Department of Agriculture, Fisheries and Forestry**  
**Telephone:** 07 5480 5351 **Mobile:** s.73  
**Facsimile:** 07 5480 5302  
**Email:** [belinda.hoffman@daff.qld.gov.au](mailto:belinda.hoffman@daff.qld.gov.au)  
<http://www.daff.qld.gov.au>

27 O'Connell Street, Gympie Q 4570  
LMB 383, Gympie Q 4570

---

**From:** HOWARD Judi  
**Sent:** Wednesday, 9 July 2014 3:55 PM  
**To:** Forest Products - SLAM Use - South East FMA  
**Subject:** Request for Views 2014/000849

Hello

**APPLICATION FOR CONVERSION OF TERM LEASE 0/221125 being, Lot 76 on SL4907  
14 – 16 Ballow Road, Dunwich – North Stradbroke Island**

The term of the above Lease expires on 19 July 2015 and the Department is considering further dealings with this land.

Please advise if you have any objections to the conversion of the lease to freehold, and any views or requirements that may affect the future use of the land.

Copy of Current Title Search and Smartmap is attached for your information.

If you offer an objection to the conversion of this lease, a full explanation stating the reason for such an objection should be forwarded to this Office.

If no reply is received by 8 August 2014, it will be assumed you have no interests in this dealing.

If you wish to discuss this matter please contact Judi Howard on (07)3884 8047.

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to [SLAM-beenleigh@dnrm.qld.gov.au](mailto:SLAM-beenleigh@dnrm.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 2014/000849 in any future correspondence.

Yours sincerely

*Judi Howard*

Land Administration Officer  
Land Management Beenleigh  
Department of Natural Resources and Mines  
PO Box 1164 Beenleigh 4207  
phone: 07 3884 8047 facsimile: 07 3884 8079  
[judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au)  
[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

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DAF RTI DL Release



**From:** GEITZ Rhonda [Rhonda.Geitz@dnrm.qld.gov.au]  
**Sent:** Wednesday, 20 May 2015 10:45 AM  
**To:** HOOPER Roslyn  
**CC:** MCQUADE Diane; HOWARD Judi  
**Subject:** s434B Short Term Extension Ministerial Brief - 2014/000849  
**Attachments:** s434B Stradbroke Rutile PL.docx; Att 1 Title.pdf; Att 2 Smartmap.pdf

Hello Ros

Please find attached a draft ministerial brief for the short term extension for Term Lease 221125 (the lease is used for residential accommodation for the sandmining employees) on North Stradbroke Island (NSI) and is due to expire on 19 July 2015.

The lessee was made an offer for conversion of the lease in July 2014, however they have been seeking extensions of time initially due to financial processing requirements and more recently due to the current State Government not indicating the certainty of mining functions on NSI. The lessee has confirmed today that they are unwilling to accept the conversion offer due to the uncertainty of their sandmining operations and wish to continue as a renewal application.

If you require any further information please contact me.

Regards

Rhonda

Rhonda Geitz

Senior Land Officer, Land Services

Department of Natural Resources and Mines

Telephone: 07 4661 0210, Facsimile: 07 4661 5215

Mobile: s.73

Email: [rhonda.geitz@dnrm.qld.gov.au](mailto:rhonda.geitz@dnrm.qld.gov.au)

Cnr Guy & Fitzroy Streets

PO Box 2, Warwick QLD 4370

To: Dr Anthony Lynham MP  
Minister for Natural Resources and Mines

From: Dr Brett Heyward  
Deputy Director-General  
Natural Resources and Mines

Copy: Rachael Cronin  
Deputy Director-General  
Natural Resources and Mines

Snr Policy Advisor.....OK  
Chief of Staff .....OK  
**Approved / Not Approved / Noted**  
**Further information required**

**Minister**.....  
**Dated** ...../...../.....

Action Officer:  
Telephone:

Endorsed: Wally Kearnan, Executive Director, South Region

**Approval for short term extension of Term Lease No 221125 (the lease) for residential purposes held by Stradbroke Rutile Pty Ltd (the lessee) on North Stradbroke Island (NSI)**

**RECOMMENDATION**

1. It is recommended that the Minister:
  - **approve** the short term extension of the lease under the provisions of section 434B of the *Land Act 1994* (the Act), for a term of 12 months from the expiry date of 19 July 2015 to allow an application for renewal of the lease to be finalised.

**TIMING**

2. Approval of this brief is required by 13 July 2015 to ensure the lease does not expire on the 19 July 2015.

**KEY ISSUES**

3. There are currently three sand mining operations on NSI, including the Yarraman, Enterprise and Vance mines, all of which are operated by Sibelco.
4. The lessee is a subsidiary company of Sibelco.
5. The lease has been developed by the lessee to provide residential accommodation for workers in the sand mining industry.
6. There has been some indication that the State Government intends to act to return back to the clear phase out of mining on NSI from 2019.

**BACKGROUND**

7. The lease is over Lot 76 on SL4907 located at Ballow Road, Dunwich on NSI and was issued for a term of 10 years commencing on 20 July 2004 (**Attachments 1 and 2**).
8. The lease is granted for residential purposes and comprises of 11 low set accommodation barracks and associated structures that provide residential accommodation for workers in the sand mining industry.
9. The lessee lodged an application for renewal of the lease on 12 May 2014.
10. The term of the lease was extended for a period of 12 months under the *Land Act 1994* (the Act) on 13 May 2014 to allow sufficient time to finalise the renewal application.
11. On the 26 June 2014, the lessee requested the application be considered as an application for conversion of the lease to freehold under the Act.
12. An offer for conversion of the lease was made to the lessee on 24 July 2014.
13. Since this time, the Department of Natural Resources and Mines has assisted the lessee in extending the response timeframe to enable the lessee additional time to respond to the conversion offer.
14. On 20 May 2015, the lessee confirmed that due to the current State Government not indicating the certainty of mining functions on NSI that they are unwilling to accept the conversion offer and they wish to continue with the renewal application.
15. The previous Liberal National Party Government passed legislation that allowed sand mining on NSI to continue for an extra 16 years from 2019 to 2035.
16. However, if these legislative amendments are repealed by the State Government before 2019, the mining operations on NSI will close on 31 December 2019.

17. The department will now continue to assess the renewal application, however given the close proximity of the expiry date, the brief has been prepared in case the renewal application cannot be finalised before the expiry date.
18. Section 434B of the Act allows a short term extension "if it appears the term lease will expire before the application is finalised, the Minister may extend the term of the lease, for periods of no longer than two years, until the application is fully dealt with".
19. Land Act (Ministerial) Delegation (No 1) 2014 allows the Minister to approve an extension to a lease for no longer than two years.
20. A 12 month extension to the lease in accordance with section 434B of the Act is requested.

**ATTACHMENTS**

21. **Attachment 1:** Title Search  
**Attachment 2:** Smartmap

**NEXT STEPS**

22. Following approval, the department will extend the term of the lease by 12 months to 19 July 2016 to ensure the lessee has continuity of tenure.
23. The signing and lodgement of the relevant registry forms will be managed by the region one the briefing note is approved.

**Rachael Cronin  
Deputy Director-General  
Service Delivery**

**Minister's Comments**

--



Search Date: 20/05/2015 10:43

Title Reference: 40043954

Date Created: 13/08/2004

CONDITIONS

- A61
- (1) The lessee must use the leased land for residential purposes namely single person's quarters and no other purpose whatsoever.
  - (2) This lease may be forfeited if not used for the purpose stated above.
  - (3) The annual rent must be paid in accordance with the Land Act 1994.
  - (4) The Parties acknowledge that GST may be payable in respect of a supply made under this lease. Where GST becomes payable in respect of a supply made under this lease, the State (lessor) may recover the GST from the lessee by increasing the consideration payable by the lessee to the State by an amount equal to that which the State is obliged to remit to the Commonwealth as GST on the supply and that amount may be recovered from the lessee as part of the money payable to the State under this lease. The State will upon request by the lessee, issue to the lessee a valid GST tax invoice in respect of any taxable supply made under this lease. (NOTE: For the purposes of this condition "GST" means the goods and services tax which results from the enactment of A New Tax System (Goods and Services Tax) Act 1999 and the related Acts which constitute the Commonwealth taxation reform (as amended from time to time)).
  - (5) The lessee must pay the cost of any required survey or re-survey of the leased land.
  - (6) The lessee must control pest plants and animals, on the leased land, in accordance with the Land Protection (Pest and Stock Route Management) Act 2002 and the Local Laws and requirements of the Redland Shire Council.
  - (7) The lessee has the responsibility for a duty of care, to take all reasonable and practicable measures to sustainably manage the leased land by conserving the physical, biological, productive and cultural values, either on the leased land or in areas affected by the management of the leased land.
  - (8) The lessee indemnifies and agrees to keep indemnified the State of Queensland, Crown Instrumentalities, local governments and other statutory bodies (the Indemnified) against all actions, suits, proceedings, claims, demands, costs, losses, damages and expenses (Claim) arising out of or in any way connected to or resulting from the State of Queensland granting this lease to the lessee and which is connected to or resulting from the lessees' use and occupation of the leased land (all referred to as the indemnified acts or omissions) save to the extent that the Claim arises as a result of any negligent act or omission of the State of Queensland. The lessee hereby releases and discharges the Indemnified from any Claim relating to the indemnified acts or omissions which may be made against the Indemnified.
  - (9) The lessee must ensure that the use and development of the leased land conforms to the Planning Scheme, Local Laws and requirements of the Redland Shire Council, binding on the lessee.
  - (10) The lessee must give the Minister administering the Land Act

Search Date: 20/05/2015 10:43

Title Reference: 40043954

Date Created: 13/08/2004

CONDITIONS

1994, information about the lease, when requested.

- (11) The lessee must not clear any vegetation on the leased land, unless in accordance with the Integrated Planning Act 1997.
- (12) No compensation for improvements or developmental work is payable by the State at the forfeiture, surrender or expiry of the lease, but the lessee has the right to remove moveable improvements within a period of three (3) months from the forfeiture, surrender or expiry of the lease, provided all money due by the lessee to the State on any account whatsoever has been paid, or be required to remove those improvements as specified in any further condition of lease.
- (13) This lease is subject to the Land Act 1994 and all other relevant State and Commonwealth Acts.

- A68
- (1) The lessee must allow any person authorised under the Forestry Act 1959 access to the leased land for the purpose of cutting and removing timber or removing other forest products, or quarry material, or other material from the leased land.
  - (2) Except as hereinafter provided the lessee must not interfere with any forest products or remove any quarry material (including any stone, gravel, sand, earth, soil, rock, guano or clay which is not a mineral within the meaning of the Mineral Resources Act 1989) or other material upon the leased land without the permission of the Minister administering the Land Act 1994 except under the authority of and in compliance in every respect with the requirements or a permit, licence, agreement or contract granted or made under the Forestry Act 1959.

A69 Further to Condition A61(12) above, the lessee must remove all improvements and rehabilitate the area to the satisfaction of the Minister administering the Land Act 1994 from the date of expiry or forfeiture of the lease.

A70 If the lessee fails to remove the improvements and rehabilitate the area as detailed in Condition A69 above, the Minister administering the Land Act 1994, can remove the improvements and rehabilitate the area and is hereby authorised to do whatever is necessary to effect the said removal and rehabilitation. The said Minister may recover from the lessee the total cost incurred in the said removal and rehabilitation.

C342 The lessee must comply with any lawful requirements of Redland Shire Council.

L109 The lessee must not effect any further structural improvements on the leased land, without the approval of the Minister administering the Land Act 1994 and any other relevant authority, having been first obtained.

Search Date: 20/05/2015 10:43

Title Reference: 40043954  
Date Created: 13/08/2004

CONDITIONS

L110 The lessee must , to the satisfaction of the Minister administering the Land Act 1994 and Redland Shire Council , maintain all existing improvements on the leased land in a good and substantial state of repair.

ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Lease No. 40043954

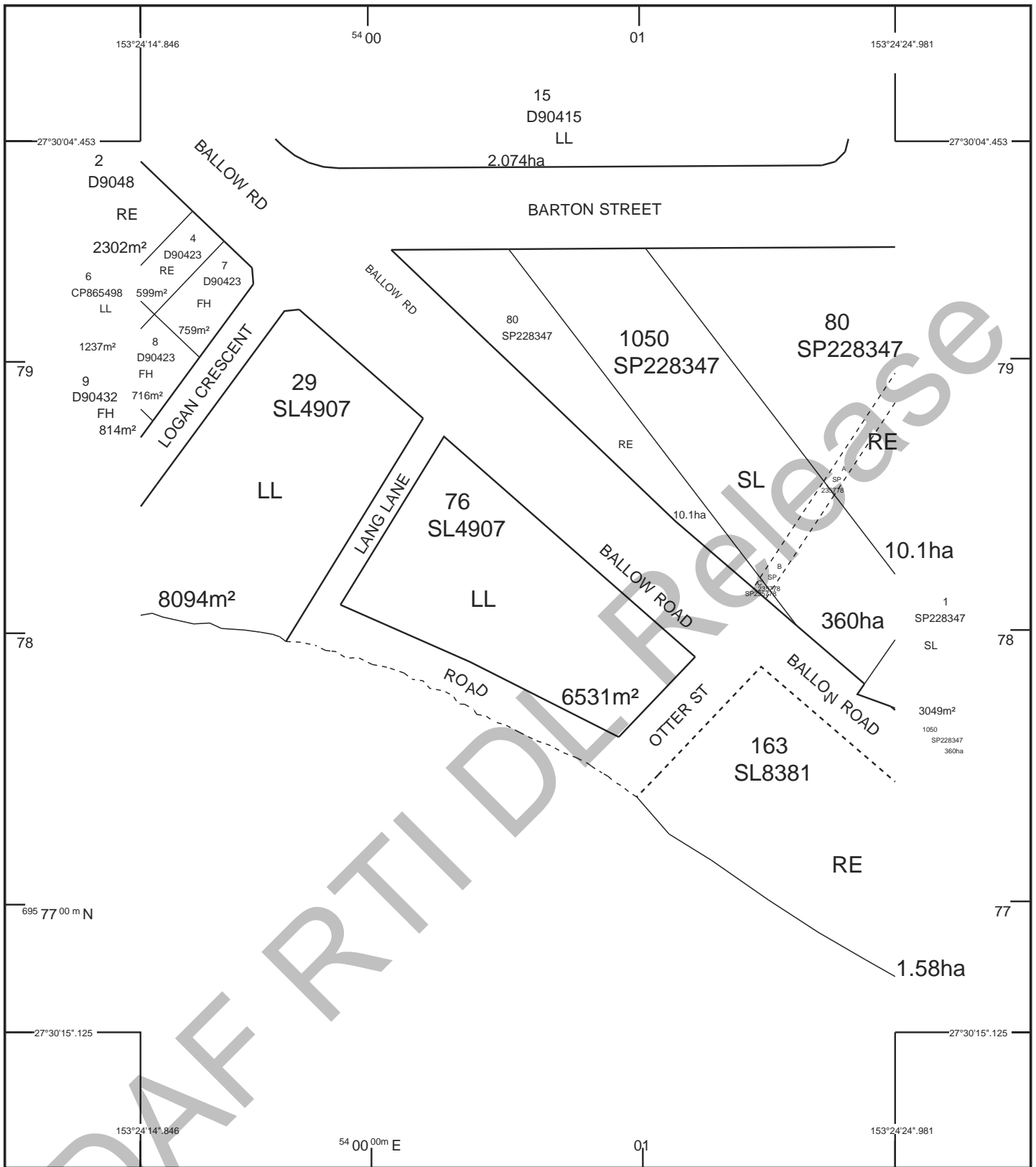
ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status	Location
713923333	DSI/OFFSET	24/06/2011 13:33	CUR	GC-GEN -00

LAND VALUATION ACT 2010  
UNREGISTERED DEALINGS - NIL

\*\* End of Current State Tenure Search \*\*

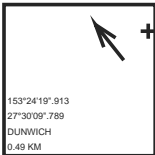
Information provided under section 34 Land Title Act(1994) or section 281 Land Act(1994)



STANDARD MAP NUMBER  
9542-11441



MAP WINDOW POSITION & NEAREST LOCATION



**SUBJECT PARCEL DESCRIPTION**

DCDB	
Lot/Plan	76/SL4907
Area/Volume	6531m <sup>2</sup>
Tenure	LANDS LEASE
Local Government	REDLAND CITY
Locality	DUNWICH
Parish	STRADBROKE
County	STANLEY
Segment/Parcel	20182/36

**CLIENT SERVICE STANDARDS**

PRINTED (dd/mm/yyyy) 22/04/2015

DCDB 21/04/2015

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For further information of SmartMap products visit <http://nrw.qld.gov.au/property/mapping/blinmap>

**SmartMap**

An External Product of SmartMap Information Services

Based upon an extraction from the Digital Cadastral Data Base



(c) The State of Queensland, (Department of Natural Resources and Mines) 2015.



15-424



**From:** Merv Elliott [Merv.Elliott@redland.qld.gov.au]  
**Sent:** Wednesday, 20 May 2015 10:50 AM  
**To:** HOWARD Judi  
**Subject:** Re: 2014/000849 Sibelco Dunwich  
**Attachments:** image001.jpg

Yes judo that advice is still current

Sent from my iPhone

On 20 May 2015, at 9:45 am, HOWARD Judi <[Judi.Howard@dnrm.qld.gov.au](mailto:Judi.Howard@dnrm.qld.gov.au)> wrote:

Morning Merv

Sibelco have advised this morning that they will not proceeding with the application to purchase Term Lease 0/221125 being Lot 76 on SL4907 due to the upcoming changes in legislation to be made in regard to mining on North Stradbroke Island, Sibelco would like to continue with the renewal application.

Can you please advised if the attached council views letter dated 20 March 2014 stating no objection to the renewal of the TL 0/221125 is still current.

Thanks very much

Kind Regards

*Judi Howard*

Land Administration Officer  
Land Services – South Region  
Department of Natural Resources and Mines  
PO Box 1164 Beenleigh 4207  
phone: 07 3884 8047 facsimile: 07 3884 8079  
[judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au)  
[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

Beenleigh Office – Customer Service: (07) 3884 8020  
Business Hours – Mon – Fri 8.30am – 4.30pm, excl public holidays

All applications to change tenure or use of State Land under the Land Act 1994 are to be forwarded to the Central Point of Lodgement. The Central Point of Lodgement email address is [SLAMLodgement@dnrm.qld.gov.au](mailto:SLAMLodgement@dnrm.qld.gov.au) . For more information please refer to application forms on the Departments webpage.

*Work Safe, Home Safe*

<image001.jpg>

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<RCC\_No\_Objection\_to\_Lease\_renewal.pdf>

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DAF RTI DL Release

**From:** MCQUADE Diane [Diane.Mcquade@dnrm.qld.gov.au]  
**Sent:** Wednesday, 10 June 2015 9:06 AM  
**To:** HOWARD Judi  
**Subject:** FW: DLO REQUEST: Extension of Term Lease 221125 NSI

---

**From:** GEITZ Rhonda  
**Sent:** Tuesday, 9 June 2015 12:56 PM  
**To:** DLO DNRM  
**Cc:** SHERWOOD Kenneth; HOOPER Roslyn; Corro NRM SD South; MCQUADE Diane  
**Subject:** RE: DLO REQUEST: Extension of Term Lease 221125 NSI

Hello Claire

The department will make a renewal offer to Stradbroke Rutile Pty Ltd for a fresh term lease as soon as possible, particularly given at this point in time the sand mining on NSI is still able to continue to 2035.

Regards  
Rhonda  
Rhonda Geitz  
Senior Land Officer, Land Services  
Department of Natural Resources and Mines  
Telephone: 07 4661 0210, Facsimile: 07 4661 5215  
Mobile: s.73  
Email: [rhonda.geitz@dnrm.qld.gov.au](mailto:rhonda.geitz@dnrm.qld.gov.au)  
Cnr Guy & Fitzroy Streets  
PO Box 2, Warwick QLD 4370

---

**From:** DLO DNRM  
**Sent:** Tuesday, 9 June 2015 12:18 PM  
**To:** GEITZ Rhonda  
**Cc:** SHERWOOD Kenneth; Corro NRM SD South  
**Subject:** DLO REQUEST: Extension of Term Lease 221125 NSI  
**Importance:** High

Hi Rhonda,

As discussed, please see below query from Corryn in the MO on CTS11062/15.

I would appreciate some advice back in response to her queries.

Thanks.

Claire

Claire Cotter | A/Departmental Liaison Officer | Office of the Director-General  
Department of Natural Resources and Mines  
Level 17 | 61 Mary Street | Brisbane | PO Box 15216 | City East | Queensland 4002  
Phone: (07) 3199 8221  
Email: [claire.cotter@dnrm.qld.gov.au](mailto:claire.cotter@dnrm.qld.gov.au)

---

**From:** Corryn Hatch [<mailto:Corryn.Hatch@ministerial.qld.gov.au>]  
**Sent:** Tuesday, 9 June 2015 12:10 PM  
**To:** SHERWOOD Kenneth  
**Cc:** DLO DNRM; Zanatta Simon  
**Subject:** Extension of Term Lease 221125 NSI

Good Afternoon Ken

I have a quick query regarding a brief we have in the Minister's office at the moment. It is CTS 11062/15 regarding Term Lease No 221125 on NSI.

The brief explains that due to a change of govt and change of NSI policy regarding mine life, that the lessee no longer wishes to accept the conversion to freehold offer for the land. As a result we are offering a 12 month extension to their current lease.

In the medium term, are we likely to then just keep renewing the lease every year until 2019? If so, I note that you have only provided for a 12 month lease extension but indicate that the Minister can approve a 2 year extension. Is there any reason why we would only offer 12 months rather than the 2 years, so that we don't have to just renew it again next year?

Thanks,

Corryn Hatch  
**Office of the Hon. Dr Anthony Lynham MP**  
Minister for State Development and Natural Resources and Mines



-----  
P 07 3719 7366  
E [Corryn.hatch@ministerial.qld.gov.au](mailto:Corryn.hatch@ministerial.qld.gov.au)  
QMEC Building, 61 Mary Street Brisbane QLD 4000

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**From:** MCQUADE Diane [Diane.Mcquade@dnrm.qld.gov.au]  
**Sent:** Wednesday, 10 June 2015 9:07 AM  
**To:** HOWARD Judi  
**Subject:** FW: DNRM RESPONSE: Extension of Term Lease 221125 NSI

---

**From:** DLO DNRM  
**Sent:** Tuesday, 9 June 2015 1:13 PM  
**To:** Corryn Hatch (Corryn.Hatch@ministerial.qld.gov.au)  
**Subject:** DNRM RESPONSE: Extension of Term Lease 221125 NSI

Hi Corryn,

In response to your below query, I am advised that DNRM is currently working towards providing a new renewal offer to Stradbroke Rutile Pty Ltd for a fresh term lease as soon as possible. Particularly given at this point in time the sand mining on NSI is still able to continue to 2035.

So, a 12 month extension is all that is required at this stage.

Thanks.

Claire

Claire Cotter | A/Departmental Liaison Officer | Office of the Director-General  
Department of Natural Resources and Mines  
Level 17 | 61 Mary Street | Brisbane | PO Box 15216 | City East | Queensland 4002  
Phone: (07) 3199 8221  
Email: [claire.cotter@dnrm.qld.gov.au](mailto:claire.cotter@dnrm.qld.gov.au)

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---

**From:** Corryn Hatch [<mailto:Corryn.Hatch@ministerial.qld.gov.au>]  
**Sent:** Tuesday, 9 June 2015 12:10 PM  
**To:** SHERWOOD Kenneth  
**Cc:** DLO DNRM; Zanatta Simon  
**Subject:** Extension of Term Lease 221125 NSI

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The brief explains that due to a change of govt and change of NSI policy regarding mine life, that the lessee no longer wishes to accept the conversion to freehold offer for the land. As a result we are offering a 12 month extension to their current lease.

In the medium term, are we likely to then just keep renewing the lease every year until 2019? If so, I note that you have only provided for a 12 month lease extension but indicate that the Minister can approve a 2 year extension. Is there any reason why we would only offer 12 months rather than the 2 years, so that we don't have to just renew it again next year?

Thanks,

Corryn Hatch  
**Office of the Hon. Dr Anthony Lynham MP**  
Minister for State Development and Natural Resources and Mines



-----  
P 07 3719 7366  
E [Corryn.hatch@ministerial.qld.gov.au](mailto:Corryn.hatch@ministerial.qld.gov.au)  
QMEC Building, 61 Mary Street Brisbane QLD 4000

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DAFER TTDL Release

**From:** MCQUADE Diane [Diane.Mcquade@dnrm.qld.gov.au]  
**Sent:** Wednesday, 8 July 2015 7:50 AM  
**To:** HOWARD Judi  
**Subject:** FW: Item Finalised : CTS 11062/15: Concerning APPROVAL BRIEF FOR Minister / Short term Lease No 221125/Stradbroke Rutile Pty Ltd

FYI – for your case Judi

---

**From:** Corro NRM Minister and DG  
**Sent:** Friday, 3 July 2015 9:25 AM  
**To:** MCQUADE Diane  
**Subject:** Item Finalised : CTS 11062/15: Concerning APPROVAL BRIEF FOR Minister / Short term Lease No 221125/Stradbroke Rutile Pty Ltd

CTS 11062/15 has been finalised. The following comments were added (if any): **Brief signed NOTED by Minister 1/7/15 scanned and attached. FINALISED**

As you were involved in this item you may wish to review the comment history and view any final attachments.

Click on the [Item Link](#) to view this item.

*As this correspondence is a public record, please go to the workflow form, print or save electronically the attachments to the appropriate departmental file.*

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If you have any queries please contact NRM - Minister or officers from NRM - Minister by emailing to [nrmministeranddg.corro@dnrm.qld.gov.au](mailto:nrmministeranddg.corro@dnrm.qld.gov.au) or via the link [Management Team Link](#).

email: EmailSignOffFinaliseInvolved



**From:** MCQUADE Diane [Diane.Mcquade@dnrm.qld.gov.au]  
**Sent:** Wednesday, 8 July 2015 7:57 AM  
**To:** HOWARD Judi  
**Subject:** 2014/000849  
**Attachments:** DMView\_1436306063895\_11062-15\_959619\_Signed\_NOTEDÂ by\_MinisterÂ 1715.pdf

Hi Judi

Please find attached Minister's approval for the short term extension for Stradbroke Rutile. Please prepare paperwork for titles and create new action in elvas for the short term extension.

Thanks  
Di

Diane McQuade  
Senior Land Officer  
Beenleigh Office, South Region

Phone: (07) 3884 8055  
Fax: (07) 3884 8079

Postal Address: PO Box 1164, Beenleigh Qld 4207  
Address: 32 Tansey Street, Beenleigh Qld 4207

DNRM-Public-Service-Value\_white\_V1

DAFER TI DL Release

Department of Natural Resources and Mines  
MINISTER'S BRIEFING NOTE

CTS 11062/15

To: Dr Anthony Lynham MP  
Minister for Natural Resources and Mines

From: Rachael Cronin  
Deputy Director-General  
Service Delivery

Copy: Dr Brett Heyward  
Director-General

✓ 2/15/15

Snr Policy Adviser	s.73	OK
Chief of Staff		OK
Approved / Not Approved / Noted Further information required		
Minister	[Signature]	
Dated	1/7/15	

Action Officer: Rhonda Geitz  
Telephone: 4661 0210

Endorsed: Ken Sherwood, A/Executive Director, South Region

**Approval for short term extension of Term Lease No 221125 (the lease) for residential purposes held by Stradbroke Rutile Pty Ltd (the lessee) on North Stradbroke Island (NSI)**

**RECOMMENDATION**

- It is recommended that the Minister:
  - approve** the short term extension of the lease under the provisions of section 434B of the *Land Act 1994* (the Act), for a term of 12 months from the expiry date of 19 July 2015 to allow an application for renewal of the lease to be finalised.

**TIMING**

- Approval of this brief is required by 6 July 2015 to ensure the lease does not expire on the 19 July 2015.

**KEY ISSUES**

- There are currently three sand mining operations on NSI, including the Yarraman, Enterprise and Vance mines, all of which are operated by Sibelco.
- The lessee is a subsidiary company of Sibelco.
- The lease has been developed by the lessee to provide residential accommodation for workers in the sand mining industry.
- There has been some indication that the State Government intends to revert the current timelines and phase out of mining on NSI from 2019.

**BACKGROUND**

- The lease is over Lot 76 on SL4907 located at Ballow Road, Dunwich on NSI and was issued for a term of 10 years commencing on 20 July 2004 (refer to **Attachments 1 and 2**).
- The lease is granted for residential purposes and comprises of 11 low set accommodation barracks and associated structures that provide residential accommodation for workers in the sand mining industry.
- The lessee lodged an application for renewal of the lease on 12 May 2014.
- The term of the lease was extended for a period of 12 months under the Act on 13 May 2014 to allow sufficient time to finalise the renewal application.
- On the 26 June 2014, the lessee requested the application be considered as an application for conversion of the lease to freehold under the Act.
- An offer for conversion of the lease was made to the lessee on 24 July 2014.
- Since this time, the Department of Natural Resources and Mines (the department) has assisted the lessee in extending the response timeframe to enable the lessee additional time to respond to the conversion offer.
- On 20 May 2015, the lessee confirmed that due to the current State Government not indicating the certainty of mining functions on NSI that they are unwilling to accept the conversion offer and they wish to continue with the renewal application.
- The previous Government passed legislation that allowed sand mining on NSI to continue for an extra 16 years from 2019 to 2035.
- The department will now continue to assess the renewal application, however given the close proximity of the expiry date, the brief has been prepared in case the renewal application cannot be finalised before the expiry date.

17. Section 434B of the Act allows a short term extension "if it appears the term lease will expire before the application is finalised, the Minister may extend the term of the lease, for periods of no longer than two years, until the application is fully dealt with".
18. Land Act (Ministerial) Delegation (No 1) 2014 allows the Minister to approve an extension to a lease for no longer than two years.
19. A 12 month extension to the lease in accordance with section 434B of the Act is requested.

**ATTACHMENTS**

20. **Attachment 1:** Title Search  
**Attachment 2:** Smartmap

**NEXT STEPS**

21. Following approval, the department will extend the term of the lease by 12 months to 19 July 2016 to ensure the lessee has continuity of tenure.
22. The signing and lodgement of the relevant registry forms will be managed by the region one the briefing note is approved.

Rachael Cronin  
Deputy Director-General  
Service Delivery

Minister's Comments

**From:** MCQUADE Diane [Diane.Mcquade@dnrm.qld.gov.au]  
**Sent:** Wednesday, 8 July 2015 8:00 AM  
**To:** HOOPER Roslyn  
**CC:** HOWARD Judi  
**Subject:** RE: SLAM Alert Report - Lease Expiry and Job Requests - week commencing 6/7/2015

Hi Ros

The Beenleigh one is under control, just received the Minister's approval for Short Term Extension. Judi will prepare documents today to be lodged in the titles registry.

Thanks  
Di  
Diane McQuade  
Senior Land Officer  
Beenleigh Office, South Region

Phone: (07) 3884 8055  
Fax: (07) 3884 8079

Postal Address: PO Box 1164, Beenleigh Qld 4207  
Address: 32 Tansey Street, Beenleigh Qld 4207

DNRM-Public-Service-Value\_white\_V1

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**From:** HOOPER Roslyn  
**Sent:** Monday, 6 July 2015 12:49 PM  
**To:** DOUGLAS Julie; MCQUADE Diane; MCCOMISKIE Desley; WATTS Selena; MACKENZIE Tania  
**Subject:** FW: SLAM Alert Report - Lease Expiry and Job Requests - week commencing 6/7/2015

Hi everyone  
I get a bit nervous when I see these reports.....I checked the one with Ann Erskine & know about the case that John has. Are the ones within your teams under control...  
Ros

---

**From:** FOX Meloney  
**Sent:** Monday, 6 July 2015 11:45 AM  
**To:** SLO SLAM  
**Cc:** HOOPER Roslyn; ANDREWS Joanna; REIMERS Nedine; SLAM Policy CHQ  
**Subject:** SLAM Alert Report - Lease Expiry and Job Requests - week commencing 6/7/2015

Good morning all

Please find attached the Lease Expiry Alert Report and Job Request Upcoming Alert Report (week commencing 6/7/2015).

I have highlighted in yellow those leases that are expiring in 20 days or less and/or require action.

Mel

Meloney Fox  
Senior Project Officer  
State Land Administration  
Operations Support – Service Delivery

Telephone: 07 3199 7927  
Email: [Meloney.fox@dnrm.qld.gov.au](mailto:Meloney.fox@dnrm.qld.gov.au)

Department of Natural Resources and Mines  
Level 15, 61 Mary Street, Brisbane (Mines Building)  
PO Box 15216, City East Qld 4002

DAFER TI DL Release

**From:** HOWARD Judi [Judi.Howard@dnrm.qld.gov.au]  
**Sent:** Wednesday, 8 July 2015 10:16 AM  
**To:** Titles Leasehold Corrections  
**Subject:** 2014/000849 Amendment to TL 0/221125  
**Attachments:** Signed Form 14 & Adjustment Notice.pdf

Hello

Please find attached the Form 14 and adjustment notice for a short term extension of Term lease 0/221125 for a further 12 months.

If you require any further information please don't hesitate to contact me.

Kind Regards

*Judi Howard*

Land Administration Officer  
Land Services – South Region  
Department of Natural Resources and Mines  
PO Box 1164 Beenleigh 4207  
phone: 07 3884 8047 facsimile: 07 3884 8079  
[judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au)  
[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

Beenleigh Office – Customer Service: (07) 3884 8020  
Business Hours – Mon – Fri 8.30am – 4.30pm, excl public holidays

All applications to change tenure or use of State Land under the Land Act 1994 are to be forwarded to the Central Point of Lodgement. The Central Point of Lodgement email address is [SLAMlodgement@dnrm.qld.gov.au](mailto:SLAMlodgement@dnrm.qld.gov.au) . For more information please refer to application forms on the Departments webpage.

*Work Safe, Home Safe*

white

Dealing Number.

Duty Imprint



**Privacy Statement**

The information from this form is collected under the authority of the Land Title Act 1994, the Land Act 1994 and the Water Act 2000 and is used for the purpose of maintaining the publicly searchable registers in the land registry and the water register.

**1. Nature of request**

Short Term Extension of Lease under  
Section 164 of the *Land Act 1994*

**Lodger** (Name, address & phone number)

Department of Natural Resources and  
Mines  
PO Box 1164  
**BEENLEIGH QLD 4207**  
Att: Judi Howard Phone: 3884 8047  
2014/000849

**Lodger  
Code**  
BH2340

**2. Lot on Plan Description**

Lot 76 on Crown Plan SL4907

**County**

Stanley

**Parish**

Stradbroke

**Title Reference**

40043954

**3. Registered Proprietor/State Lessee**

Stradbroke Rutile Pty Ltd A.C.N 009 693 074

**4. Interest**

State Land

**5. Applicant**

The State of Queensland (Represented by the Department of Natural Resources and Mines)

**6. Request**

I hereby request that: the term of TL 0/221125 be extended for a period of 1 year under section 164 of the *Land Act 1994* as per attached adjustment notice under the *Land Act 1994*

**7. Execution by applicant**

**Execution Date**

8/17/2015

**Applicant's or Solicitor's Signature**

s.73

.....  
Diane Therese McQuade  
Senior Land Officer  
A duly authorised delegate of the  
Minister under the current Land Act  
(Ministerial) Delegation

Note: A Solicitor is required to print full name if signing on behalf of the Applicant

Title Reference [40043954 ]

eLVAS Case Id [2014/000849 ]

## Adjustment notice under the *Land Act 1994*

**1. Property Description for the Lease, Licence or Reserve**

Lot/Plan	Title Reference
Lot 76 on Crown Plan SL4907	40043954

go to 2

**2. Select the type of adjustment dealing**

**Adjustment to details of tenure**

- Section 31A** boundaries of a reserve are changed
- Section 31B** Changing community purpose
- Section 360A(3)** – amend the description or anything else in the term or perpetual lease if
  - (a) the lease is defective because of an error or omission in its preparation; or
  - (b) the court has made a decision under section 435 on a dispute about the boundaries; or
  - (c) the Minister has approved that an area of unallocated State land be included in the lease
  - (d) the Minister considers it necessary for another reason to correct the lease.
- Section 360B** – amend the description or anything else in a State lease if—
  - (a) the boundaries of the lease land are not stated in the lease with adequate certainty or do not agree with the boundaries shown on the relevant plan; or
  - (b) a survey of the land gives more accurate knowledge of the lease; or
  - (c) the Minister has approved of a mutual exchange of areas adjoining a common boundary between State leases that are within the boundaries of 1 reserve, and the lessees of the leases agree to the exchange; or
  - (d) the Minister has approved that an area of trust land be included in the lease; or
  - (e) the State lease is defective because of an error or omission in its preparation; or
  - (f) the Minister considers it necessary for another reason to correct the State lease.

go to 3

**Adjustment to term of lease**

- Section 434B** Short term extension

Extension granted to:

19	07	2016
DD	MM	YYYY



Title Reference [40043954 ]

eLVAS Case Id[2014/000849 ]

**3. Select details of the particular item being amended**

<input type="checkbox"/> Description	
<input checked="" type="checkbox"/> Term of lease	
<input type="checkbox"/> Name of lessee	
<input type="checkbox"/> Other	<input type="text"/>

go to 4

go to 5

go to 5

go to 5

**4. New Description**

Omit	Insert
eg. Lot 8 on RP1236544 eg. area – 523.469 ha	eg. Lot 121 on SP1236544 eg. area – 323 ha
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

go to 4

**5. Enter details of the particular item being amended (other than the description)**

Omit	Insert
eg. Mary Ann Smith	eg. Mary Anne Smith
Expiring on 19/07/2015	Expiring on 19/07/2016
<input type="text"/>	<input type="text"/>

go to 6

**6. Declaration**

I hereby declare that this action is approved under the relevant legislation and request details shown in this notice be recorded in the Land Register.

**Signature of Delegated Officer**

<input type="text"/>	s.73
----------------------	------

**Delegated Officers full name:**

Diane Therese McQuade
-----------------------

**Delegated Officers position title:**

Senior Land Officer
---------------------

**Regional Office:**

Beenleigh
-----------

**Date:**

8 1 07 1 2015
---------------

**From:** Titlesinfo [Titlesinfo@dnrm.qld.gov.au]  
**Sent:** Wednesday, 8 July 2015 10:31 AM  
**To:** HOWARD Judi  
**Subject:** RE: 2014/000849 Amendment to TL 0/221125

Dear Sir/Madam

**EMAIL CORRESPONDENCE**

Receipt of your email is acknowledged.

Anticipated response times to email correspondence are:

- For routine enquires — approximately 10 business days.
- For complex matters — more than 10 business days.

This email is an automated response, please do not reply.

Director Operations  
**Titles Registration**  
**Department of Natural Resources and Mines**  
Email: [titlesinfo@qld.gov.au](mailto:titlesinfo@qld.gov.au)  
Telephone: 1300 255 750  
Facsimile: +61 7 3225 1739  
GPO Box 1401, Brisbane QLD 4001

DAFER TI DL Release

**From:** eLVAS System [laelpapa@elvasprod.dnr.qld.gov.au]  
**Sent:** Tuesday, 14 July 2015 6:15 AM  
**To:** HOWARD Judi  
**Subject:** Expiry Date updated for Title 40043954

For Case 2014/000849, the Expiry Date for Title 40043954 has changed from 19/07/2015 to 19/07/2016

DAF RTI DL Release

**From:** @sibelco.com.au]  
**Sent:** Tuesday, 21 July 2015 10:12 AM  
**To:** HOWARD Judi  
**CC:** s.73  
**Subject:** RE: 2014/000849

Dear Judi

Thanks for the update on the renewal of TL 0/221125. It would be appreciated if you could please update our postal address for the offer documents and all future correspondence to:

C/- Tenement Services  
PO Box 74  
ROSEWATER EAST SA 5013

Many thanks Judi and  
Kind regards

Begin forwarded message:

**From:** HOWARD Judi < >  
**Date:** 21 July 2015 9:43:20 am AEST  
**To:** @sibelco.com.au>  
**Subject:** 2014/000849

Morning

Please find attached a current title search for (the barracks) TL 0/221125 being Lot 76 on CP SL4907 please note the new expiry date for the lease is 19/7/2016.

I have most of the documents ready for the renewal process, but I am going on leave so I will continue the processing then, will email you the offer documents and post the originals, can you please let me know the postal address you want the original sent to.

I have the address of Level 3 99 Melbourne Street, South Brisbane, but I don't think you received the original last time can you please give me the post box address.

Thanks very much

Kind Regards

*Judi Howard*

Land Administration Officer  
Land Services – South Region  
Department of Natural Resources and Mines  
PO Box 1164 Beenleigh 4207  
phone: 07 3884 8047 facsimile: 07 3884 8079

[judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au)  
[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

Beenleigh Office – Customer Service: (07) 3884 8020  
Business Hours – Mon – Fri 8.30am – 4.30pm, excl public holidays

All applications to change tenure or use of State Land under the Land Act 1994 are to be forwarded to the Central Point of Lodgement. The Central Point of Lodgement email address is [SLAMlodgement@dnrm.qld.gov.au](mailto:SLAMlodgement@dnrm.qld.gov.au). For more information please refer to application forms on the Departments webpage.

*Work Safe, Home Safe*

s.73

External Relations Manager



**Sibelco Australia Limited**  
Level 3, 99 Melbourne Street  
South Brisbane QLD 4101  
Australia  
**Tel** +61 7 3409 6958  
**Fax** +61 7 3409 6901

[www.sibelco.com.au](http://www.sibelco.com.au)

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Tenements Manager



**Sibelco Australia Limited**  
100 Eastern Parade  
Gillman SA 5013  
Australia  
**Tel** +61 8 8240 8244  
**Fax** +61 8 8341 1010

[www.sibelco.com.au](http://www.sibelco.com.au)

This e-mail (including any attachments) is confidential and may contain legally privileged information. You must not use, disclose, or act on the email unless you are the intended direct recipient. If you receive this email in error, please immediately notify the sender and delete it from your system. No confidentiality or privilege is waived or lost by any error in transmission. Any views expressed in this email are those of the individual sender, except where the sender has authority to expressly state them to be the views of Sibelco Australia Limited.

**From:** HOWARD Judi [Judi.Howard@dnrm.qld.gov.au]  
**Sent:** Friday, 4 September 2015 9:23 AM  
**To:** @sibelco.com.au; s.73 @sibelco.com.au  
**Subject:** 2014/000849  
**Attachments:** Signed Letter of Offer Renewal.pdf

Morning

Please find attached the letter of offer for the renewal of Term Lease 0/221125 – barracks at Dunwich.

Please let me know if you require any further information

Kind Regards

*Judi Howard*

Land Administration Officer  
Land Services – South Region  
Department of Natural Resources and Mines  
PO Box 1164 Beenleigh 4207  
phone: 07 3884 8047 facsimile: 07 3884 8079  
[judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au)  
[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

Beenleigh Office – Customer Service: (07) 3884 8020  
Business Hours – Mon – Fri 8.30am – 4.30pm, excl public holidays

All applications to change tenure or use of State Land under the Land Act 1994 are to be forwarded to the Central Point of Lodgement. The Central Point of Lodgement email address is [SLAMLodgement@dnrm.qld.gov.au](mailto:SLAMLodgement@dnrm.qld.gov.au). For more information please refer to application forms on the Departments webpage.

*Work Safe, Home Safe*

white

Author: Judi Howard  
File / Ref number 2014/000849  
State Land Asset Management  
Phone (07)3884 8047

4 September 2015

Sibelco Australia Limited  
C/- Tenement Services  
PO Box 74  
ROSEWATER EAST SA 5013

**Attention:** s.73

Dear

**Application for Renewal of Term Lease 0/221125 being Lot 76 on SL4907  
Ballow Road, Dunwich, North Stradbroke Island  
Stradbroke Rutile Pty Ltd A.C.N 009 693 074**

Reference is made to the above application received 26 June 2014 for the Renewal of Term Lease 0/221125 being Lot 76 on Crown Plan SL4907.

It is advised that approval will be sought for the issue of a term lease over Lot 76 on Crown Plan SL4907, subject to the terms and conditions as set out in the attached **Agreement to Offer a Term Lease** and compliance with the requirements of offer to Stradbroke Rutile Pty Ltd.

The attached agreement duly signed, together with payment of all required monies, being the amount of \$10,065.50 must be returned to the Department by close of business on 2 October 2015, otherwise this offer lapses (please return the whole agreement). Business days include those days that the Department office is normally open and excludes weekends and public holidays

All other conditions of this offer, including payment of the balance amount on the offer account, (i.e. less any of the required money paid) being the amount of \$53,501.00 must be satisfied by close of business on 2 December 2015.

If you believe you will be unable to comply with any of the conditions of this offer by the specified date, you should apply in writing for an extension of time. Any application for an extension of time should 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 time for which the extension is requested, including reasons for the amount of time required.

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.

**Note** - Section 442 of the Land Act states that if an offer is not accepted in writing within the stated time, the offer lapses. An application to extend the stated time may be made at any time before the time passes.

Once the stated time has passed, an application may only be made within **42 days** after the time has passed. Where an application is made after the stated time has passed but within the following 42 day period, the time can only be extended where exceptional circumstances exist.

No applications for extension of time made after the 42 day period referred to in section 442 will be considered.

If you wish to discuss this matter please contact Judi Howard on (07)3884 8047 or email [judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au) .

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to [SLAM-Beenleigh@dnrm.qld.gov.au](mailto:SLAM-Beenleigh@dnrm.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.

You may wish to seek your own legal advice with regard to this offer.

Please quote reference number 2014/000849 in any future correspondence.

Yours sincerely

s.73

Judi Howard  
Land Administration Officer  
Beenleigh



## Offer Account

(This is not a Tax Invoice)

Issued



Queensland  
Government

Department of  
Natural Resources and Mines

**Payment Reference:** 628799  
**Offer Account Date:** 04/09/2015  
**Enquiry Reference:** 2014/000849/2  
**Account No:** 1402000849  
**Account Due Date:** 02/10/2015  
**Applicant:** Stradbroke Rutile Pty Ltd  
PO Box 74  
ROSEWATER EAST QLD 5013  
Australia  
**ABN No.**  
**ACN/ARBN No.** 009 693 074

Item Description	Quantity	Amount (\$)	Amount Due (\$)
Deposit (Estimate of First Years Rent)	1	63501.00	63501.00
Lease/Licence/Permit Fee (Div 81)	1	65.50	65.50
<b>Total Payable at Acceptance/Settlement:</b>			<b>\$63566.50</b>

### Comment:

Renewal of Term Lease 0/221125 Being Lot 76 on SL4907 - North Stradbroke Island

### Payment Methods:

Payment options are cash (in person only), EFTPOS (in person at some centres only), cheque (in person or by post), BPOINT or BPay (details below).

Cheques should be made payable to 'Department of Natural Resources and Mines' and marked 'not negotiable'.

To ensure proper crediting of your account, please provide a copy of this account for cash and cheque payments and indicate whether you wish to receive a receipt.



Billier Code: 928549  
Ref: 10000006287999



Pay on line via credit card  
[www.bpoint.com.au](http://www.bpoint.com.au) or contact your  
financial institution to make this  
payment directly from your cheque,  
savings or credit account

BPAY or BPOINT  
Transaction ID

BPay only amounts greater than \$50

BPOINT amounts between \$10 and \$100,000

If applicable a Tax Invoice will be provided on completion of this dealing.

4-Sep-2015

## Agreement to Offer a Term Lease - Requirements and notification of acceptance of offer

DNRM reference number: 2014/000849

### OVERVIEW

Subject to compliance with the Offer Requirements as set out in this document, approval will be sought for the issue of a Term Lease, over Lot 76 on Crown Plan SL4907, on the terms and conditions stated in the attached Conditions Report.

Your completion and return of this form together with payment of the attached account constitutes written agreement to the offer and the subsequent issue of the Term Lease on the stated terms and conditions.

**Note** - the Ministers approval for the issue of a Term Lease will be sought only if you decide to accept and comply with all conditions of the offer.

### OFFER REQUIREMENTS

This offer will lapse unless the following items are lodged by the specified time, with the DNRM Beenleigh Office –

The following must be returned to the department by close of business on 2 October 2015, otherwise this offer will lapse –

1. Completion and return of this **Agreement to Offer a Term Lease**. This agreement document must be completed by all current registered tenure holders
2. Payment of the amount of \$63,566.50. A copy of the account should be returned to the department along with your payment

Where the purchase price is more than \$10,000.00 – payment of \$10,000.00 deposit + Deed Fee (\$65.50) = \$10,065.50 to be paid by 2 October 2015. Balance (\$53,501.00) can be paid by 2 December 2015.

3. Payment of rent owing on Term Lease 0/221125, rent has to be paid in advance and up to the date of accepting the offer, currently rent is in arrears to the value of \$14,152.76, if this has been paid please disregard, see attached rental certificate.

All other conditions of this offer must be satisfied by close of business on 2 December 2015 otherwise this offer lapses –

1. Payment of \$53,501.00 as detailed, less any of the **required money**. A copy of the account should be returned to the department along with your payment.
2. Return of the completed surrender form
3. A copy of the public liability insurance policy of not less than twenty million dollars naming Stradbroke Rutile Pty Ltd as the insured, it also should make mention to the land being Lot 76 on Crown Plan SL4907. Noting the leased land on the public liability insurance is a requirement of the regulatory conditions of the lease.

Great state. Great opportunity.



If you believe you will be unable to comply with **any of** the conditions of this offer by the due dates, you should apply in writing for an extension of time. Any application for extension of time is to 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 condition/s cannot be complied with by the due dates; **AND**
- the time for which the extension is requested, including reasons for the amount of time required.

**Note** - if you do not apply for an extension of time the offer lapses, you will need to make a fresh application and pay the required application fee. If the new application is accepted, the application will be re-investigated and include re-assessment of all conditions and requirements applicable to the dealing. This re-investigation may also result in the application being refused.

---

## PURPOSE AND CONDITIONS

The Term Lease will be for Residential purposes and will be issued subject to the terms and conditions as stated in the attached **Conditions Report** which will be binding on the lessee for the duration of the lease.

---

## PARTICULARS OF LAND

Tenure Type - Term Lease  
Description - Lot 76 on Crown Plan SL4907  
Parish- Stradbroke County- Stanley  
Term - 10 years  
Area (ha) - 0.653100 ha (surveyed)

---

## TENANCY DETAILS

The holders of the Term Lease are to be recorded as:-  
**NAME**

Stradbroke Rutile Pty Ltd

**COMPANY ACN No.** (where applicable)

A.C.N. 009 693 074

**Note** – If the proposed Term Lease is the renewal of an existing lease then the name of the holders and the tenancy must be the same as recorded on the existing lease within the Land Registry.

Sole Tenant  Joint Tenants  Tenants in Common

If to be held on Trust, insert name of Trust and provide a copy of the Trust document, if not already held by the Department.

**Name of Trust:**

If to be held as Tenants in Common, complete the following -

INTEREST	NAME

For example - ½ share For example – John Robert Smith  
If insufficient space, please attach separate page.

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

Town/City:

State:

Postcode:

---

## RENT

Rental periods for a Term Lease are annual (1 July – 30 June). Invoices for payment of the rent are usually sent out by the department before the last week of July each year.

Unless the rent is set, the rent for a Term Lease is calculated by multiplying the valuation of the land for rental purposes by the percentage rate for the category of the Term Lease, as prescribed in the current Land Regulation.

The first rental determined for this term lease will be based on –

- Rental category - Category 12.1 – Residential
- Percentage 6%
- Rental valuation - \$1,030,769.00
- Annual rent – \$63,501.00

The rent for the Term Lease will be rounded to the nearest whole dollar value. The prescribed minimum rent for tenures of this type in rental category 12.1 is \$235. If the calculated rent is less than the prescribed minimum rent, the minimum rent is payable.

The rental valuation is subject to reassessment each year in accordance with the *Land Valuation Act 2010*.

---

## RENT CATEGORY

The Term Lease will be designated Category 12.1 under the current Land Regulation. This category is defined as residential.

Upon issue of the Term Lease you will be advised accordingly and you will subsequently be entitled, pursuant to section 27 of the Land Regulation 2009 and section 422 of the *Land Act 1994*, to appeal against the category of the Term Lease.

The appeal must be lodged within forty-two (42) days from the date of advice of the issue of the Term Lease. An appeal must be made on the department's application form. A copy of **Form LA14 - Application for an Internal Review of an Original Decision** is available from any of the department's Service Centres upon request, or from the department's website at <http://www.dnrm.qld.gov.au/>.

---

## GOODS AND SERVICES TAX (GST)

Goods and Services Tax (GST) is payable on all land transactions in accordance with *A New Tax System (Goods and Services Tax) Act 1999* unless it is an input taxed supply under Division 40 or specifically exempted from GST under Division 38 of that Act.

Where GST is payable, the annual rental payable by the lessee to the department shall be increased by the amount equal to that which the department is obliged to remit to the Deputy Commissioner of Taxation as GST on the supply.

---

## TAX INVOICE

A tax invoice for obtaining the Term Lease will be issued to the lessee within 28 days of the date of issue of the Term Lease.

---

## APPROVALS AND/OR REQUIREMENTS OF THE COMMONWEALTH, STATE OR LOCAL GOVERNMENT

It should be noted that whilst the proposed Term Lease will issue for [Insert Purpose] purposes, it is the lessee's responsibility to ensure that all other necessary approvals and/or requirements of the Commonwealth, State or local government in respect of the use of the area are obtained and/or satisfied.

A Term Lease may be subject to rates which are charged by the local government.

---

## FOREIGN OWNERSHIP

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 or foreign trust, must lodge a Notification of Ownership Form for each interest acquired. No fee is payable and further enquiries should be directed to the Foreign Ownership of Land Registry on 1300 255 750 or email [Titlesinfo@qld.gov.au](mailto:Titlesinfo@qld.gov.au).

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

---

## CONTAMINATION

Landowners and occupiers of land have a responsibility under section 371(1) of the *Environmental Protection Act 1994* to notify the administering authority within 22 business days if they become aware that a notifiable activity is being carried out on the land.

There are penalties for landowners under section 371 of the *Environmental Protection Act 1994* for not complying with the responsibility to notify.

For more information visit the EHP website: [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au); or contact Waste and Land Contamination Assessments, Department Environment and Heritage Protection - email: [WLCA@ehp.qld.gov.au](mailto:WLCA@ehp.qld.gov.au)

---

## ABORIGINAL OR TORRES STRAIT ISLANDER CULTURAL HERITAGE

All significant Aboriginal and Torres Strait Islander cultural heritage in Queensland, is protected under the *Aboriginal Cultural Heritage Act 2003* and the *Torres Strait Islander Cultural Heritage Act 2003*, and penalty provisions apply for any unauthorised harm. Under the legislation a person carrying out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage. This applies whether or not such places are recorded in an official register and whether or not they are located in, on or under private land.

Aboriginal cultural heritage which may occur on the subject land is protected under the terms of the *Aboriginal Cultural Heritage Act 2003* and *Torres Strait Islander Cultural Heritage Act 2003* even if the Department of Aboriginal and Torres Strait Islander Partnerships has no records relating to it.

Please refer to the website -

<https://www.datsima.qld.gov.au/people-communities/aboriginal-and-torres-strait-islander-cultural-heritage> for a copy of the gazetted Cultural Heritage Duty of Care Guidelines which set out reasonable and practical measures for meeting the duty of care.

Further assistance or advice in relation to this matter please contact the Cultural Heritage Unit on (07) 3405 3050.

### DECLARATION

The information provided in this Agreement to Offer and any attachments is authorised under the Land Act 1994 and is being used to process your application. The department will endeavour to maintain the confidentiality of information relating to your application. However, consideration of your application may involve consultation with other parties and if so, details of your application may be disclosed to third parties. This information will not otherwise be disclosed outside of the department unless required or authorised by law such as under the Right to Information Act 2009. If the proposed Term lease issues, the details of the Term Lease, including the lessees will be registered in the Land Registry which is available to the public to search.

I/We agree, subject to compliance with the Offer Requirements, to the issue of the Term Lease on terms and conditions stated in this document and the attached Conditions Report and note that this acceptance shall not be effective until I/We have complied with the Offer Requirements.

#### DECLARATION BY AN INDIVIDUAL

<b>Name and Signature of all applicants</b>	<b>In the presence of:</b>
	<b>Full Name and Signature of Witness</b>

**NOTE** - This document must be signed by all persons who are nominated as the holder/s of the proposed Term Lease. If insufficient space please add additional information as an attachment.

**A.B.N No.**

**Dated**  **day of**  **Year**

#### DECLARATION BY A CORPORATION

Executed for and on behalf of:

**Corporation name**

**A.C.N or A.R.B.N No.**

In accordance with section 127 of the *Corporations Act 2001*,

**Dated**  **day of**  **Year**

**Name, Delegation and Signature of authorised person/s**

**Note** – Sole Directors simply insert name and sign as sole director. Other Companies require signature of two Directors or by a Director and Secretary. Where an attorney or other agent executes this Agreement on behalf of a company, the form of the execution must indicate the source of this authority and a certified copy of authority must be provided to the Department. A witness is only required for an attorney or other agent where the source of authority requires a witness.

**In relation to this agreement to offer, it is recommended you seek independent legal advice.**

Postal :  
DNRM Beenleigh  
PO Box 1164  
Beenleigh QLD 4207

Email: SLAM-beenleigh@dnrm.qld.gov.au  
Telephone : (07)3884 8047  
Fax: (07)3884 8079

# SURRENDER OF LEASE / LICENCE / PERMIT

(In accordance with Sections 105, 180, 327 and 481 of the *Land Act 1994*)

**THIS APPLICATION IS TO BE LODGED WITH THE NEAREST OFFICE OF THE DEPARTMENT OF NATURAL RESOURCES AND MINES**

**1. Property Description**

<b>Title Reference</b>	<b>Lot/Plan</b>	<b>Parish</b>	<b>Local Government</b>
40043954	Lot 76 on Crown Plan SL4907	Stradbroke	Redland City Council

**2. Surrender of Part or Whole of the Lease or Whole of the Licence / Permit Area**

\*Part or  \*Whole ( \*"X" which ever is applicable)

If 'Part', specify area (in hectares) being surrendered :

**3. Lessee / Licensee / Permittee**

Stradbroke Rutile Pty Ltd

**4. Conditions of Surrender (If applicable)**

**5. Execution**

We being the lessee in item 3, do hereby surrender and transfer to The State of Queensland, all of our right, title and interest in and to the said lease as described in items 1 and 2, subject to any conditions detailed in item 4.

<b>Witness</b>	<b>Execution Date</b>	<b>Lessee / Licensee / Permittee Signature</b>
.....signature	...../...../.....	.....
.....full name		
.....qualification		
(eg Legal Practitioner, JP, C.Dec)		

<b>Witness</b>	<b>Execution Date</b>	<b>Lessee / Licensee / Permittee Signature</b>
.....signature	...../...../.....	.....
.....full name		
.....qualification		
(eg Legal Practitioner, JP, C.Dec)		

Postal :  
DNRM Beenleigh  
PO Box 1164  
Beenleigh Qld 4207

Telephone : (07)3884 8047  
Fax: (07)3884 8079



## Notes and Guide to Completion

This form is to be used when either the whole or part of a lease or road licence, or the whole of a permit to occupy or occupation licence issued under the *Land Act 1994* is to be surrendered to The State of Queensland. The surrender may be subject to conditions.

If the lease being surrendered is subject to any mortgage, sublease or sub-sublease, the written consent to the surrender must be obtained from the registered mortgagee, sublessee and/or sub-sublessee on a Land Registry Form 18 (General Consent) and lodged together with the surrender. *NOTE: This does not apply if the document is subject to a surrender or disclaimer under a law about bankruptcy.*

The following explains what should be included in each of the items on the form:

### Item 1

The following is an example of how this item should be completed:

Title Reference	Lot/Plan	Parish	Local Government
16243027	Lot 6 on SP137064	Tingalpa	Brisbane City Council

*NOTE: If only part of the lease area is being surrendered, only the description of the area being surrendered should be entered in this item.*

### Item 2

'X' whichever is applicable eg:  \*Part or  \*Whole

*NOTE: A Permit to Occupy must not be partially surrendered.*

### Item 3

Insert the full names of the Lessee / Licensee / Permittee

### Item 4

If the lease / licence / permit is being surrendered subject to conditions, the relevant condition/s are to be inserted in this item. *Example conditions are as follows:*

- For the purposes of being granted a new \*..... Lease (\*Insert Tenure Type eg: Term); or
- All that part described as road to be opened on Plan \*.....(\* Insert Plan Number eg: SP123456).

*NOTE: This list of example conditions is not exhaustive and may be added to as any need arises.*

### Item 5

The Lessee / Licensee / Permittee is to complete and execute this item where indicated in the presence of a Witness, being a Legal Practitioner, Justice of the Peace or Commissioner for Declarations.



## Draft Conditions for

Case: 2014/000849

Action: 2

As at: 4 Sep 2015

A130

**SPECIFIED CONDITIONS FOR: Lease for a Term of Years**

**PURPOSE:** residential

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### **STATUTORY CONDITIONS:**

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Statutory conditions are the general mandatory conditions of a lease and binds the lessee in accordance with Part 2 Division 1 of the Land Act.

1. **Permitted Use:** The lessee must use the land only for the purpose for which the tenure was issued under the *Land Act 1994*.
2. **Duty of Care:** The lessee has the responsibility for a duty of care, for the land under the *Land Act 1994*.
3. **Rent/Instalment:** The lessee must pay the annual rent/instalment in accordance with the *Land Act 1994* and the Land Regulation 2009.

For further information on how annual rent is determined, refer to the department's website at [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au).

4. **Noxious plants:** The lessee must keep noxious plants on the land under control. If the lessee does not comply with this condition, the Minister may bring the noxious plants under control, the cost of which will be recovered from the lessee.
5. **Information to Minister:** The lessee must give the Minister administering the *Land Act 1994*, information the Minister asks for about the tenure.
6. **Monies for Improvements:** No money for improvements is payable by the State on the forfeiture, surrender or expiry of this lease but money may be payable if the State receives payment from an incoming lessee or buyer for the improvements on the land. However, the previous lessee may apply to the Minister to remove the improvements that belong to the lessee, within a period of 3 months from the date of the forfeiture, surrender, or expiry of this lease. The lessee may only undertake the removal of the improvements in the presence of an authorised representative of the department, if required by the Minister. The lessee may only remove those improvements if all monies due from the lessee to the department under this lease have been paid.

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### **REGULATORY CONDITIONS:**

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A regulatory condition relates to a lease, in accordance with the Land Regulation.

1. **Indemnity:** The lessee indemnifies and agrees to keep indemnified the Minister, and the State of Queensland and its Representatives, (the "Indemnified parties") against all liability, costs, loss and

expenses including claims in negligence (including any claims, proceedings or demands bought by any third party, and any legal fees, costs and disbursements on a solicitor and client basis) ("Claim") arising from or incurred in connection with:

- a. the granting of this lease to the lessee;
- b. the lessee's use and occupation of the land; or
- c. personal injury (including sickness and death) or property damage or loss in connection with the performance (or attempted purported performance or non-performance) of the lease or a breach of the lease by the lessee.

The lessee hereby releases and discharges to the full extent permitted by law, the Indemnified parties from all actions, claims, proceedings or demands and in respect of any loss, death, injury, illness or damage (whether personal or property and whether special, direct, indirect or consequential financial loss) arising out of the use and occupation of the lease.

To the full extent permitted by law, the Minister, the State of Queensland and their Representatives will not be liable to the lessee for any special, indirect or consequential damages, including consequential financial loss arising out of the use and occupation of the lease.

2. **Public Liability:** The lessee must effect a public liability insurance policy with an insurer authorised under the *Insurance Act 1973* (Commonwealth) or, if not so authorised then only with the Minister's approval, which can be given or withheld in the Minister's sole discretion, naming the lessee as the insured covering legal liability for any loss of, or damage to any property and for the injury (including death) to any person arising out of anything done or omitted on or about the land or any improvements thereon and against all claims, demands, proceedings, costs, charges, and expenses whatsoever (including claims in negligence) Such policy must:
  - a. be for an amount of not less than Twenty (\$20) million dollars and have no per event sublimit or such higher amounts as the Minister may reasonably require.
  - b. be effected on a "claims occurring" basis; and
  - c. be maintained at all times during the currency of the lease, and upon receipt of any notice of cancellation, the lessee must immediately effect another public insurance policy in accordance with the terms of the lease.

The lessee must, as soon as practicable, inform the Minister, in writing, of the occurrence of any event that the lessee considers is likely to give rise to a claim under the policy of insurance effected and must ensure that the Minister is kept fully informed of subsequent actions and developments concerning the claim.

The lessee must renew such policy, at the lessee's expense, each year during the currency of this lease.

The condition will be satisfied if the lessee is the State of Queensland or a statutory authority eligible for cover under the Queensland Government Insurance Fund and is insured and continues to be insured by the Queensland Government Insurance Fund.

This condition will be satisfied if the lessee is the Commonwealth of Australia or a statutory authority

eligible for cover under the Comcover Insurance Fund and is insured and continues to be insured by Comcover.

3. **Access:** The provision of access, further access or services to the land will not be the responsibility of the State.
4. **Survey Costs:** If the land needs to be surveyed or re-surveyed the lessee must do this at their own cost under the *Survey and Mapping Infrastructure Act 2003*. This survey plan must be lodged in the land registry within the specified time.
5. **Jurisdiction:** The lessee is subject to the *Land Act 1994* and all other relevant Queensland and Commonwealth legislation.
6. **Compliance with Laws:** The lessee must comply with all lawful requirements of the -
  - a. Local Government; and
  - b. any department within the Queensland or Commonwealth governments (including the department administering the *Land Act 1994*), local authority or statutory instrumentality having jurisdiction over the land, or the development, use and occupation of the land, in regard to its use, occupation and development of the land.

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**SPECIAL CONDITIONS:**

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These conditions relate to this lease.

**Cancellation/Forfeiture**

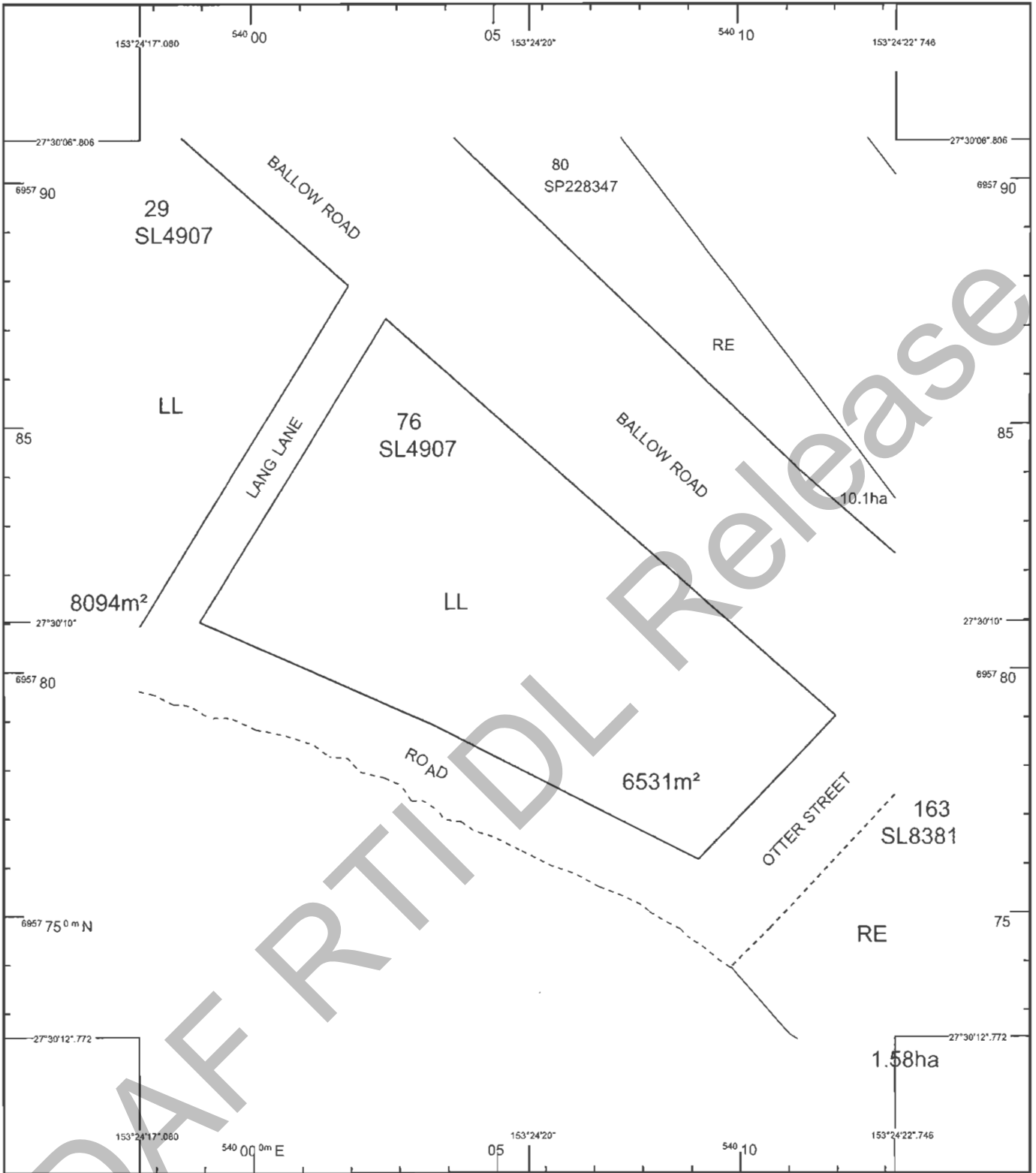
1. The lease may be forfeited/cancelled if not used for the purpose for which it was issued or any subsequent additional purpose, defaults payment of the annual rent or by breach of a condition of the tenure.
2. The lease may be cancelled after giving the lessee reasonable notice in writing, in accordance with the *Land Act 1994*.

**Improvements or development on or to the land**

1. The lessee must not effect any structural or further structural or excavation improvements on the land, without the approval of the department administering the *Land Act 1994* and any other relevant authority, having been first obtained.
2. The lessee must when called upon to do so, and, to the satisfaction of the relevant authorities, maintain improvements on the land in a good and substantial state of repair.
3. The lessee must remove the improvements and rehabilitate the area to the satisfaction of the Minister / Chief Executive of the *Land Act 1994*, from the date of termination of the tenure.

4. If the lessee fails to remove the improvements and rehabilitate the area as above, the Minister / Chief Executive administering the *Land Act 1994* , can remove the improvements and is hereby authorised to do whatever is necessary to effect the said removal. The department may recover from the lessee the total cost incurred in the said removal.
5. The lessee must ensure that the development and use of the land meets with the Planning Scheme, Local Laws and requirements of the Redland City Council, binding the lessee.

DAF RTI DL Release



STANDARD MAP NUMBER  
9542-11441



MAP WINDOW POSITION & NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	76/SL4907
Area/Volume	6531m <sup>2</sup>
Tenure	LANDS LEASE
Local Government	REDLAND CITY
Locality	DUNWICH
Parish	STRADBROKE
County	STANLEY
Segment/Parcel	20162/36

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 13/02/2014

DCDB 12/02/2014

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For further information on SmartMap products visit <http://nrm.qld.gov.au/property/mapping/tblnmap>

SmartMap

An External Product of SmartMap Information Services  
Based upon an extraction from the Digital Cadastral Data Base



Queensland Government  
(c) The State of Queensland, (Department of Natural Resources and Mines) 2014.  
Page 137 of 170



**From:** MCQUADE Diane [Diane.Mcquade@dnrm.qld.gov.au]  
**Sent:** Thursday, 24 September 2015 2:36 PM  
**To:** HOWARD Judi  
**Subject:** FW: NSI native title questions - Dunwich foreshore

2014/000849 – Judi, bit of an email trail regarding Lot 76 on SL4907 – any chance of putting in a QNTIME entry to request a conclusion please.

Thanks  
Di

---

**From:** MCQUADE Diane  
**Sent:** Thursday, 24 September 2015 2:36 PM  
**To:** SORRENTINI Joanna; Kate Maclean (Kate.Maclean@dsd.qld.gov.au)  
**Cc:** Danielle Ellem (Danielle.Ellem@dsd.qld.gov.au)  
**Subject:** RE: NSI native title questions - Dunwich foreshore

Hi Jo and Kate

Sorry for the delay in replying. (In regards to the QNTIME, SLAM will put in the research boundaries and attach the documents and then request a QNTIME conclusion, however in the past these have been requested, but due to the workloads on the Native Title unit, not all of these have been actioned – I will chase up this one for Lot 76 on SL4907 and ensure the action officer requests a conclusion).

Hope this information is of help and assistance to you.

**Can Sibelco transfer the lease to someone else during its term?**

Yes, Sibelco can transfer the lease during the term of the lease. An application will need to be made to DNRM by Sibelco to attain Minister's Consent to Transfer.

**Can Sibelco relinquish its lease early?**

Yes, Sibelco can request surrender of the lease at any time during the term of the lease, however if any improvements are on the land, these will be required to be removed at the lessee's expense before the surrender will be actioned by DNRM and the lessee must be in a \$0.00 balance with their rent.

**If another lease was to be granted once the current lease expires, is there a market process that occurs or is it granted to the first person who makes an application?**

If the lease expires, the land will revert back to unallocated State land.

When assessing an application for new term lease the department looks at a number of criteria.

Leases of unallocated State land may be granted without competition as per section 121 of the Land Act 1994 –

- The land is needed for a public purpose; or
- The Minister decides
  - the land is not needed for a public purpose; and
  - The intended use is the most appropriate use of the land; and
  - Exposure to public competition is inappropriate or 1 or more of the priority criteria apply.

A lease may be granted to the State without competition.

Section 123 of the Land Act 1994 defines the priority criteria –

- The applicant is an adjoining registered owner or lessee, and selling or leasing to anyone else would be considered inequitable; or
- No other persons are likely to be interested in obtaining the land; or
- The applicant held a significant interest in the land before it became unallocated State land; or
- There is no dedicated access and the only practical access is through the applicant's land.

**Does the State need to wait until the lease expires before it seeks interest from the market for a new lessee?**

The registered lessee may apply for an offer of a new lease unless a condition of the lease or under the Land Act 1994 prohibits its renewal. A renewal application may be made only after 80% of the existing term of the lease has expired unless, in the Minister's opinion, special circumstances exist.

If the lease is going to expire and DNRM have not received an application for renewal of the lease or conversion of the lease to freehold tenure, then we would actively try to correspond with the registered lessee to find out what their intentions are. I would imagine that the registered lessee may have infrastructure on the leased area and therefore would try to transfer their interest in the leased area if they do not intend to further lease the area.

Kind regards

Diane

Diane McQuade  
Senior Land Officer  
Beenleigh Office, South Region

Phone: (07) 3884 8055

Fax: (07) 3884 8079

Postal Address: PO Box 1164, Beenleigh Qld 4207

Address: 32 Tansey Street, Beenleigh Qld 4207

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---

**From:** SORRENTINI Joanna  
**Sent:** Monday, 21 September 2015 10:19 AM  
**To:** Kate Maclean ([Kate.Maclean@dsd.qld.gov.au](mailto:Kate.Maclean@dsd.qld.gov.au)); MCQUADE Diane  
**Cc:** Danielle Ellem ([Danielle.Ellem@dsd.qld.gov.au](mailto:Danielle.Ellem@dsd.qld.gov.au))  
**Subject:** NSI native title questions - Dunwich foreshore

Hi Kate

I've spoken with someone from ATSILS about the questions you had last week in relation to the land in the foreshore area of Dunwich.

Please see answers below:

**What is the native title status of lot and 76?**

s.73

Lot 76 is shown in the map as being excluded from native title due to a PEPA and on our system (QN Time) it shows that it had/has a residential lease on it that extinguishes native title. Di – ATSILS have not updated QN Time with a conclusion for this lot – they say they need to be requested to do so. Is this something that SLAM usually handles?

**When the leases on these lots expire, what happens to native title?**

If native title has been extinguished, it can still re-enliven due to section 47B of the Native Title Act 1993 (Cth), if at the time a native title application is made the land is unallocated state land **and** one or more members of the native title claim group occupy the area. In that case, any previous extinguishing effect of the leases on lots and 76 is disregarded. The applicant will still need to show the existence of any connection with the land or waters concerned that may be required by the common law concept of native title.

If section 47B doesn't apply, lot 76 would be able to be dealt with as USL with no native title implications.

**What is the process to grant a lease over water?**

Section 24H of the Native Title Act (Cth) provides for management of water and airspace. The Quandamooka determination gives them non-exclusive native title rights to the waters around NSI. If a lease was to be granted for a jetty / marina area etc I think that section 24H makes the grant of the lease valid and the native title holders must be notified of the proposal and are entitled to provide comments on the proposal and receive compensation for the grant of the lease.

Di, Kate had some questions around the lease process – are you able to take a look and see if you can provide answers to these?

**Can Sibelco transfer the lease to someone else during its term?**

**Can Sibelco relinquish its lease early?**

**If another lease was to be granted once the current lease expires, is there a market process that occurs or is it granted to the first person who makes an application?**

**Does the State need to wait until the lease expires before it seeks interest from the market for a new lessee?**

Kind regards,

**Joanna Sorrentini**

**Principal Policy Officer, Land and Mines Policy | Department of Natural Resources and Mines**

Level 7, 61 Mary Street, Brisbane Queensland 4000

T:+ 61 7 3199 7378 M:

E: [Joanna.Sorrentini@dnrm.qld.gov.au](mailto:Joanna.Sorrentini@dnrm.qld.gov.au)



**From:** @sibelco.com.au]  
**Sent:** Tuesday, 3 November 2015 1:01 PM  
**To:** HOWARD Judi  
**Subject:** RE: 2014/000849

Hi Judi

Apologies for not getting back to you yesterday as I was s.73 . I confirm that we are not looking to renew the lease and instead will be relinquishing the lease at the end of the current term (19 July 2016). I am in the process of preparing the forms reflecting this and will submit to your office in due course.

Please let me know if there is anything else you require.

Kind regards

---

**From:**  
**Sent:** Monday, 26 October 2015 4:35 PM  
**To:** 'judi.howard@dnrm.qld.gov.au'  
**Subject:** RE: 2014/000849

Hi Judi

I just tried to call. I am now looking after this matter. Can you please let me know when is a good time to call?

Kind regards

---

**From:** HOWARD Judi [<mailto:Judi.Howard@dnrm.qld.gov.au>]  
**Sent:** Friday, 2 October 2015 8:20 AM  
**To:**  
**Subject:** RE: 2014/000849

Morning

Approval has been given for an extension of time for the payment of the deposit and return of the executed agreement by the 2 November 2015, please make the payment and provide the executed agreement on or before the 2 November.

Please ensure the agreement when being signed shows the signature, the name of the person signing and their delegation.

Thanks very much

Kind Regards

*Judi Howard*

Land Administration Officer  
Land Services – South Region

Department of Natural Resources and Mines  
PO Box 1164 Beenleigh 4207  
phone: 07 3884 8047 facsimile: 07 3884 8079  
[judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au)  
[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

Beenleigh Office – Customer Service: (07) 3884 8020  
Business Hours – Mon – Fri 8.30am – 4.30pm, excl public holidays

All applications to change tenure or use of State Land under the Land Act 1994 are to be forwarded to the Central Point of Lodgement. The Central Point of Lodgement email address is [SLAMLodgement@dnrm.qld.gov.au](mailto:SLAMLodgement@dnrm.qld.gov.au) . For more information please refer to application forms on the Departments webpage.

*Work Safe, Home Safe*

white



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**From:** s.73 @sibelco.com.au]  
**Sent:** Thursday, 1 October 2015 4:44 PM  
**To:** HOWARD Judi  
**Subject:** RE: 2014/000849

Hi Judi

We respectfully request an extension for one month to submit the signed lease and pay the deposit.

Kind regards

Tenements Manager

 **Sibelco Australia Limited**  
100 Eastern Parade  
Gillman SA 5013  
Australia  
**Tel** +61 8 8240 8244  
**Fax** +61 8 8341 1010

[www.sibelco.com.au](http://www.sibelco.com.au)

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---

**From:** HOWARD Judi [mailto:[Judi.Howard@dnrm.qld.gov.au](mailto:Judi.Howard@dnrm.qld.gov.au)]  
**Sent:** Thursday, 1 October 2015 3:12 PM  
**To:**  
**Cc:** s.73  
**Subject:** FW: 2014/000849

Hi

Just a reminder that the deposit and return of the executed agreement is due tomorrow – if you are not able to provide the deposit and signed agreement by tomorrow can you please apply for an extension of time, stating the time you require.

Thanks very much

Kind Regard

*Judi Howard*

Land Administration Officer  
Land Services – South Region  
Department of Natural Resources and Mines  
PO Box 1164 Beenleigh 4207  
phone: 07 3884 8047 facsimile: 07 3884 8079  
[judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au)  
[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

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All applications to change tenure or use of State Land under the Land Act 1994 are to be forwarded to the Central Point of Lodgement. The Central Point of Lodgement email address is [SLAMlodgement@dnrm.qld.gov.au](mailto:SLAMlodgement@dnrm.qld.gov.au) . For more information please refer to application forms on the Departments webpage.

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**From:** HOWARD Judi  
**Sent:** Friday, 4 September 2015 9:23 AM  
**To:** @sibelco.com.au; @sibelco.com.au  
**Subject:** 2014/000849

Morning

Please find attached the letter of offer for the renewal of Term Lease 0/221125 – barracks at Dunwich.

Please let me know if you require any further information

Kind Regards

*Judi Howard*

Land Administration Officer  
Land Services – South Region  
Department of Natural Resources and Mines  
PO Box 1164 Beenleigh 4207  
phone: 07 3884 8047 facsimile: 07 3884 8079  
[judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au)  
[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

Beenleigh Office – Customer Service: (07) 3884 8020  
Business Hours – Mon – Fri 8.30am – 4.30pm, excl public holidays

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**From:** MCQUADE Diane [Diane.Mcquade@dnrm.qld.gov.au]  
**Sent:** Friday, 11 March 2016 4:52 PM  
**To:** HOWARD Judi  
**Subject:** Ministerial Corro - 2014/000849  
**Attachments:** DMView\_1457678805086\_03949-16\_1056758\_letter signed by minister.pdf

Hi Judi

Can you please save this ministerial corro to the case for Stradbroke Rutile renewal of lease.

Once the transfer for the TL goes through will have to organise short term extension of the lease and to approach RQYS about the renewal/conversion of the lease and change of purpose and conditions.

Thanks

Di

Diane McQuade  
Senior Land Officer  
Beenleigh Office, South Region

Phone: (07) 3884 8055

Fax: (07) 3884 8079

Postal Address: PO Box 1164, Beenleigh Qld 4207

Address: 32 Tansey Street, Beenleigh Qld 4207

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The Hon Dr Anthony Lynham MP  
Minister for State Development and  
Minister for Natural Resources and Mines

Ref CTS 03949/16

11 MAR 2016

Level 17 QMEC Building  
61 Mary Street Brisbane QLD 4000  
PO Box 15216 City East  
Queensland 4002 Australia  
Telephone +61 7 3199 8215  
Email [sdnrm@ministerial.qld.gov.au](mailto:sdnrm@ministerial.qld.gov.au)  
Website [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

Mr Shawn Ket  
General Manager  
Royal Queensland Yacht Squadron  
PO Box 5021  
MANLY QLD 4179

[GM@rqys.com.au](mailto:GM@rqys.com.au)

Dear Mr Ket

Thank you for your email dated 19 February 2016 with the encouraging information concerning the proposed transfer of Term Lease 221125 over Lot 76 on SL4907 from Stradbroke Rutile Pty Ltd (Sibelco) to the Royal Queensland Yacht Squadron (RQYS).

The Department of Natural Resources and Mines (the department) supports the proposed use of Lot 76 by the RQYS and based on your email it appears that RQYS is making good progress towards achieving the goal of creating a world class sailing venue on North Stradbroke Island.

I note that RQYS is expecting Sibelco to lodge the transfer documents with the department in the next few weeks. The department has adopted a streamlined approach for applications of this type with a 10 day processing timeframe once the application is verified and all the required documentation is on hand.

As discussed previously, the current lease is for residential purposes which is not consistent with the intended use by RQYS. When the transfer of the lease has been finalised the department will be in a position to discuss future lease arrangements.

If you have any questions about my advice to you Mrs Diane McQuade, Senior Land Officer, of the Department of Natural Resources and Mines will be pleased to assist you and can be contacted on telephone 3884 8055.

Yours sincerely



**Dr Anthony Lynham MP**  
Minister for State Development and  
Minister for Natural Resources and Mines

**From:** GEITZ Rhonda [Rhonda.Geitz@dnrm.qld.gov.au]  
**Sent:** Monday, 16 May 2016 2:20 PM  
**To:** COLLIS Suzanne; HOWARD Judi  
**Subject:** RE: 2014/000849

Thanks Suze and Judi – please let me know if there has been no action by the current lessee by the week ending 27 May, I might have to rethink our strategy then.

Regards  
Rhonda  
Rhonda Geitz  
Senior Land Officer, Land Services  
Department of Natural Resources and Mines  
Telephone: 07 4661 0210, Facsimile: 07 4661 5215  
Mobile: s.73  
Email: [rhonda.geitz@dnrm.qld.gov.au](mailto:rhonda.geitz@dnrm.qld.gov.au)  
Cnr Guy & Fitzroy Streets  
PO Box 2, Warwick QLD 4370

---

**From:** COLLIS Suzanne  
**Sent:** Monday, 16 May 2016 2:13 PM  
**To:** GEITZ Rhonda  
**Cc:** HOWARD Judi  
**Subject:** RE: 2014/000849

Thank you Rhonda, Judy will keep calling the Lessee on a regular basis to follow up on the transfer, I have also made an ongoing daily diary note for myself to request an update from Judy, she will search Elvas so that she knows who the processing officer for the Ministerial Consent is, once they have lodged the application.

As soon as the Lease has been transferred Judy will update the Brief and will email me the document for my perusal. I will then forward it onto yourself as requested.

Kind Regards  
Suze

**Suze Collis**  
A/Senior Land Officer  
**Department of Natural Resources and Mines**  
  
P 07 38848055  
[Suzanne.collis@dnrm.qld.gov.au](mailto:Suzanne.collis@dnrm.qld.gov.au)

---

**From:** GEITZ Rhonda  
**Sent:** Monday, 16 May 2016 2:02 PM  
**To:** COLLIS Suzanne; HOWARD Judi  
**Subject:** FW: 2014/000849

Hello Judi and Suze

Suze – will you please review this briefing note, if the transfer to RQYS is going to be lodged in the next few days, we should probably hold the brief up until the lessee details and background etc can be updated in Titles.

Judi – thanks for preparing this, however any brief prepared by yourself should in the first instance be forwarded to your SLO

for review.

Regards

Rhonda

Rhonda Geitz

Senior Land Officer, Land Services

Department of Natural Resources and Mines

Telephone: 07 4661 0210, Facsimile: 07 4661 5215

Mobile: s.73

Email: [rhonda.geitz@dnrm.qld.gov.au](mailto:rhonda.geitz@dnrm.qld.gov.au)

Cnr Guy & Fitzroy Streets

PO Box 2, Warwick QLD 4370

---

**From:** HOWARD Judi

**Sent:** Monday, 16 May 2016 1:48 PM

**To:** GEITZ Rhonda

**Subject:** 2014/000849

Hi Rhonda

Please find attached the draft briefing note for 2014/000849, I have also attached a copy of the last briefing note approved, will send you the submission tomorrow morning for approval, have to dash

Let me know if you need me to make changes to the briefing note.

Thanks very much

*Judi Howard*

Land Administration Officer

Land Services – South Region

Department of Natural Resources and Mines

PO Box 1164 Beenleigh 4207

phone: 07 3884 8047 facsimile: 07 3884 8079

[judi.howard@dnrm.qld.gov.au](mailto:judi.howard@dnrm.qld.gov.au)

[www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

Beenleigh Office – Customer Service: (07) 3884 8020

Business Hours – Mon – Fri 8.30am – 4.30pm, excl public holidays

All applications to change tenure or use of State Land under the Land Act 1994 are to be forwarded to the Central Point of Lodgement. The Central Point of Lodgement email address is [SLAMlodgement@dnrm.qld.gov.au](mailto:SLAMlodgement@dnrm.qld.gov.au). For more information please refer to application forms on the Departments webpage.

*Work Safe, Home Safe*

white





**From:** COLLIS Suzanne [Suzanne.Collis@dnrm.qld.gov.au]

**Sent:** Friday, 27 May 2016 11:33 AM

**To:** GEITZ Rhonda

**CC:** HOWARD Judi

**Subject:** Ministers consent to Trf has been approved over Lot 76 SL4907

**Attachments:** briefing note for 434b RQYS formerly Sibelco lot 76 SL4907 2nd draft with update.doc

Hello There,

As requested here is an updated brief regarding the request for the 434b for Stradbroke Rutile (or RQYS if they lodge soon). Judie is keeping an eye on it every day and checking titles so fingers crossed they do it by the end of next week.

Regards

Suze

**Suze Collis**

Land Administration Officer

**Department of Natural Resources and Mines**



P 07 55 831 761

[Suzanne.collis@dnrm.qld.gov.au](mailto:Suzanne.collis@dnrm.qld.gov.au)

Level 1, 14 Edgewater Court, QLD 4226

PO Box 4297, Robina TC QLD 4230



Department of Natural Resources and Mines

TO: Dr Anthony Lynham MP  
**Minister for Natural Resources and Mines**

<b>TITLE</b>	Request for approval for the third short term extension of Term Lease 221125 (The Lease) over Lot 76 SL4907 for Residential purposes in the Redland City Council (the Council) and located Dunwich, North Stradbroke Island (NSI).
<b>ACTION REQUIRED</b>	For approval
<b>PRIORITY</b>	Urgent
<b>CRITICAL DATE</b>	Approval of this brief is required before the lease expiry date of 19 <sup>th</sup> July 2016

**EXPLANATION OF CRITICAL DATE AND ROLE OF SIGNATORY**

If the lease expires, Stradbroke Rutile Pty Ltd., (the Lessee) will lose all existing rights over the lease and the use of the infrastructure located within the leased land.

Sibelco Australia Limited (Sibelco) are the parent company for Stradbroke Rutile Pty Ltd and are in the process of making application to transfer the lease to The Royal Queensland Yacht Squadron (RQYS). Approval was granted via a Ministerial Consent to transfer the lease to RQYS Nominees Pty Ltd and signed and posted on the 23<sup>rd</sup> May 2016 to the Lease but as of the 27<sup>th</sup> May 2016 no lodgement has been registered in the Title office.

**RECOMMENDATION**

That the Minister:

- a. Approve the third (3<sup>rd</sup>) short term extension of the lease under the provisions of section 434B of the Land Act 1994 (the Land Act) for a term of 2 years from the expiry date of 19<sup>th</sup> July 2016 to allow an application for transfer of the lease and possible renewal application to be investigated.

**Approved / Not Approved / Noted / Please Discuss**

- b. Sign (clearly identify)

**Signed / Not Signed / Please Discuss**

.....

Name  
 Position  
 Business Unit  
 Department of Natural Resources and Mines

Date: / /

**MINISTER'S COMMENTS**

Author:	Recommended:
Name: Rhonda Geitz Title: Senior Land Officer Business Group: Land Services Phone: 4661 0210	Name: Title: / Business Group Phone:
15424 / /	File No / /

DAFER TI DL Release

Author:	Recommended:
Name: Rhonda Geitz Title: Senior Land Officer Business Group: Land Services Phone: 4661 0210	Name: Title: / Business Group Phone:
15424 / /	File / /

**KEY ISSUES**

1. The lease for the Stradbroke Rutile Pty Ltd. expires on the 19<sup>th</sup> July 2016 and if not renewed or extended the lessee will lose all existing rights over the lease and the use of the infrastructure located within the leased land.
2. The lease has been developed by the lessee to provide residential accommodation for the workers in the sand mining industry.
3. The lease supports the mining operations on NSI including the Yarraman, Enterprise and Vance mines, all of which are operated by Sibelco.
4. The lease has been extended twice previously while the renewal / conversion applications were being considered.
5. The Department is recommending another 2 years extension to the lease be provided while the incoming Lessee, RQYS, lodges the Ministerial Consent to transfer, which was approved on the 23<sup>rd</sup> May 2016 and finalise the lease renewal and purpose/condition change.
6. As of the 27<sup>th</sup> May 2016, no forms have been lodged with Tiles Registry.
7. A third extension can only be considered by the Minister administering the Land Act 1994.
8. Section 434B of the Land Act allows a short term extension "If it appears a lease would expire before an application is finalised, the Minister may extend the term of the lease for a period no longer than 2 years, until the application is finalised".

**NEXT STEPS**

9. Following approval, the Department of Natural Resources & Mines (DNRM) will provide an extension of 2 years to the lessee to ensure the lessee is provided continuity of tenure
10. The signing and lodgement of the relevant land registry forms will be managed by South Region once the briefing note is approved to record the extension on the title.

**SENSITIVITY**

1. Routine

**CONSULTATION – INTERNAL STAKEHOLDERS**

2. N/A

**CONSULTATION – EXTERNAL STAKEHOLDERS**

3. N/A

**EMPLOYMENT OPPORTUNITIES**

4. N/A

**RESOURCE IMPLICATIONS**

5. N/A

**COMMUNICATIONS STRATEGY**

6. N/A

**PREVIOUS REFERENCE/S**

7. Previous lease extensions have been approved under the Land Act – CTS 11062/15

**BACKGROUND**

1. Term Lease 0/221125 held by Stradbroke Rutile Pty Ltd A.C.N. 009 693 074, the lessee, was issued for a term of ten (10) years, commencing 20 July 2004. The lease has a surveyed area of 0.653100 hectares over Lot 76 on Crown Plan SL4907 on North Stradbroke Island, located at Ballow Road, Dunwich (**Attachments 1 & 2**).
2. The lease is granted for residential purposes, namely single person's quarters and no other purpose. The property has been developed as residential complex housing employees of the lessee and comprises of eleven (11) low set accommodation barracks and associated structures.

3. The lessee was invited to make an application for the renewal of the lease on 13 February 2014 and 14 April 2014.
4. eLVAS case 2014/000849 has been created for the renewal / conversion actions, an application has been received 12 May 2014, a short term extension of 12 months was requested and granted until 17 July 2015 to allow sufficient time to finalise before the expiry date.
5. On the 26 June 2014 the applicant requested the application be amended to an application for conversion of Term Lease 0/221125 to Freehold.
6. An offer was made to the applicant on 24 July 2014 for the conversion action, the applicant has requested two (2) extensions of time to organise payment of the offer account, with approval being given for those extension of time
7. The applicant has requested a third (3) extension of time till 5 June 2015 to enable a decision to be made by the applicant to proceed with the conversion application or to reapply for a new renewal application.
8. The lessee has requested a further extension of time, due to the uncertainty of continued mining operations on NSI.
9. Sibelco advised on 3 November 2015 that they no longer required the application for conversion or renewal to proceed and were investigating transferring the lease to the RQYS.
10. Advice received from Sibelco on the 16 May 2016 is that they were in the process of lodging the application for the transfer of the lease to RQYS.
11. On the 23<sup>rd</sup> May 2016 approval for the transfer was given for RQYS to be the new lessee, once this has been lodged in our Titles Registry RQYS will have to make application for the renewal of the lease and proposed condition/purpose change, time will be required for this application to be investigated and processed.
12. Section 434B of the Land Act 1994 allows a short term extension "if it appears the term lease will expire before the application is finalised, the Minister may extend the term of the lease, for periods of no longer than 2 years, until the application is fully dealt with"
13. An extension of 2 years is requested to allow the lessee to lodge the application for the transfer and that application to be processed.

## ATTACHMENTS

- Attachment 1: Tile search**
- Attachment 2: Smartmap**

Search Date: 01/06/2016 08:45

Title Reference: 40043954  
Date Created: 13/08/2004

Previous Title: 17748095

DESCRIPTION OF LAND

Tenure Reference: TL 0/221125

Lease Type: TERM

LOT 76 CROWN PLAN SL4907  
Local Government: REDLAND

Area: 0.653100 Ha. (SURVEYED)

No Land Description

No Forestry Entitlement Area

Purpose for which granted:  
RESIDENTIAL

TERM OF LEASE

Term and day of beginning of lease

Term: 10 years commencing on 20/07/2004

Expiring on 19/07/2014

Extended to 19/07/2016

REGISTERED LESSEE

STRADBROKE RUTILE PTY LTD A.C.N. 009 693 074

CONDITIONS

Search Date: 01/06/2016 08:45

Title Reference: 40043954

Date Created: 13/08/2004

CONDITIONS

- A61
- (1) The lessee must use the leased land for residential purposes namely single person's quarters and no other purpose whatsoever.
  - (2) This lease may be forfeited if not used for the purpose stated above.
  - (3) The annual rent must be paid in accordance with the Land Act 1994.
  - (4) The Parties acknowledge that GST may be payable in respect of a supply made under this lease. Where GST becomes payable in respect of a supply made under this lease, the State (lessor) may recover the GST from the lessee by increasing the consideration payable by the lessee to the State by an amount equal to that which the State is obliged to remit to the Commonwealth as GST on the supply and that amount may be recovered from the lessee as part of the money payable to the State under this lease. The State will upon request by the lessee, issue to the lessee a valid GST tax invoice in respect of any taxable supply made under this lease. (NOTE: For the purposes of this condition "GST" means the goods and services tax which results from the enactment of A New Tax System (Goods and Services Tax) Act 1999 and the related Acts which constitute the Commonwealth taxation reform (as amended from time to time)).
  - (5) The lessee must pay the cost of any required survey or re-survey of the leased land.
  - (6) The lessee must control pest plants and animals, on the leased land, in accordance with the Land Protection (Pest and Stock Route Management) Act 2002 and the Local Laws and requirements of the Redland Shire Council.
  - (7) The lessee has the responsibility for a duty of care, to take all reasonable and practicable measures to sustainably manage the leased land by conserving the physical, biological, productive and cultural values, either on the leased land or in areas affected by the management of the leased land.
  - (8) The lessee indemnifies and agrees to keep indemnified the State of Queensland, Crown Instrumentalities, local governments and other statutory bodies (the Indemnified) against all actions, suits, proceedings, claims, demands, costs, losses, damages and expenses (Claim) arising out of or in any way connected to or resulting from the State of Queensland granting this lease to the lessee and which is connected to or resulting from the lessees' use and occupation of the leased land (all referred to as the indemnified acts or omissions) save to the extent that the Claim arises as a result of any negligent act or omission of the State of Queensland. The lessee hereby releases and discharges the Indemnified from any Claim relating to the indemnified acts or omissions which may be made against the Indemnified.
  - (9) The lessee must ensure that the use and development of the leased land conforms to the Planning Scheme, Local Laws and requirements of the Redland Shire Council, binding on the lessee.
  - (10) The lessee must give the Minister administering the Land Act

Search Date: 01/06/2016 08:45

Title Reference: 40043954

Date Created: 13/08/2004

CONDITIONS

- 1994, information about the lease, when requested.
- (11) The lessee must not clear any vegetation on the leased land, unless in accordance with the Integrated Planning Act 1997.
- (12) No compensation for improvements or developmental work is payable by the State at the forfeiture, surrender or expiry of the lease, but the lessee has the right to remove moveable improvements within a period of three (3) months from the forfeiture, surrender or expiry of the lease, provided all money due by the lessee to the State on any account whatsoever has been paid, or be required to remove those improvements as specified in any further condition of lease.
- (13) This lease is subject to the Land Act 1994 and all other relevant State and Commonwealth Acts.
- A68 (1) The lessee must allow any person authorised under the Forestry Act 1959 access to the leased land for the purpose of cutting and removing timber or removing other forest products, or quarry material, or other material from the leased land.
- (2) Except as hereinafter provided the lessee must not interfere with any forest products or remove any quarry material (including any stone, gravel, sand, earth, soil, rock, guano or clay which is not a mineral within the meaning of the Mineral Resources Act 1989) or other material upon the leased land without the permission of the Minister administering the Land Act 1994 except under the authority of and in compliance in every respect with the requirements or a permit, licence, agreement or contract granted or made under the Forestry Act 1959.
- A69 Further to Condition A61(12) above, the lessee must remove all improvements and rehabilitate the area to the satisfaction of the Minister administering the Land Act 1994 from the date of expiry or forfeiture of the lease.
- A70 If the lessee fails to remove the improvements and rehabilitate the area as detailed in Condition A69 above, the Minister administering the Land Act 1994, can remove the improvements and rehabilitate the area and is hereby authorised to do whatever is necessary to effect the said removal and rehabilitation. The said Minister may recover from the lessee the total cost incurred in the said removal and rehabilitation.
- C342 The lessee must comply with any lawful requirements of Redland Shire Council.
- L109 The lessee must not effect any further structural improvements on the leased land, without the approval of the Minister administering the Land Act 1994 and any other relevant authority, having been first obtained.



Search Date: 01/06/2016 08:45

Title Reference: 40043954  
Date Created: 13/08/2004

CONDITIONS

L110 The lessee must , to the satisfaction of the Minister administering the Land Act 1994 and Redland Shire Council , maintain all existing improvements on the leased land in a good and substantial state of repair.

ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Lease No. 40043954

ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status	Location
713923333	DSI/OFFSET	24/06/2011 13:33	CUR	GC-GEN -00

LAND VALUATION ACT 2010  
UNREGISTERED DEALINGS - NIL

\*\* End of Current State Tenure Search \*\*

Information provided under section 34 Land Title Act(1994) or section 281 Land Act(1994)

**From:** GEITZ Rhonda [Rhonda.Geitz@dnrm.qld.gov.au]  
**Sent:** Wednesday, 1 June 2016 9:00 AM  
**To:** SR LS Corro  
**CC:** COLLIS Suzanne; HOWARD Judi  
**Subject:** Ministerial Brief - Proposed Extension to Term of Lease  
**Attachments:** s434b Sibelco\_RQYS.doc; SmartMap.pdf; GetCurrentTitle.pdf

Hello Corro

Will you please arrange for the attached Ministerial Brief for a short term extension of TL221125 under s434B of the Land Act 1994 to be entered into the MECS system and forwarded to Mike Birchley for his consideration as soon as possible.

Thanks  
Rhonda  
Rhonda Geitz  
Senior Land Officer, Land Services  
Department of Natural Resources and Mines  
Telephone: 07 4661 0210, Facsimile: 07 4661 5215  
Mobile: s.73  
Email: [rhonda.geitz@dnrm.qld.gov.au](mailto:rhonda.geitz@dnrm.qld.gov.au)  
Cnr Guy & Fitzroy Streets  
PO Box 2, Warwick QLD 4370

DAFER TI DL Release



TO: Dr Anthony Lynham MP  
**Minister for Natural Resources and Mines**

**TITLE** Request for approval for the third short term extension of Term Lease 221125 (the lease) for residential purposes in the Redland City Council (the council), located at Dunwich, North Stradbroke Island (NSI).

**ACTION REQUIRED** For approval

**PRIORITY** Urgent

**CRITICAL DATE** 18 July 2016

**EXPLANATION OF CRITICAL DATE AND ROLE OF SIGNATORY**  
Approval of this brief is required before the lease expiry date of 19 July 2016.

**RECOMMENDATION**  
That the Minister:

- a. Approve the short term extension of the lease under the provisions of section 434B of the *Land Act 1994* (the Land Act) for a term of 12 months from the expiry date of 19 July 2016 to allow a transfer of the lease to the Royal Queensland Yacht Squadron (RQYS) to be finalised and provide an opportunity for the incoming lessee to continue the renewal application or consider other tenure options.

**Approved / Not Approved / Noted / Please Discuss**

- b. Sign (clearly identify)

**Signed / Not Signed / Please Discuss**

.....  
**Name**  
**Position**  
**Business Unit**  
 Department of Natural Resources and Mines

Date: / /

**MINISTER'S COMMENTS**

Author:	Recommended:
Name: Rhonda Geitz Title: Senior Land Officer Business Group: Land Services Phone: 4661 0210	Name: Title: / Business Group Phone:
15/4/24 / /	File No / /

**KEY ISSUES**

1. The lease for Stradbroke Rutile Pty Ltd (the lessee) expires on 19 July 2016 and if not renewed or extended, the lessee will lose all existing rights over the lease and the use of the infrastructure.
2. Sibelco Australia Limited (Sibelco) is the parent company for the lessee and is in the process of transferring the lease to RQYS Nominees Pty Ltd.
3. The Department of Natural Resources and Mines (the department) supports the proposed use of the lease by RQYS for a sporting activity and youth training/development complex and granted ministerial consent to the transfer of the lease on 23 May 2016.
4. As at 31 May 2016, the transfer documents have not yet been lodged in the Titles Registry.
5. Given the close proximity of the expiry date, the brief has been prepared in case the transfer of the lease cannot be finalised before the expiry date.
6. The lease is for residential purposes and was developed by the lessee to provide residential accommodation for the workers in the sand mining industry on NSI.
7. The intended use by RQYS is not consistent with the purpose of the lease.
8. When the transfer of the lease has been finalised, the department will be in a position to discuss future lease arrangements.
9. The term of the lease has been extended annually for the past two years to allow sufficient time to finalise an application for renewal of the lease.
10. The department is recommending another 12 month extension to the lease, to enable the incoming lessee to continue the renewal application or consider other tenure options.
11. A third extension can only be considered by the Minister administering the Land Act.
12. Section 434B of the Land Act allows a short term extension "if it appears a lease would expire before an application is finalised, the Minister may extend the term of the lease for a period no longer than 2 years, until the application is finalised".

**NEXT STEPS**

13. Following approval, the department will provide an extension of 12 months to 19 July 2017 to ensure the incoming lessee is provided continuity of tenure
14. The signing and lodgement of the relevant land registry forms will be managed by South Region once the briefing note is approved to record the extension on the title.

**SENSITIVITY**

15. Routine

**CONSULTATION – INTERNAL STAKEHOLDERS**

16. N/A

**CONSULTATION – EXTERNAL STAKEHOLDERS**

17. N/A

**EMPLOYMENT OPPORTUNITIES**

18. N/A

**RESOURCE IMPLICATIONS**

19. N/A

**COMMUNICATIONS STRATEGY**

20. N/A

**PREVIOUS REFERENCE/S**

17. Previous lease extensions have been approved under the Land Act – CTS 11104/14 and CTS 11062/15.

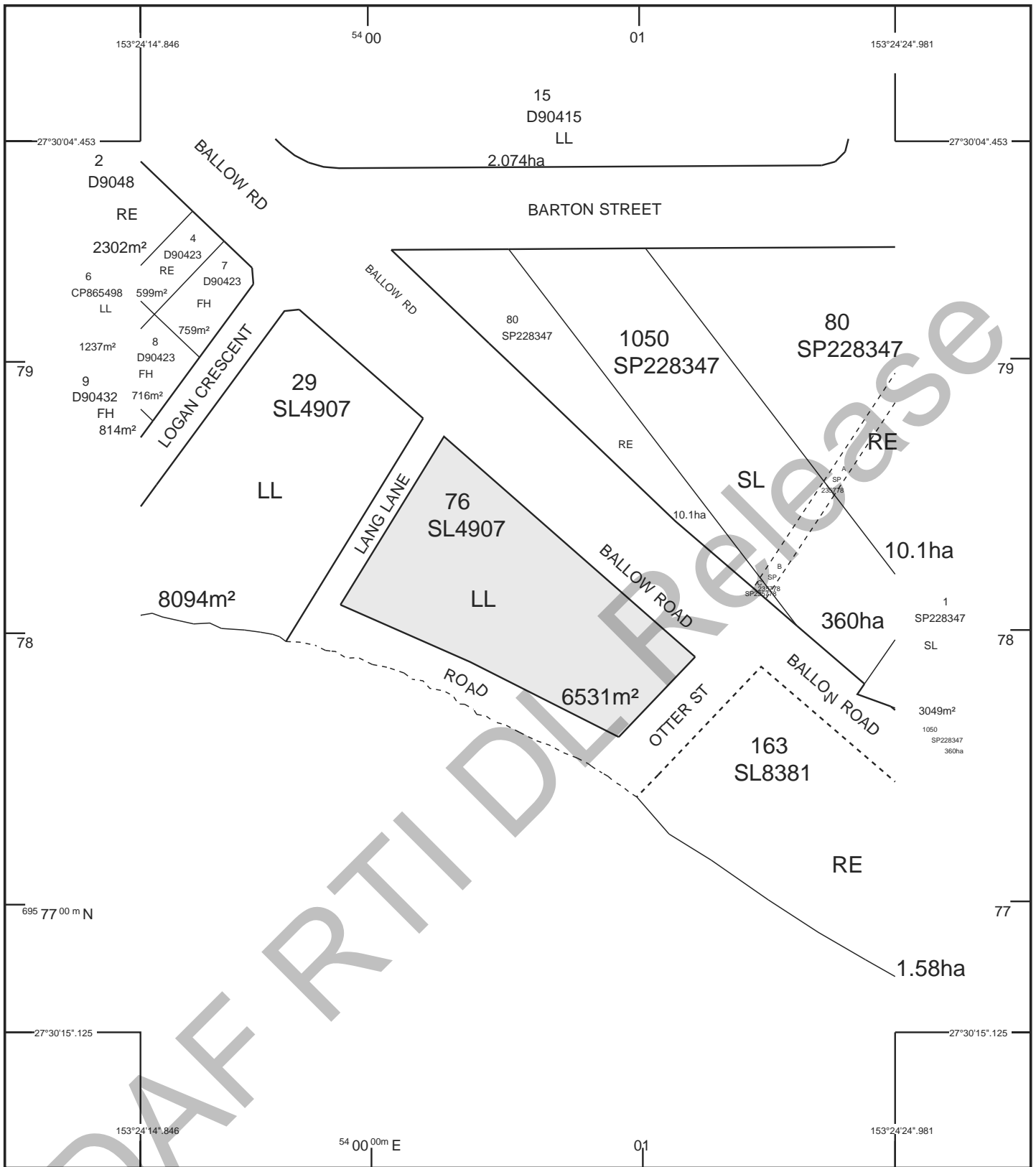
**BACKGROUND**

18. The lease was granted for a term of 10 years, commencing 20 July 2004 (**Attachment 1**).

19. The lease covers an area of 0.653100 hectares described as Lot 76 on SL4907 on NSI (**Attachment 2**).
19. The lease has been developed as a residential complex, housing employees of the lessee and comprises of 11 low set accommodation barracks and associated structures.
20. The lessee lodged an application for renewal of the lease on 12 May 2014.
21. On 26 June 2014, the lessee requested the application be considered as an application for conversion of the lease to freehold under the Land Act.
22. An offer for conversion of the lease was made to the lessee on 24 July 2014.
23. Given the uncertainty of continued mining operations on NSI, the department assisted the lessee in extending the response timeframe to enable the lessee additional time to respond to the conversion offer.
24. On 20 May 2015, the lessee confirmed that due to the current State Government not indicating the certainty of mining functions on NSI, that it was unwilling to accept the conversion offer and wished to continue with the renewal application.
25. The lessee advised on 3 November 2015 that it no longer wished to continue with the application for renewal, as Sibelco was investigating the transfer of the lease to RQYS.
26. On the 23 May 2016, the department granted approval for the transfer of the lease from the lessee to RQYS.
27. When the transfer of the lease has been finalised in the Titles Registry, the department will be in a position to investigate future lease arrangements or tenure options with RQYS.
28. The lease can be extended using the provisions of section 434B of the Land Act.
29. The current conditions of the lease and annual rental remain the same upon granting of the extension.

#### ATTACHMENTS

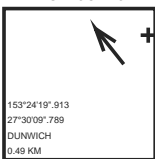
30. **Attachment 1:** Title Search 40043954  
**Attachment 2:** Smartmap Lot 76 on SL4907



STANDARD MAP NUMBER  
9542-11441



MAP WINDOW POSITION & NEAREST LOCATION



**SUBJECT PARCEL DESCRIPTION**

DCDB	76/SL4907
Lot/Plan	6531m <sup>2</sup>
Area/Volume	LANDS LEASE
Tenure	REDLAND CITY
Local Government	DUNWICH
Locality	20182/36
Segment/Parcel	

**CLIENT SERVICE STANDARDS**

PRINTED (dd/mm/yyyy) 01/06/2016  
For additional information regarding this SmartMap see page 2.  
Shading Rules have been applied.

DCDB 31/05/2016

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**SmartMap**

An External Product of SmartMap Information Services  
Based upon an extraction from the Digital Cadastral Data Base



(c) The State of Queensland, (Department of Natural Resources and Mines) 2016.



**From:** Shawn Ket [GM@rqys.com.au]  
**Sent:** Tuesday, 21 June 2016 2:03 PM  
**To:** GEITZ Rhonda  
**Subject:** Royal Queensland Yacht Squadron

Hi Rhonda

Good to speak with you today and sincere thanks for your assistance. Look forward to arranging a further conversation as discussed. So that you can picture what we are talking about please see the picture below.

I note that in our letter from Minister Lynham dated 11 March 2016, he talks about discussing the intended purpose post the lease finalisation.

Please don't hesitate to call if you have any requirements or questions. Sailors of course will use the huts for overnight and weekend accommodation. The rest happens on the water as you can see.

You mentioned the Deanbilla Bay mooring matter. This is completely independent of the lease / sailing accommodation and is about a completely separate application which was lodged with MSQ some time ago to assist by managing the moorings at Deanbilla for visiting vessels, public and RQYS. These matters are in no way interdependent. I'd be happy to explain if that would be useful.

DAFER TI DL Release

Royal Queensland Yacht Squadron  
578 Royal Esplanade  
PO Box 5021 MANLY QLD 4179  
**OFFICE:** 07 3396 8666 | **MOBILE:** s.73 | **FAX:** 07 3393 4100 | **MARINA:** 07 3393 3554

**Want to know more about the Squadron and how to become a member? Take a look at our [brochure!](#)**

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DAF RTI DL Release



**From:** s.73 @sibelco.com.au]  
**Sent:** Wednesday, 22 June 2016 3:10 PM  
**To:** HOWARD Judi  
**Subject:** FW: Barracks

Thanks for confirming the transfer Judi and here is the link to the Quest newspaper article about the transfer of the Barracks on Monday

<http://www.couriermail.com.au/questnews/native-title-manager-slams-royal-queensland-yacht-squadron-for-failure-to-consult-on-deanbilla-bay-sailing-school-plan/news-story/e71f8f66867542daf1c314d70550aaab?csp=83e53e3ad08a7f8b3c1db7d517636cc3>

Cheers

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From: Kathryn Ridge [kathryn@ridgelegal.com]

Sent: Thursday, 23 June 2016 1:34 PM

To: GEITZ Rhonda

CC: ceo@qyac.net.au; jmc@qyac.net.au; s.73 ; MCQUADE Diane; MCLAUGHLIN Andrew

Subject: RE: Informal release of Documents regarding s 166 application for conversion of term lease Lot 76 SL4097

Thank you Rhonda.

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**From:** GEITZ Rhonda [mailto:Rhonda.Geitz@dnrm.qld.gov.au]

**Sent:** Thursday, 23 June 2016 1:29 PM

**To:** Kathryn Ridge <kathryn@ridgelegal.com>

**Cc:** MCQUADE Diane <Diane.Mcquade@dnrm.qld.gov.au>; MCLAUGHLIN Andrew <Andrew.Mclaughlin@dnrm.qld.gov.au>; ceo@qyac.net.au; jmc@qyac.net.au; s.73@qyac.net.; BIRCHLEY Michael <Michael.Birchley@dnrm.qld.gov.au>; KEARNAN Wally <Wally.Kearnan@dnrm.qld.gov.au>

**Subject:** RE: Informal release of Documents regarding s 166 application for conversion of term lease Lot 76 SL4097

Hello Kathy

The scope of information your client's have requested in relation to Lot 76 on SL4097 is not accessible through an administrative release process by the Department of Natural Resources and Mines. However, a Right to Information application can be made at <http://www.qld.gov.au/about/rights-accountability/right-to-information/>.

Regards

Rhonda

Rhonda Geitz

Senior Land Officer, Land Services

Department of Natural Resources and Mines

Telephone: 07 4661 0210, Facsimile: 07 4661 5215

Mobile: s.73

Email: [rhonda.geitz@dnrm.qld.gov.au](mailto:rhonda.geitz@dnrm.qld.gov.au)

Cnr Guy & Fitzroy Streets

PO Box 2, Warwick QLD 4370

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**From:** Kathryn Ridge [mailto:kathryn@ridgelegal.com]

**Sent:** Tuesday, 21 June 2016 4:56 PM

**To:** GEITZ Rhonda

**Cc:** MCQUADE Diane; MCLAUGHLIN Andrew; ceo@qyac.net.au; jmc@qyac.net.au;

**Subject:** FW: Informal release of Documents regarding s 166 application for conversion of term lease Lot 76 SL4097

**Importance:** High

Dear Ms Geitz

Further to our request below, the relevant timeframe is from 1 January 2014 to today's date.

I may have been too narrow in limiting the below request to a section 166 Application, and would like to broaden the below

request to any  
request to renew or extend the term lease, change the purpose of the term lease (s 154 Land Act) and any request to transfer,  
or reissue the lease to the Royal Queensland Yacht Squadron.  
Furthermore, QYAC seeks administrative access to correspondence between Sibelco and DNRM, and or the Minister, and  
Royal Queensland Yacht Squadron  
and DNRM and or the Minister in respect to any proposal to extend, reissue to RQYS or transfer the lease.

In that respect the comments below with respect to the objects of the Act would equally apply to the exercise of the  
Minister's discretion to change the purpose of the lease

Kind Regards

Kathryn Ridge

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**From:** Kathryn Ridge [<mailto:kathryn@ridgelegal.com>]  
**Sent:** Tuesday, 21 June 2016 2:32 PM  
**To:** 'GEITZ Rhonda' <[Rhonda.Geitz@dnrm.qld.gov.au](mailto:Rhonda.Geitz@dnrm.qld.gov.au)>  
**Cc:** 'MCQUADE Diane' <[Diane.Mcquade@dnrm.qld.gov.au](mailto:Diane.Mcquade@dnrm.qld.gov.au)>; 'MCLAUGHLIN Andrew' <[Andrew.Mclaughlin@dnrm.qld.gov.au](mailto:Andrew.Mclaughlin@dnrm.qld.gov.au)>  
**Subject:** Informal release of Documents regarding s 166 application for conversion of term lease Lot 76 SL4097  
**Importance:** High

Dear Ms Geitz

I attempted to contact Diane McQuade this afternoon, however she is out of office until Friday.

In the meantime I am instructed to contact you and on behalf of QYAC request administrative access to all Departmental documents prepared to assist the Chief Executive make a determination pursuant to section 167 of the Land Act 1994. We also seek administrative access to ministerial correspondence to the Department regarding the conversion, if any.

If the Department is minded to not grant administrative access, please advise at your earliest convenience.

In particular, QYAC requests access to the Land evaluation or any consideration pursuant to section 167 has adequately considered the cultural heritage significance, impact on native title values and most appropriate use considerations have adequately considered the economic and more open access to the site proposed in QYAC's submission to the ETS than use by an elite member based organisation such as Royal Queensland Yacht Squadron.

QYAC does not seek access to any personal information that may be included in such documents such as names or contact details of individuals, or any information properly regarded as commercial in confidence.

QYAC is concerned however to ensure that the Chief Executive has information before them on the following information which we say is relevant to their determination of the application to convert the lease.

#### **Context – Native Title and Cultural Heritage**

We note that while the Property is not subject to Native Title rights and interests, the site is immediately adjacent to non-exclusive native title lands to the south and west. Quandamooka People also have had their non-exclusive native title rights and interests recognised in the area proposed to be impacted by the Category 1 moorings in the nearshore waters. QYAC, through its subsidiary business, Minjerribah Camping Pty Ltd, is the Trustee for the Adams Beach Camp ground near the Property. As part of its duties under the Aboriginal Cultural Heritage Act 2003 (Qld) (**Cultural Heritage Act**), QYAC undertook a Cultural Heritage Survey pursuant to Part 6 of the Cultural Heritage Act to inform a Cultural Heritage Management Plan. That Cultural Heritage Survey found a large midden of significance to the Quandamooka People, and accordingly the survey and its findings were added to the Register of Cultural Heritage in Queensland, pursuant to section 73 of the Cultural Heritage Act. It is only the fourth study to be so registered in Queensland.

That study provides the following description:

*"Adams Beach Midden (LB00237) 3 - 0540123e 6957744n A third midden deposit was located within the foreshore access area to the north of the Park (south of Sibelco buildings)."*

It is part of a broader cultural landscape within the foreshore area of Adams beach with particular cultural significance for the Quandamooka People for its healing properties.

#### **Objects of the Land Act**

QYAC notes that given the powers administered by the Chief Executive of the Department must be exercised in a manner consistent with the objects of the Land Act, the following should be considered:

- Whether the land evaluation takes into consideration the balancing of the Quandamooka People's native title and cultural heritage interests, as well as the aspirations to expand cultural knowledge, and promote nature and cultural tourism on North Stradbroke Island as already communicated to the Queensland Government through the ETS

process;

- When making the land freehold allocation to the persons who will facilitate its most appropriate use to support the economic, social and physical wellbeing of the people of Queensland, as including the Quandamooka People who want to share their culture, their healing places and their environmental areas with all persons, not just an elite member based facility as proposed by RQYS;
- That the Chief Executive consider the allocation of land for a community purpose, being Aboriginal purposes or cultural purposes as described in Schedule 1 to the Land Act, namely the protection and promotion of Quandamooka cultural heritage and practices for education and recreational tourism;
- No consultation has been held with QYAC as the agents for the native title holders who are the adjacent landowners as well as the Aboriginal Cultural Heritage Body for the Property;
- Finally when balancing the community benefits of the dealing, QYAC submits that a termination of the lease does not leave the Chief executive of the Government liable to any compensation, and granting of the area to Quandamooka People as part of compensation in a Native title consent determination would be of better economic value to the State of Queensland, would protect the significant cultural heritage and promote use and enjoyment of the area by more Queenslanders than an elite member based facility operated by RQYS.

**Specific requirements of section 167 of the Land Act**

QYAC submits that the following parts of section 167(1) are relevant when considering to determine the section 166 application and must be expressly considered by the Chief Executive:

- 167(1)(c) of the Land Act provides that public interest must be considered if it could be adversely affected by the conversion, and in this circumstance with two public interest matters which will be adversely affected are native title and cultural heritage;
- 167(1)(h) of the Land Act provides that more appropriate land uses from a land planning perspective must be considered, QYAC queries whether the Land evaluation has properly evaluated the native title and cultural heritage values;
- S167(1)(i) of the Land Act provides that the Chief Executive must consider whether the heritage importance make it special, and in the circumstance of the significant cultural landscape QYAC submits that this requirement is met;

QYAC also notes that the application to convert the Property cannot be considered in isolation of the proposed use, the lease is currently limited to residential purposes, a relatively low impact use. The proposed use of the Property post conversion is a high impact use, particularly on the natural and cultural values of Deanbilla Bay, accordingly we submit the entirety of the proposal must be before the Chief Executive when considering the application for conversion, and whether the impacts on seagrass, migratory birds and the Ramsar site are sufficient to trigger s 167(1)(m) of the Land Act.

QYAC would be pleased to provide any additional information the Chief Executive requires to complete their consideration in accordance with section 167 of the Land Act.

If you have any queries please contact me on s.73

Kind Regards

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