

From: Bernadette Plunkett [Bernadette.Plunkett@brhlawyers.com.au] on behalf of Krista McMahon [Krista.McMahon@brhlawyers.com.au]
Sent: Thursday, 30 October 2014 3:44 PM
To: SLAM Lodgement
CC: THOMAS Paula
Subject: Lot 499 on Crown Plan EP 2382 - MJ Nielson Pty Ltd requests for Conversions of Leases
Attachments: 1400329 Lodgments.pdf

Please see attached document, originals of which, together with cheque are in tonight's post.

Bernadette Plunkett | PA to Property Services

D: +61 7 3223 9120

F: +61 7 3221 5518

T: +61 7 3223 9100

E: bernadette.plunkett@brhlawyers.com.au



Level 8, 179 Turbot Street, Brisbane Qld 4000

GPO Box 635, Brisbane Qld 4001

www.brhlawyers.com.au



NOTICE: This e-mail is intended only for the use of the addressee and may contain information that is privileged, confidential and/or exempt from disclosure at law. You must not edit this e-mail or any attachments without our express written consent. Broadley Rees Hogan is not liable for any failed, corrupted or incomplete transmission of this e-mail or any attachments or for any viruses contained in them. By opening any attachments, you accept full responsibility for the consequences. If you are not the intended recipient, any dissemination, reliance upon or copying of this e-mail or any attachments is strictly prohibited, and you must immediately erase them permanently from your system, notify us by telephone (at our cost) and destroy any hard copies. Thank you.

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

Our Ref: DA:KM:glc:1400329
Date: 29 October 2014

State Land Asset Management
Department of Natural Resources & Mines
PO Box 5318
TOWNSVILLE QLD 4810
By email: SLAMLODGEMENT@dnrm.qld.gov.au

Express Post and By Email

cc: Ms Paula Thomas
Department of Natural Resources & Mines
By email: paula.thomas@dnrm.qld.gov.au

Dear Sir/Madam

MJ Nielson Pty Ltd - Request for Conversion of Lease
Tenure Reference: SL 44/50840
Property: Lot 499 on Crown Plan EP 2382

We refer to the above State Lease and advise that our client (MJ Nielson Pty Ltd) is the current registered Lessee.

In response to your email dated 9 October 2014, we **enclose** the Agreement to Offer-Removal of Lease Condition (in duplicate) duly signed by our client.

Please arrange for the Agreement to be finalised with the Department as soon as possible.

We also **enclose** our client's Application for Conversion of the Lease to Freehold. We understand that once the process for removal of the lease condition has been finalised, this application can be immediately reviewed.

If you have any questions in relation to the above, please do not hesitate to contact us.

Yours faithfully

s78B(2) - personal information (signature)

Darren Anderson | Partner
Broadley Rees Hogan
Contact | **Krista McMahon**
T: + 61 7 3223 9122
F: + 61 7 3221 5518
E: krista.mcmahon@brhlawyers.com.au

NOTICE: This e-mail is intended only for the use of the addressee and may contain information that is privileged, confidential and/or exempt from disclosure at law. You must not edit this e-mail or any attachments without our express written consent. Broadley Rees Hogan is not liable for any failed, corrupted or incomplete transmission of this e-mail or any attachments or for any viruses contained in them. By opening any attachments, you accept full responsibility for the consequences. If you are not the intended recipient, any dissemination, reliance upon or copy of this e-mail or any attachments is strictly prohibited, and you must immediately erase them permanently from your system, notify us by phone (at our cost) and destroy any hard copies. Thank you.

15-221

File B

1400329-504367

T: +61 7 3223 9100
F: +61 7 3221 5518
Level 8, 179 Turbot Street
Brisbane QLD 4000
GPO Box 635
Brisbane QLD 4001
ABN 28 959 491 613
www.brhlawyers.com.au



Queensland
Government

Department of
Natural Resources and Mines

Author: Paula Thomas
Our Ref: 2014/004246 (SL 44/50840)
Your Ref: DA:KM/gc:1400329
Directorate/Unit: State Land Asset Management
Phone: (07) 4447 9180

9 October 2014

Broadley Rees Hogan
Lawyers
GPO Box 635
Brisbane Qld 4001

Attention: Krista McMahon,

Dear Krista,

**Application for change of conditions of a Lease – Special Lease 44/50840
Lot 499 on Crown Plan EP2382, County of Elphinstone – Parish of Coonambleah**

I refer to your client's application and wish to advise that subject to compliance with the offer requirements as set out in the attached agreement, the department will proceed with the removal of the non-conversion lease condition 'G1' from Special Lease 44/50840, being Lot 499 on E2382.

To accept this offer, the attached Agreement to Offer must be signed and returned to the Department by close of business on **10 November 2014**, otherwise this offer will lapse. Business days include those days that the Department is normally open and excludes weekends and public holidays.

If you believe your client will be unable to comply with all of the conditions of this offer by 7 November 2014, your client 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 your client does not apply for an extension of time and the offer lapses a new application and application fee will be required. If your client does 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.

Postal :
DNRM Townsville
PO Box 3318
Townsville
4810 QLD

Telephone: (07) 4447 9180
Facsimile: (07) 4447 9200

If you wish to discuss this matter please contact Paula Thomas on (07) 4447 9180.

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to Townsville.SLAMS@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 2014/004246 in any future correspondence.

Yours sincerely,

s78B(2) - personal information (signature)

Paula Thomas

Land Administration Officer

RTI DL RELEASE - DNRM

Agreement to Offer – Removal of lease condition – Requirements and notification of acceptance of offer

DNRM reference number: 2014/004246

OVERVIEW

Subject to compliance with the Offer Requirements as set out in this document, approval will be sought for the removal of non-conversion lease condition 'G1' from Special Lease 44/50840, being Lot 499 on EP2382.

Your completion and return of this form constitutes written agreement to the offer and the attached conditions.

OFFER REQUIREMENTS

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

1. Completion and return of this Agreement. This agreement document must be completed by all proposed tenure holders.

The Agreement to Offer must be returned to the department by close of business on **10 November 2014**, otherwise this offer will lapse.

If you believe your client will be unable to comply with any of the conditions of this offer by the due date, your client 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 date; AND
- the time for which the extension of time is requested, including reasons for the amount of time required.

If your client does not apply for an extension of time and the offer lapses, your client will need to make a new 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.

Great state. Great opportunity.



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 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.

RTI DL RELEASE - DNRM

Agreement to Offer

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, the details of the tenure, including the registered owner/lessee 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 removal of the non-conversion lease condition 'G1' from Special Lease 44/50840 on the terms and conditions stated in this document, and note that this acceptance shall not be effective until I/We have complied with the Offer Requirements.

DECLARATION BY AN INDIVIDUAL CORPORATION

Form with two columns: 'Name and Signature of all applicants' and 'In the presence of: Full Name and Signature of Witness'. Two rows of signatures are present, both labeled 'DIRECTOR'.

NOTE - This document must be signed by all persons who are nominated as the Permittees. If insufficient space please add additional information as an attachment.

A.B.N No. 64063240344

Dated 28th day of October Year 2014

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 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.

Postal: DNRM Townsville, PO Box 5318, Townsville, 4810 QLD. Email: Townsville.SLAMS@dnrm.qld.gov.au, Telephone: (07) 4447 9180, Facsimile: (07) 4447 9200

END DOCUMENT



DEPARTMENT OF NATURAL RESOURCES AND MINES

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

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)		
Title	First name	Surname
Company name(s)		
Broadley Rees Hogan Lawyers (Attn: Krista McMahon)		
Postal Address	Level 8, 179 Turbot Street	
	BRISBANE QLD 4000	
	GPO Box 635, BRISBANE, QLD 4001	
Phone number	07 3223 9122	Mobile phone
Email	krista.mcmahon@brhlawyers.com.au	
Fax	07 3221 5518	

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 may be shown.

Full Name(s)

Title	First name	Surname

Company name(s)

MJ Nielson Pty Ltd ACN 063 240 344

If a Corporation then record ACN ARBN ABN 063 240 344

Postal Address

Level 36, Santos Place, 32 Turbot Street

BRISBANE QLD 4000

Phone number

07 3221 7100

Mobile phone

Email

bree.vangaal@nielsonproperties.com.au

Fax

07 3221 0611

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 or Plan or Title Reference of the land for which the application is being lodged.		
Lot	Plan	Title Reference
499	CP EP2382	17598156

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.



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. (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. 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 determined in accordance with the Land Regulation and can include other fees and charges eg. GST, Stamp Duty.
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. An application for conversion cannot be considered while the lease is subject to a condition precluding conversion.
(Details of your lease conditions are available on a current Title Search of the land and details on obtaining a Title search are available on the DNRM website < http://www.nrm.qld.gov.au/property/titles/prod_serv.html#searches_of_the_registers >.

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.



1. The application is for Conversion of:

<input type="checkbox"/>	Perpetual Lease to Freehold	go to 2
<input type="checkbox"/>	Non Competitive Lease to Freehold	go to 2
<input type="checkbox"/>	Grazing Homestead Perpetual Lease to Freehold	go to 2
<input checked="" type="checkbox"/>	Term Lease to Freehold	go to 2
<input type="checkbox"/>	Term Lease to Perpetual Lease	go to 2
<input type="checkbox"/>	Term Lease for tourism purposes (on a regulated island) to Perpetual Lease	go to 2
<input type="checkbox"/>	Special Lease to Freehold	go to 2

2. Have you made a previous application for conversion of this lease? Yes go to 3 No go to 6

3. Was this application refused? Yes go to 4 No go to 6

4. 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 5 No go to 6

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

5. Provide details of the change in circumstances from the previous application. (If there is insufficient space, please lodge as an attachment) go to 6

6. Lease expiry date 12 / 10 / 2039 go to 7
(Details of your Lease expiry date can be found on a current Title Search of the land)

7. Provide details of the current use of land e.g. grazing (If there is insufficient space, please lodge as an attachment) go to 8

Boardwalk - Currently vacant as Boardwalk has been removed

8. 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 9

Nil

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

9. Is the lease within an industrial estate managed by the Property Services Group of the Office of the Co-Ordinator General? Yes go to 10 No go to 10

If YES, Provide the views of the Economic Development Queensland, Department of State Development, Infrastructure and Planning. Industrial Estates that fall under the responsibility of Economic Development Queensland 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.dsdp.qld.gov.au/land-for-industry/property-services-group.html>>

10. Is there a condition of your lease that requires you to: Yes go to 11 No go to 12
- 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

(Details of your lease conditions can be found on a current Title Search of the land)

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

12. Have you entered into any unregistered agreements with any other parties that provide for certain use or management of the land? Yes go to 13 No go to 14

(For example tourism based agreements/ nature conservation agreement/transfer/sublease/easement.)

13. Provide details and copies of any documentation relating to these agreements. (If there is insufficient space, please lodge as an attachment) go to 14

14. Provide details of any additional information to support the application. (optional) (If there is insufficient space, please lodge as an attachment) go to 15

The current registered Lessee of this Property (MJ Nielson Pty Ltd) is also the registered owner of the adjoining freehold parcel (being Lot 1 on RP 748244)

(Title Reference 21412054) ('Adjoining Parcel'). The property is predominantly utilised by the occupiers of the Adjoining Parcel. Accordingly, MJ Nielson Pty Ltd would like to convert their leasehold interest to freehold to acquire the property.

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.

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

Application fee

Property sketch and /or aerial photo overlay

Views of the Economic Development Queensland, 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)

X

s78B(2) - personal information (signatures)

RUSS NIKKEN NELSON

DAIRENDRA KANIGA

Date:

24 / 10

2014

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.

RTI DL RELEASE - DNRPM

From: SLAM Lodgement [SLAMLodgement@dnrm.qld.gov.au] on behalf of SLAM Lodgement [SLAMLodgement@dnrm.qld.gov.au]
Sent: Friday, 7 November 2014 10:51 AM
To: 'krista.mcmahon@brhlawyers.com.au'
Subject: Application for Conversion of Tenure - SL 44/50840 - MJ Nielson Pty Ltd

Good Morning Krista

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

Your client's application has been received and the department has commenced assessing it. Your client's case reference number is 2014/008186.

An officer of the department who has been assigned your client's 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 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).

We Value Your Feedback

We value your feedback and would appreciate you providing a quick assessment of the level of service we recently provided to you. Your feedback will help us identify improvements in service delivery and processes.

Your survey responses will remain anonymous unless you request follow-up action from the department. If you do require follow-up action, please be sure to provide your name and contact details at the appropriate point in the survey.

This survey can be accessed at <https://www.surveymonkey.com/s/9V6RYYH>. The survey is very brief and will take no longer than 4 minutes to complete. The link will remain open until 30th November 2014.

Thank you in advance for taking the time to help us improve our service to you.

Regards

Kaymarie Wall
CPL Processing Officer
Central Point of Lodgement
State Land Asset Management Unit
Service Delivery - North Region

Telephone: 07 44479168 Facsimile: 07 44479200

Email: Kaymarie.Wall@dnrm.qld.gov.au

Address:

Department of Natural Resources and Mines
Verde Tower, Level 9,
445 Flinders Street, Townsville Qld 4810

Postal:

PO Box 5318
Townsville Qld 4810

NOTE

All new applications to change tenure or for use of State land administered under the Land Act to the central point of lodgement. The central point of lodgement email address is SLAMlodgement@dnrm.qld.gov.au.

For more information please refer to [Application forms](#) on the departments webpage.

RTI DL RELEASE - DNRM

From: DAVIDSON Julie [Julie.Hookey@dnrm.qld.gov.au]

Sent: Friday, 21 November 2014 10:14 AM

To: THOMAS Paula

Subject: FW: approval for LTI report - application for conversion of SL 44/50840 - (Elvas Case: 2014/008186)

Attachments: LTI Form (conversion of SL 50840) - MJ Nielson Pty Ltd.doc; title search for SL 50840.pdf; Smart map showing lot 499 on EP2382.pdf; plan EP2382.pdf; larie report (lot 499 on EP2382).pdf; Admin area report (lot 499 on EP2382).pdf; Notings report.pdf

Paula,

LTI approved as submitted

regards

Julie Davidson

Acting Senior Land Officer, State Land Asset Management

Telephone: 07 4447 9182 **Facsimile:** 07 4447 9199

Email: Julie.davidson@dnrm.qld.gov.au

Department of Natural Resources and Mines

Verde Tower, Level 9

445 Flinders Street, Townsville

PO Box 5318, Townsville Q 4810

From: THOMAS Paula

Sent: Friday, 21 November 2014 9:12 AM

To: DAVIDSON Julie

Subject: approval for LTI report - application for conversion of SL 44/50840 - (Elvas Case: 2014/008186)

Hi Julie,

Approval is sought for LTI report for conversion of SL 44/50840, which I am currently investigating.

Thanks

Paula Thomas

Land Administration Officer

State Land Asset Management

Service Delivery Group – North Region

Department of Natural Resources and Mines

Telephone: (07) 4447 9180

Facsimile: (07) 4447 9200

Address:

Level 9, Verde Tower

445 Flinders Street, Townsville Qld 4810

Postal:
PO Box 5318
Townsville Qld 4810

RTI DL RELEASE - DNRM

LISTING OF ADMINISTRATIVE AREAS

LOT NUMBER: 499 PLAN NUMBER: EP2382

Admin Area Name	Admin Area Type
HERBERT	ELECTORAL BOUNDARY - FEDERAL
TOWNSVILLE	ELECTORAL BOUNDARY - STATE
NORTH	DNRM REGION
CHARTERS TOWERS	MINING DISTRICT
TOWNSVILLE CITY	LOCAL GOVERNMENT
SOUTH TOWNSVILLE, TOWNSVILLE CITY	LOCALITY

RTI DE RELEASE - DNRM

Note :- Client should contact Data Custodian for a particular Administrative Area to verify the authenticity of the information.

(c) The State of Queensland (Department of Natural Resources and Mines) 2014. The State does not warrant that the copyright information provided to the client by this system is free from error. The state shall not be liable for any loss, damage or injury suffered by the client or any other person by the client's use of the copyright information.

SLAM LARIE - Intersection Report

LAYER INTERSECTION SUMMARY

LotPlans found

499EP2382

LotPlans not found

Group	Layer Name	Intersected?	Details
Built Environment	Roads (All)	Yes	
	QLD Railways	No	
Environmental Areas	World Heritage Areas	Yes	
	Nature Refuge Areas	No	
	QLD Protected Area Estate Type	No	
Fish Habitat Areas	Fish Habitat Areas	No	
Forest Products	Forest entitlement area	No	
	Forest Management Areas	Yes	NORTH
	Forest Products MUIDs	No	
	Plantation Licence Area	No	
	Forest Products SUIDs	No	
Heritage Register	Heritage Places	No	
Koala	SPP Koala Habitat Value	No	
	SPRP Koala Habitat Value	No	
Mining	Qld coal seam gas wells	No	
	Exploration permits for coal	No	
	Exploration permits for petroleum	No	
	Exploration permits for minerals	No	
	Qld petroleum leases	No	
	Qld Mining leases	No	
	Qld petroleum wells	No	
National trail	National trail	No	
Planning Scheme Zoning	State-Wide Planning Scheme (SPA)	Yes	
	State-Wide Planning Scheme (Zoning)	Yes	Central Business District, Port

Regional Planning	DLGP Regional Planning Areas	Yes	No Regional Plan
Stock Routes	Stockroute	No	
ULDA	Declared Urban Land Development Areas (ULDA)	Yes	
Vegetation	High Value Regrowth	No	
	Essential Habitat	No	
Water	Drainage 100K	No	
	Drainage 250K	No	
	EPP Water 2009 (SEQ)	No	
	Springs	No	
	Dams and Lakes 100k	No	
	Waterbodies 10M	No	
	Groundwater monitoring network	No	
	Groundwater bores	No	
	Water Resource Planning Area	No	
	Dams and weirs	Yes	
Wetlands	Wetlands - Directory of Important Wetlands	No	

RTI DL RELEASE - DNRM

U,9]r9



U,9]r9

-.0]r*

-.0]r*

SLAM LARIE INTERSECTION REPORT – INTERNAL MAP

Map Printed:

Author:

- QLD Railways
- Drainage 100k
- Cadastre Roads (Major)
- Dual Carriageway
- Principal Road Roads (Minor)
- Secondary Road
- Minor Road
- Track



NON STANDARD MAP

All datasets are updated as they become available to provide the most current information as of the date shown on this map.

Disclaimer:

While every care is taken to ensure the accuracy of this product, the Department of Natural Resources and Mines, makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and liability (including indirect or consequential damage) costs which you might incur as a result of the product being inaccurate or incomplete in any way and for any reason.

Produced by: The Department of Natural Resources and Mines

Horizontal Datum: Geocentric Datum of Australia 1994 (GDA94)

Cadastral data provided with the permission of the Department of Natural Resources and Mines

Property boundaries shown on this map are provided as a locational aid only. DCDB boundaries do not represent legal cadastral boundaries

©The State of Queensland (Department of Natural Resources and Mines)

LAND INVESTIGATION REPORT

- REGARDLESS of the options available below, also refer to 'Fact Sheet – Requesting Views from Interested Parties' (No. 2010/05) for additional considerations.
- PRINT: COPY OF PLAN FROM IMAGEVIEW; TITLE SEARCH FROM ATS;
- PREPARE SMARTMAP AND ADMIN AREA REPORT FROM SMIS to identify authorities with an interest in the area.

eLVAS CASE ID: 2014/008186 OTHER REFERENCE: SL 44/50840 NOTINGS DATABASE ID: 14N3015

APPLICATION TYPE: Conversion of Lease

APPLICANT: MJ Nielson Pty Ltd A.C.N. 063 240 344

LOT/PLAN: Lot 499 on EP2382 PARISH: Coonambleah COUNTY: Elphinstone

LOCAL GOVERNMENT: Townsville City Council

DEDICATED ACCESS: Yes - via Dibbs Street

CURRENT TENURE: Leasehold AREA: 984m2 (surveyed)

DETAILS OF APPLICATION: Application received on 3 November 2014

- LOCAL AUTHORITY**
- RIVER IMPROVEMENT TRUST**
Locally, RITs exist for: Cairns RIT, Cardwell Shire RIT, Johnstone Shire RIT (Cassowary Coast Regional Council) and Herbert RIT (Hinchinbrook Shire - Ingham)
- DEPARTMENT OF TRANSPORT AND MAIN ROADS**
 Where dealing involves a State controlled road e.g. Kennedy Highway, Bruce Highway, check the Main Roads map - should it not be on the map it will be a local government controlled road.
- QUEENSLAND RAIL**
 When dealing involves areas abutting a railway or access across a railway.
- DEPT OF EMPLOYMENT, ECONOMIC, DEVELOPMENT and INNOVATION (DEEDI)**(Other than below).....
ex-DPI
 - Fisheries - when Admin Areas show 'declared fish habitat'.
 - ALL aquaculture applications – refer to Fact Sheet 'Requesting Views from Interested Parties' (2010/05) for correct regional aquaculture contact Officers.
- ex-Mines and Energy**
 all ROP applications to determine whether a ROP will affect any mining activity
- Property Services Group**
 Industrial Estates. When Admin Areas show 'Industrial Estate'. (Note: Industrial Estates exists in Cairns, Atherton, Innisfail, Townsville, Mt Isa, Charters Towers).
- GBRMPA**
 when Admin Areas show GBR Marine Park details against an EPA Notification Area
- SUNWATER**
 when dealing area abuts Sunwater tenure (e.g.: PPL 219179)
- BICENTENNIAL NATIONAL TRAIL (BNT)**
 all applications for PRC – check Notings database
- ERGON ENERGY**
 all applications for PRC, TRC, conversion or easement over USL
- POWERLINK**
 all applications for PRC, TRC or conversion
- TELSTRA**
 all applications for PRC, TRC or conversion
- TRUSTEE OF AN AFFECTED RESERVE**.....
-
- ADVICE TO LOCAL MEMBER OF PARLIAMENT**.....
 ALL applications for PRC. Current list of Local Members can be found at: http://www.parliament.qld.gov.au/view/legislativeAssembly/members_current.asp
- ADJOINING OWNERS NOTICE / VIEWS**.....
 ALL applications for PRC.

- DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT**
- Ex-NRW**
- Native Title an issue**
- Native Title Claim/ILUA No:**
 Check QNTIME for NT claims, ILUAs and determinations
- Integrated Natural Resource Planning**
 when dealing involves
- Stock Route Management**
 when Admin Areas show Stock Route
- Water Management and Use**
 when Admin Areas show Water Resource Plan Area mostly in the Mareeba / Dimbulah locality and for all New Tenure, Cancellations and Transfers
- Vegetation Management**
 to identify remnant vegetation areas / existing protection under the VMA / areas of essential habitat
- Forest Products**
MUST refer to **Fact Sheet 2007/1** to determine if application requires Forest Product views – **ALL** PRCs; Conversion to freehold; excisions and sale of USL
- ATSILAB**
 when dealing with USL to determine any EOI under ALA/TSILA
- Property Services**
 when dealing with reserve revocation/lease surrender to determine any interest in selling the parcel if NT is not an issue; advise of Deed to Gov't Agency
- Wild Rivers**
 when Admin Areas show Wild Rivers
- Cultural Heritage**
 ALL DEALINGS - complete the "Aboriginal & Torres Strait Islander Cultural Heritage Search Request" and send via Job Request through eLVAS
- Accelerated Disposal Unit (USL ADU)**
 When dealing area is USL or adjoining USL, send eLVAS Job Request (usladu@derm.qld.gov.au)
- Ex-EPA**
- Environmental Services**
 when Admin Areas show relevant EPA Notification Area; all PRC in Tableland Shires (to ensure vegetation corridors are maintained for fauna).
****ALWAYS** for RLLS Renewals/actions.
- Contaminated Land Search**
 when search will not form part of SVS report
- Queensland Heritage Register**
 self search at: <http://www.epa.qld.gov.au/chims/basicSearch.html>
- QPWS**.....
 Terrestrial.....
 Marine.....
- WET TROPICS MANAGEMENT AUTHORITY**
 when Admin Areas show Wet Tropics Management Authority or Wet Tropics Buffer Zone or World Heritage Area – Wet Tropics or WTC Coastal Management District against EPA Notification Area

ANY ADDITIONAL INFORMATION: Council views regarding conversion received on 13 August 2014

PRESENT PLAN AND DESCRIPTION SUITABLE FOR ISSUE OF DEED: NO. area of land to be resurveyed into applicant's adjoining freehold land, being Lot 1 on RP748244 to allow one deed to issue over areas of land.
 Full survey required for issue of Deed and new Term Lease; If application is for renewal of a PH and the lease is described on a PH plan, the surveyors will need to advise if the plan is suitable.

SURVEY REQUIRED FOR ISSUE OF DEED: YES. area of land to be resurveyed into applicant's adjoining freehold land, being Lot 1 on RP748244 to allow one deed to issue over areas of land.

DRAWING/AP NO:
 A Drawing provides an interpretation of the proposed dealing area and is required when initially seeking views on the proposal, mainly for road actions and some applications for tenure.
 An AP (Administrative Plan) is required when it is approved to issue a new permit or licence or other specific administrative actions, i.e. ROP through USL.

ADMIN AREA TYPE	RELEVANT AUTHORITY
AUTHORITY AREA – WATER ACT 2000	NRW – Water Management and Use
BARRIER FENCING	N/A to North Region
BATHING RESERVE	Local Government
CULTURAL HERITAGE BODY	NRW – Cultural Heritage Unit
CULTURAL HERITAGE DESIGNATED LSCAPE AREA	
CULTURAL HERITAGE ILUA PART	
CULTURAL HERITAGE MANAGEMENT PLAN	
CULTURAL HERITAGE PARTY	
CULTURAL HERITAGE REGISTER SITE	
DECLARED CATCHMENT AREA DECLARED FISH HABITAT AREA	DPI Fisheries
DECLARED SUB ARTESIAN AREA	NRW – Water Management and Use
ELECTORAL BOUNDARY – FEDERAL	for info purposes
ELECTORAL BOUNDARY – STATE	for info purposes
EPA NOTIFICATION AREA – NATURE REFUGE / FOREST RESERVE / CONSERVATION PARK / NATIONAL PARK / STATE FOREST / SWAMP / WETLANDS	EPA
GBR COAST MARINE PK / BUFFER / CONSERVATION PARK / NATIONAL PARK / PRESERVATION / SCIENTIFIC RESEARCH / WORLD HERITAGE AREA – GREAT BARRIER REEF	GBMRPA
WORLD HERITAGE AREA – WET TROPICS / WTC COASTAL MANAGEMENT DISTRICT	WTMA
FORESHORE PROCLAMATION	Local Government
GROUNDWATER MANAGEMENT AREA	NRW – Water Management and Use
INDUSTRIAL ESTATE	Department of the Co-ordinator General
LOCAL GOVERNMENT	for info purposes
LOCALITY	for info purposes
MANAGEMENT AREA – TRINITY INLET WATERWAYS	Note this info in views letters to EPA and CCC
MINING DISTRICT	Department of Mines and Energy
NATIVE TITLE CLAIM/S	NRW – Indigenous Services
NATIVE TITLE DETERMINATIONS	
NRW REGION	for info purposes
PORT LIMIT	Queensland Transport
RIVER IMPROVEMENT TRUST AREA	Relevant Local Government
STOCK ROUTE	NRW – Stock Route Unit
WATER AUTHORITY – WATER ACT 2000	NRW – Water Management and Use
WATER BORE AREA	
WATER RESOURCE PLAN AREA	
WET TROPICS MANAGEMENT AUTHORITY	WTMA
WILD RIVERS	NRW – Wild Rivers

Noting ID: 14N3015
Office: TOWNSVILLE
Noting Type: TCON - TENURE CONVERSION
Status: APPLIED FOR
Date Created: 17/11/2014 Date Updated: 17/11/2014
Reference: 2014/008186
Reference Type: ELVAS CASE NUMBER (SLAM)
Gov. Gazette:
Comments: Conversion of lease application received on 3 November 2014.
1 of 1 Entries

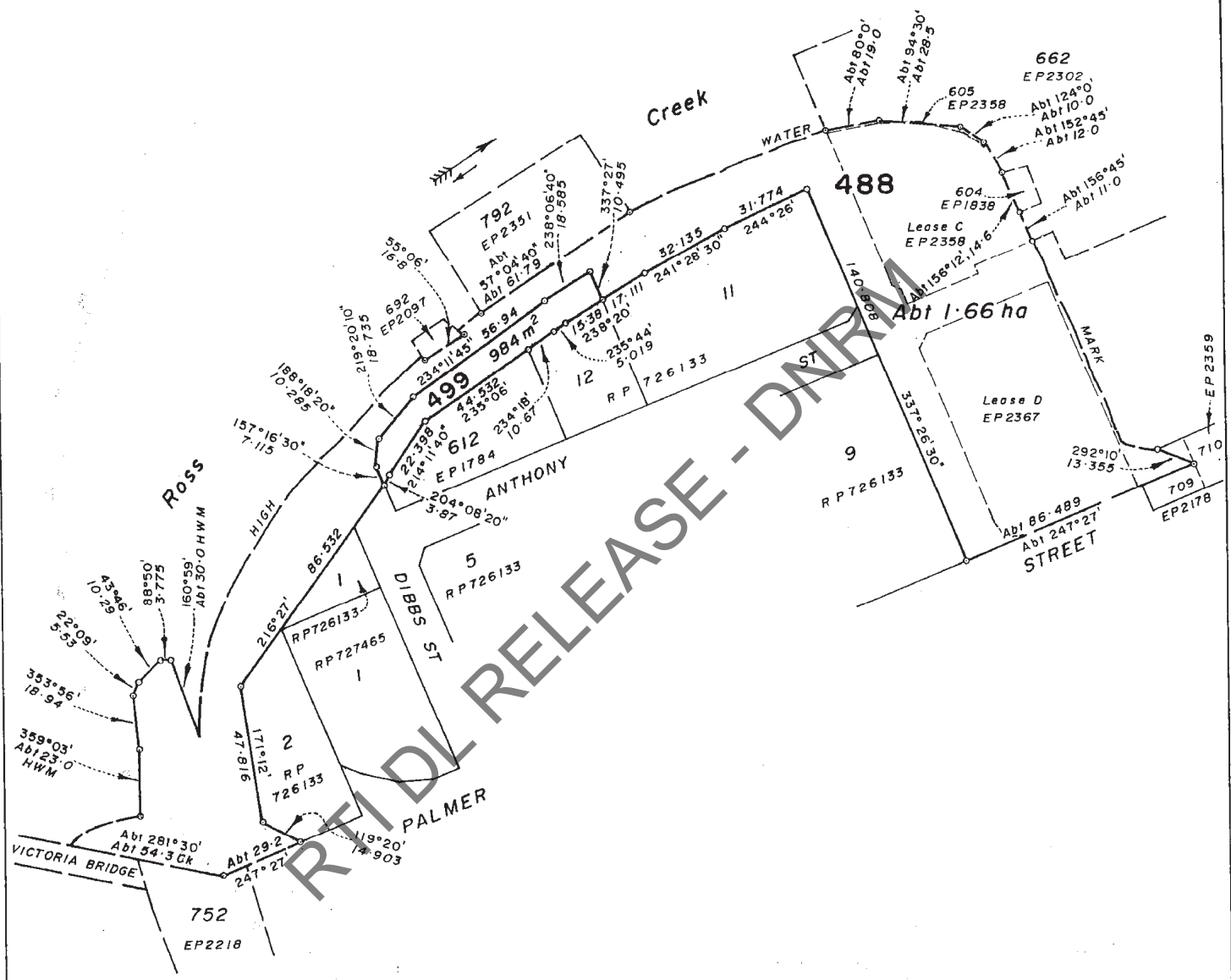
Latitude	Longitude	Lot	Plan	Segment	Parcel
19° 15' 33" S	146° 49' 11" E	499	EP2382	51584	17

RTI DL RELEASE - DNRM

Datum: GDA94

© The State of Queensland, (Department of Natural Resources and Mines) 2014. The State does not warrant that the copyright information provided to the client by this system is free from error. The State shall not be liable for any loss, damage or injury suffered by the client or any other person by the client's use of the copyright information.

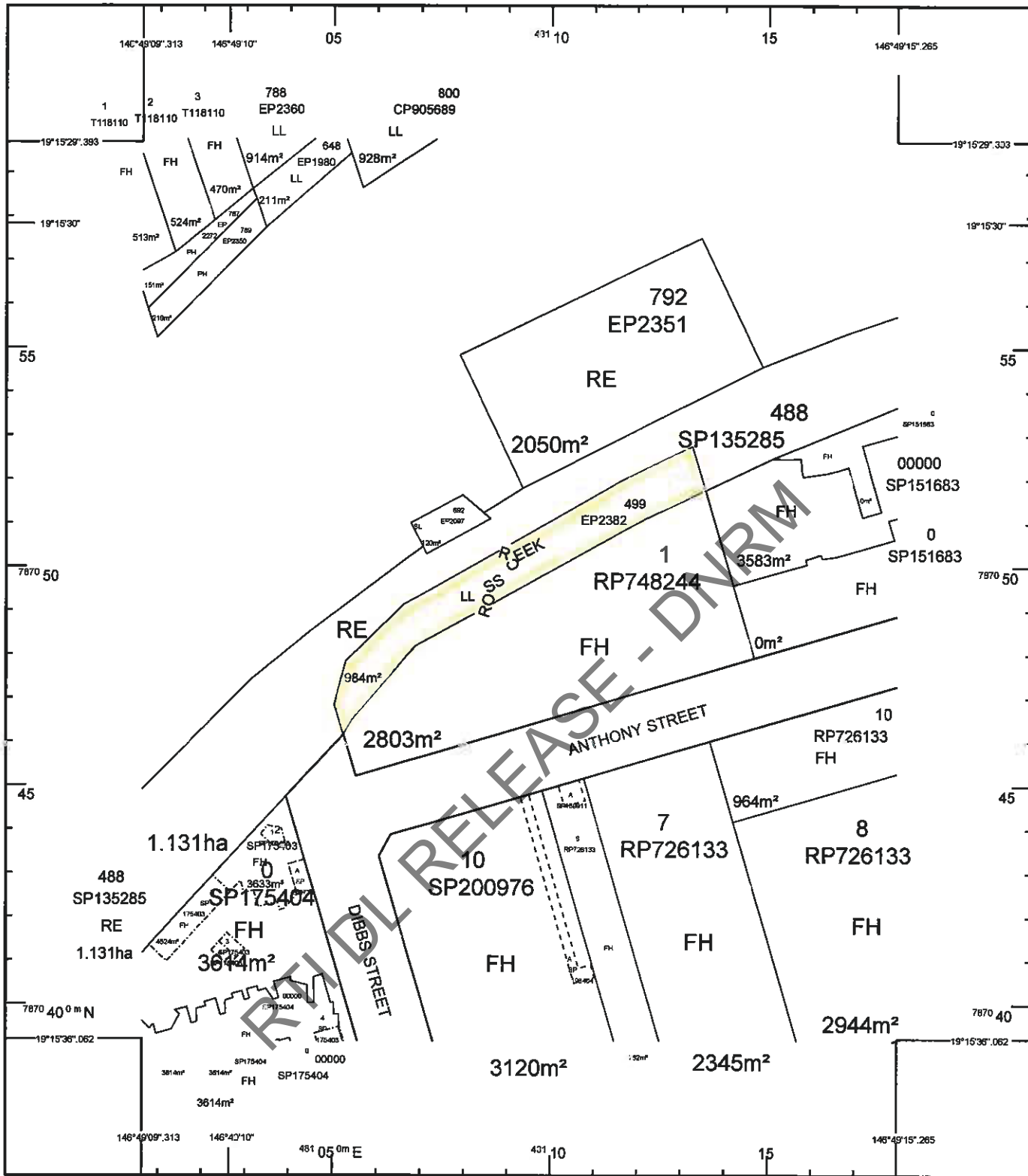
For Additional Plan & Document Notings Refer to CISP



SEE PLAN EP2145 FOR EASEMENT SURVEY IN LOT 488

PREVIOUS DESCRIPTION	LOT 488 on EP 2213	ORIGINAL POR/SEC	488	PROCLAIMED SURVEY AREA		LAND AGENTS DISTRICT	TOWNSVILLE	LOCAL AUTHORITY	TOWNSVILLE C.C.
COMPILED FROM... EP 2213, EP 2342, EP 2178, EP 2097, EP 1838, EP 2302, EP 2351 in the Dept. of Geographic Information				PLAN OF LOTS 488 and 499			TOWN/SUBURB/LOCALITY CITY OF TOWNSVILLE		
I, Brooker and MOTTI Pty Ltd hereby certify that the company has made the plan in accordance with Regulation 29 of the Surveyors Act 1970 and that the plan is accurate.				MERIDIAN			SCALE 1: 1500		
Director OF EP 2213				L.A.C. REF. L. 1 / 133 Res 85-261 Pt 2			REGISTERED MAP REFERENCE T.M. 54.2		
Licensed Surveyor B. Mott				Date 27/1/99			PLAN EP 2382		

CROWN COPYRIGHT SUBSISTS IN THIS PLAN



STANDARD MAP NUMBER
8259-24144



MAP WINDOW POSITION & NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	499/EP2382
Area/Volume	984m ²
Tenure	LANDS LEASE
Local Government	TOWNSVILLE CITY
Locality	SOUTH TOWNSVILLE
Parish	COONABELAH
County	ELPHINSTONE
Segment/Parcel	515R/117

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 17/11/2014

DCDB 14/11/2014

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://www.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) 2014.



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

Search Date: 21/11/2014 09:00

Title Reference: 17598156

Date Created: 22/10/1995

DESCRIPTION OF LAND

Tenure Reference: SL 44/50840

Lease Type: TERM

LOT 499 CROWN PLAN EP2382
 County of ELPHINSTONE Parish of COONAMBELAH
 Local Government: TOWNSVILLE

Area: 0.098400 Ha. (SURVEYED)

No Land Description

No Forestry Entitlement Area

No Future Conservation Area

Purpose for which granted:
 BUSINESS (PLAZA, BOARDWALK AND ASSOCIATED PURPOSES)

TERM OF LEASE

Term and day of beginning of lease

Term: 50 years commencing on 13/10/1989

Expiring on 12/10/2039

REGISTERED LESSEE

Dealing No: 715392615 28/10/2013

MJ NIELSON PTY LTD A.C.N. 063 240 344

CONDITIONS

C5 The lessee shall 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.

C173 The lessee shall 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 Mining Act 1968) or other material upon the leased land without the permission of the Minister except under the authority of and in compliance in every respect with the requirements of a permit, license, agreement or contract granted or made under the Forestry Act 1959.

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

Search Date: 21/11/2014 09:00

Title Reference: 17598156

Date Created: 22/10/1995

CONDITIONS

- C179 No compensation for improvements or developmental works shall be payable by the State at the expiration of the term of the lease, but the lessee shall have the right to remove movable improvements within a period of three months, provided all moneys due by the lessee to the State on any account whatsoever have been paid. However should the leased land revert to the State and be again made available for lease or purchase the former lessee shall be entitled to receive payment for the value of his improvements or developmental work in accordance with the principles set out in the said Act.
- C183 The lessee shall not at any time destroy any tree upon the leased land without the prior permit in writing of the Land Commissioner or contrary to any terms and conditions of such permit.
- E10 The lessee shall pay the cost of any required survey of the leased land.
- H51 No further access to the leased land will be provided by the State or the Local Authority.
- K1 The lessee shall maintain the leased land free from noxious plants.
- M76 The Lessee shall use the leased land for Business (Plaza and Boardwalk and associated purposes) and for no other purpose whatsoever.
- M76 The Lessee shall not be permitted to transfer or sublease the subject land to any person, persons or corporation other than the owners of the adjoining freehold parcels, being Lot 612 on EP1784 and Lot 12 on RP726133, parish of Coonambelah.

ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by Lease No. 17598156
2. MORTGAGE No 715392621 28/10/2013 at 16:10
 GE CAPITAL SECURITY AGENT PTY LTD A.C.N. 075 554 120
 Lodged at 16:10 on 28/10/2013 Recorded at 11:56 on 31/10/2013
3. AMENDMENT OF LEASE CONDITIONS No 716128434 10/11/2014 at 05:00
 THE CONDITIONS OF THE WITHIN TENURE ARE HEREBY AMENDED.
 Lodged at 05:00 on 10/11/2014 Recorded at 05:00 on 10/11/2014

ADMINISTRATIVE ADVICES - NIL

COPYRIGHT THE STATE OF QUEENSLAND (DEPT OF NATURAL RESOURCES AND MINES) [2014]

Page 2/3

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

Search Date: 21/11/2014 09:00

Title Reference: 17598156

Date Created: 22/10/1995

UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

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

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

RTI DL RELEASE - DNRM

From: THOMAS Paula [Paula.Thomas@dnrm.qld.gov.au]
Sent: Wednesday, 3 December 2014 12:02 PM
To: Forest Products - SLAM Use - North FMA
Subject: Market value of Timber and views required for Conversion to freehold application of Special Lease 44/50840 - Lot 499 on EP2382
Attachments: Smart map showing lot 499 on EP2382.pdf

Dear Sir/Madam,

Re: Application for Conversion to freehold Special Lease 44/50840 described as Lot 499 on EP2382.

The department has received the above application for conversion to freehold, and under Section 170 of the *Land Act 1994* the department is required to investigate the Market Value for any timber on the subject land.

Attached for your information is a Smart map showing the subject land and surrounding locality.

Please refer to the below details as provided:

eLVAS case reference:	2014/008186
Date of application:	3 November 2014 (lodgement date)
Lot on Plan:	Lot 499 on EP2382
Tenure reference:	SL 44/50840
Local Government:	Townsville City Council
Area:	984m2 (surveyed)
Purpose for which lease granted:	Business (Plaza, Boardwalk and associated purposes)
Registered lessee:	MJ Neilson Pty Ltd A.C.N. 063 240 344
Native Title:	assessed under Module BA of the department's Native Title Work Procedures

Could you please provide any views you have for this conversion to freehold application and the Market Value for any timber on the subject land **by close of business on 2 February 2015.**

-
If you offer an objection to the application, a full explanation stating the reason for the objection should be forwarded to this office.

If you wish to provide a response but are unable to do so before 2 February 2015, please contact the author before the due date to arrange a more suitable timeframe.

This information has been provided to you in confidence for the purpose of seeking your views on this matter. It is not to be used for any other purpose, or distributed further to any person, company, or organisation, without the express written permission of the department unless required.

If you wish to discuss this matter, please contact me on (07) 4447 9180. Please quote reference number 2014/008186 in any future correspondence.

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to Townsville.SLAMS@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.

Kind regards,

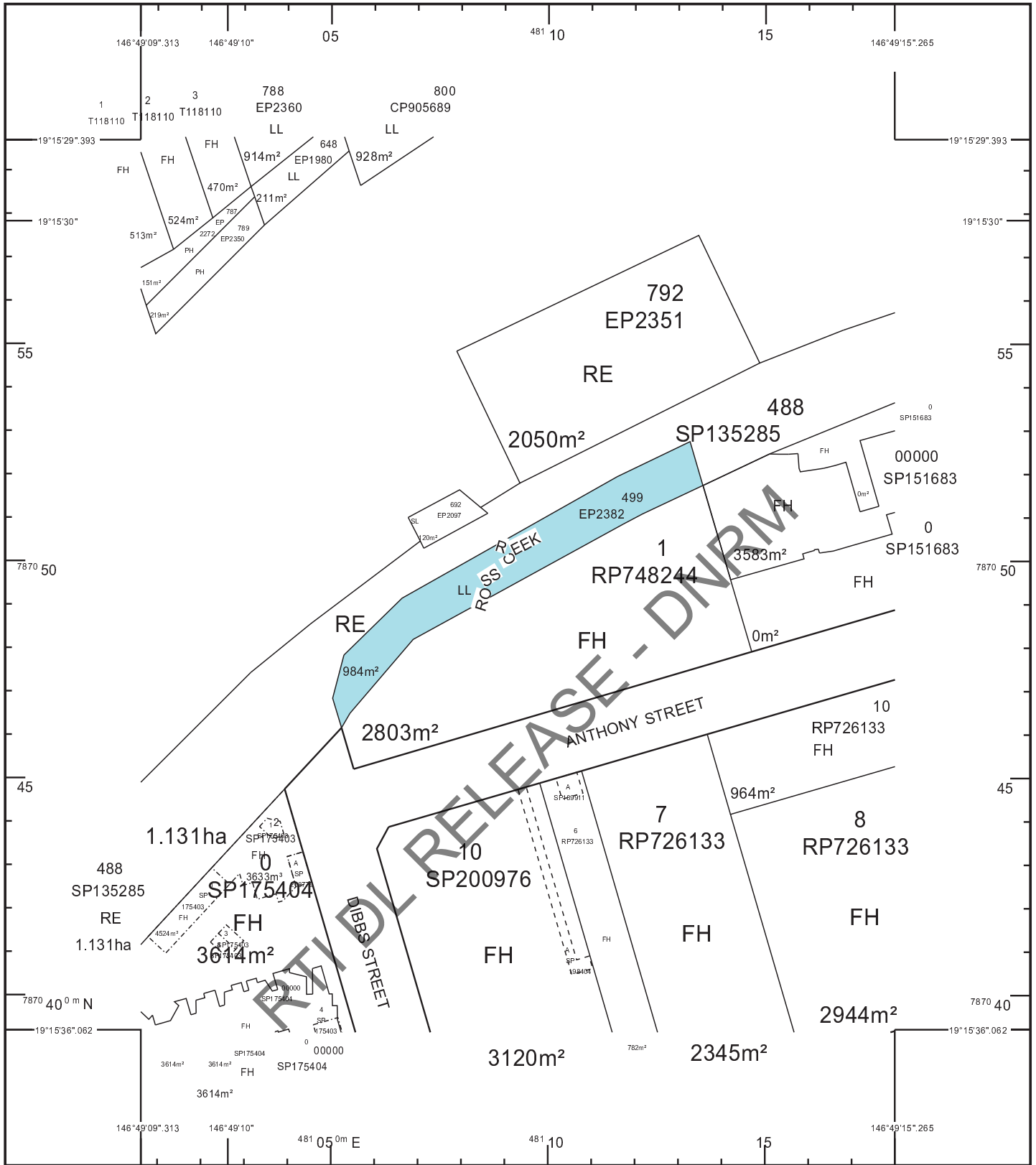
Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180
Facsimile: (07) 4447 9200

Address:
Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:
PO Box 5318
Townsville Qld 4810

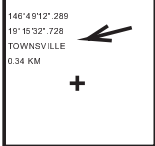
RTI DL RELEASE - DNRM



STANDARD MAP NUMBER
8259-24144



MAP WINDOW POSITION & NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	499/EP2382
Area/Volume	984m ²
Tenure	LANDS LEASE
Local Government	TOWNSVILLE CITY
Locality	SOUTH TOWNSVILLE
Parish	COONAMBELAH
County	ELPHINSTONE
Segment/Parcel	51584/17

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 03/12/2014
For additional information regarding this SmartMap see page 2.
Shading Rules have been applied.

DCDB 02/12/2014

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://www.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 2014.
Page 35 of 130



Additional Information Page

Shading Rules

Plan Number = EP2382 and Lot Number = 499

RTI DL RELEASE - DNRM

From: NEWTON Jodi [Jodi.Newton@daf.qld.gov.au]
Sent: Wednesday, 3 December 2014 12:47 PM
To: THOMAS Paula
Subject: DAFF Forest Products Final Timber Valuation/Requirements 2014/008186

Hi Paula,
I advise that the timber valuation for Special Lease 44/50840 on Lot 499 on EP2382, Shire of Townsville is Nil. DAFF Forest Products has no objection with this application for conversion to freehold.
Thank you,

Jodi Newton
Forest Officer |North FMA|
Forest Products
Department of Agriculture Fisheries and Forestry
T: 07 4924 2030
F: 07 4924 2055
E: jodi.newton@daff.qld.gov.au
<http://www.daff.qld.gov.au>



25 Yeppoon Rd | Parkhurst | QLD | 4702
PO Box 6014 Red Hill Rockhampton | QLD | 4701

From: THOMAS Paula
Sent: Wednesday, 3 December 2014 12:02 PM
To: Forest Products - SLAM Use - North FMA
Subject: Market value of Timber and views required for Conversion to freehold application of Special Lease 44/50840 - Lot 499 on EP2382

Dear Sir/Madam,

Re: Application for Conversion to freehold Special Lease 44/50840 described as Lot 499 on EP2382.

The department has received the above application for conversion to freehold, and under Section 170 of the *Land Act 1994* the department is required to investigate the Market Value for any timber on the subject land.

Attached for your information is a Smart map showing the subject land and surrounding locality.

Please refer to the below details as provided:

eLVAS case reference:	2014/008186
Date of application:	3 November 2014 (lodgement date)
Lot on Plan:	Lot 499 on EP2382
Tenure reference:	SL 44/50840
Local Government:	Townsville City Council
Area:	984m2 (surveyed)
Purpose for which lease granted:	Business (Plaza, Boardwalk and associated purposes)
Registered lessee:	MJ Neilson Pty Ltd A.C.N. 063 240 344
Native Title:	assessed under Module BA of the department's Native Title Work Procedures

Could you please provide any views you have for this conversion to freehold application and the Market Value for any timber on the subject land **by close of business on 2 February 2015.**

If you offer an objection to the application, a full explanation stating the reason for the objection should be forwarded to this office.

If you wish to provide a response but are unable to do so before 2 February 2015, please contact the author before the due date to arrange a more suitable timeframe.

This information has been provided to you in confidence for the purpose of seeking your views on this matter. It is not to be used for any other purpose, or distributed further to any person, company, or organisation, without the express written permission of the department unless required.

If you wish to discuss this matter, please contact me on (07) 4447 9180. Please quote reference number 2014/008186 in any future correspondence.

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to Townsville.SLAMS@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.

Kind regards,

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180

Facsimile: (07) 4447 9200

Address:

Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:

PO Box 5318

Townsville Qld 4810

From: Vanessa L Faulkner [Vanessa.Faulkner@atsis.qld.gov.au]
Sent: Thursday, 4 December 2014 7:58 AM
To: THOMAS Paula
Subject: Cultural Heritage Search - 1992386 (MJ Nielson Pty Ltd)

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 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.

There is currently no registered Cultural Heritage body for the 499 EP2382 area.

There is currently no registered Aboriginal party for the 499 EP2382 area.

For the 499 EP2382 area without a registered Aboriginal party, an appropriate contact can be identified by:

Leigh Preston
Regional Cultural Heritage Coordinator
North Region - Townsville
Ph: 07 4799 7562 Mobile: 07 4799 7562 (6) Personal information

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

Kind regards

Vanessa Faulkner | Policy Officer | Monday, Tuesday and Thursday

***** DISCLAIMER *****

The information contained in the above e-mail message or messages (which includes any attachments) is confidential and may be legally privileged. It is intended only for the use of the person or entity to which it is addressed. If you are not the addressee any form of disclosure, copying, modification, distribution or any action taken or omitted in reliance on the information is unauthorised. Opinions contained in the message(s) do not necessarily reflect the opinions of the Queensland Government and its authorities. If you received this communication in error, please notify the sender immediately and delete it from your computer system network.

RTI DL RELEASE - DNRM

From: Krista McMahon [Krista.McMahon@brhlawyers.com.au]
Sent: Monday, 8 December 2014 8:38 AM
To: THOMAS Paula
Subject: RE: application for removal of non-conversion condition - MJ Neilson Pty Ltd - (Elvas Case: 2014/004246)

Hi Paula

Further to your below email, my client was just hoping to get an update in relation to their application prior to Christmas.

Do you have any update I can provide them?

Regards

Krista McMahon | Senior Associate

D +61 7 3223 9122

F +61 7 3221 5518

T +61 7 3223 9100

E krista.mcmahon@brhlawyers.com.au



Level 8, 179 Turbot Street, Brisbane Qld 4000

GPO Box 635, Brisbane Qld 4001

www.brhlawyers.com.au



The partners and staff wish you a Merry Christmas and a prosperous New Year.



*Please note that our office will close at
5 pm on Wednesday, 24 December 2014
and will reopen on Monday, 5 January 2015.*

***If you require immediate assistance over this period,
please contact
Mark Hogan, Partner on 0428 482 553.***

NOTICE: This e-mail is intended only for the use of the addressee and may contain information that is privileged, confidential and/or exempt from disclosure at law. You must not edit this e-mail or any attachments without our express written consent. Broadley Rees Hogan is not liable for any failed, corrupted or incomplete transmission of this e-mail or any attachments or for any viruses contained in them. By opening any attachments, you accept full responsibility for the consequences. If you are not the intended recipient, any dissemination, reliance upon or copying of this e-mail or any attachments is strictly prohibited, and you must immediately erase them permanently from your system, notify us by telephone (at our cost) and destroy any hard copies. Thank you.

From: THOMAS Paula [<mailto:Paula.Thomas@dnrm.qld.gov.au>]
Sent: Monday, 17 November 2014 8:38 AM
To: Krista McMahon
Subject: application for removal of non-conversion condition - MJ Neilson Pty Ltd - (Elvas Case: 2014/004246)

Good morning Krista,

I wish to advise the department's investigations into your client's application for the removal of the non-conversion condition from Special Lease 44/50840 has been finalised.

Please find attached a copy of the conditions on Special Lease 44/50840 with the removal of the non-conversion condition being removed from the lease.

Application for Conversion of SL 44/50840 – (Elvas Case: 2014/008186)

I refer to our telephone conversation on 12 November 2014, in relation to your client's application to convert their lease to freehold tenure.

The department has received council's written views in relation to your client's application, as part of our investigations into the removal of the non-conversion condition.

The department will continue with our investigations which will include addressing Native Title, seeking other relevant agencies views, requesting an inspection and report from the department's State Valuation Service.

Upon any further progress of your client's conversion application, your office will be advised accordingly.

Should you have any further enquiries in relation to your client's application, I can be contacted on telephone number (07) 4447 9180.

Kind regards,

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180
Facsimile: (07) 4447 9200

Address;
Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:
PO Box 5318
Townsville Qld 4810

The information in this email together with any attachments is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. There is no waiver of any confidentiality/privilege by your inadvertent receipt of this material.

Any form of review, disclosure, modification, distribution and/or publication of this email message is prohibited, unless as a necessary part of Departmental business.

If you have received this message in error, you are asked to inform the sender as quickly as possible and delete this message and any copies of this message from your computer and/or your computer system network.

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

RTI DL RELEASE - DNRM

From: THOMAS Paula [Paula.Thomas@dnrm.qld.gov.au]
Sent: Tuesday, 9 December 2014 1:05 PM
To: 'Krista McMahon'
Subject: RE: application for removal of non-conversion condition - MJ Neilson Pty Ltd - (Elvas Case: 2014/004246)

Good afternoon Krista,

I refer to your email yesterday, seeking an update in relation to the progress of your client's conversion application.

I wish to advise your client's application was forwarded to the department's State Valuation Service on 3 December 2014, for a valuation and inspection of the land to be completed.

Upon receipt of the valuation report from the department's State Valuation Service, this office will be able to progress your client's application.

Should you have any further enquiries in relation to your client's application, I can be contacted on telephone number (07) 4447 9180.

Kind regards,

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180
Facsimile: (07) 4447 9199

Address:
Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:
PO Box 5318
Townsville Qld 4810

From: Krista McMahon [mailto:Krista.McMahon@brhlawyers.com.au]
Sent: Monday, 8 December 2014 8:38 AM
To: THOMAS Paula
Subject: RE: application for removal of non-conversion condition - MJ Neilson Pty Ltd - (Elvas Case: 2014/004246)

Hi Paula

Further to your below email, my client was just hoping to get an update in relation to their application prior to Christmas.

Do you have any update I can provide them?

Regards

Krista McMahon | Senior Associate

D +61 7 3223 9122

F +61 7 3221 5518

T +61 7 3223 9100

E krista.mcmahon@brhlawyers.com.au



Level 8, 179 Turbot Street, Brisbane Qld 4000

GPO Box 635, Brisbane Qld 4001

www.brhlawyers.com.au



The partners and staff wish you a Merry Christmas and a prosperous New Year.

Please note that our office will close at 5 pm on Wednesday, 24 December 2014 and will reopen on Monday, 5 January 2015.

If you require immediate assistance over this period, please contact Mark Hogan, Partner on 0428 482 553.

NOTICE: This e-mail is intended only for the use of the addressee and may contain information that is privileged, confidential and/or exempt from disclosure at law. You must not edit this e-mail or any attachments without our express written consent. Broadley Rees Hogan is not liable for any failed, corrupted or incomplete transmission of this e-mail or any attachments or for any viruses contained in them. By opening any attachments, you accept full responsibility for the consequences. If you are not the intended recipient, any dissemination, reliance upon or copying of this e-mail or any attachments is strictly prohibited, and you must immediately erase them permanently from your system, notify us by telephone (at our cost) and destroy any hard copies. Thank you.

From: THOMAS Paula [<mailto:Paula.Thomas@dnrm.qld.gov.au>]

Sent: Monday, 17 November 2014 8:38 AM

To: Krista McMahon

Subject: application for removal of non-conversion condition - MJ Neilson Pty Ltd - (Elvas Case: 2014/004246)

Good morning Krista,

I wish to advise the department's investigations into your client's application for the removal of the non-conversion condition from Special Lease 44/50840 has been finalised.

Please find attached a copy of the conditions on Special Lease 44/50840 with the removal of the non-conversion condition being removed from the lease.

Application for Conversion of SL 44/50840 – (Elvas Case: 2014/008186)

I refer to our telephone conversation on 12 November 2014, in relation to your client's application to convert their lease to freehold tenure.

The department has received council's written views in relation to your client's application, as part of our investigations into the removal of the non-conversion condition.

The department will continue with our investigations which will include addressing Native Title, seeking other relevant agencies views, requesting an inspection and report from the department's State Valuation Service.

Upon any further progress of your client's conversion application, your office will be advised accordingly.

Should you have any further enquiries in relation to your client's application, I can be contacted on telephone number (07) 4447 9180.

Kind regards,

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180
Facsimile: (07) 4447 9200

Address;
Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:
PO Box 5318
Townsville Qld 4810

The information in this email together with any attachments is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. There is no waiver of any confidentiality/privilege by your inadvertent receipt of this material.

Any form of review, disclosure, modification, distribution and/or publication of this email message is prohibited, unless as a necessary part of Departmental business.

If you have received this message in error, you are asked to inform the sender as quickly as possible and delete this message and any copies of this message from your computer and/or your computer system network.

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

RTI DL RELEASE - DNRM

From: SYMONDS Peter [Peter.Symonds@dnrm.qld.gov.au] on behalf of AAT Job Requests [AATJobRequests@dnrm.qld.gov.au]
Sent: Friday, 12 December 2014 3:52 PM
To: THOMAS Paula
Subject: RE: Cat 2 - Mod BA,BB & CA Queries for eLVAS Case: 2014/008186

Hello Paula,

You are correct in that the grant of the lease to the Townsville Port Authority would be one that would fall under the definition of being a Crown to Crown (statutory authority).

Further research would be required, possibly public works and reclamation/dredging?

Let me know if you require further assistance, however, the lease might still be able to be renewed under Module IC?

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

From: THOMAS Paula
Sent: Wednesday, 3 December 2014 11:40 AM
To: AAT Job Requests
Cc: THOMAS Paula
Subject: AAT: Cat 2 - Mod BA,BB & CA Queries for eLVAS Case: 2014/008186

Job request details:

Forecast Completion Date for this Job Request is 17/12/2014

For eLVAS Case: 2014/008186. Requested by Thomas, Paula Suzanne (Townsville).

QNTIME Research Boundary Ref: RB/36243

Proposed Dealing: Conversion of SL 44/50840 Primary Applicant: MNI Nielson Pty Ltd Background to request: Confirmation Module BA can be used to assess NT as lease was granted to the Crown.

RTI DL RELEASE - DNRM

From: Krista McMahon [Krista.McMahon@brhlawyers.com.au]

Sent: Tuesday, 13 January 2015 8:37 AM

To: THOMAS Paula

Subject: RE: application for removal of non-conversion condition - MJ Neilson Pty Ltd - (Elvas Case: 2014/004246)

Hi Paula

Happy New Year

Just wondering if you have any further update in regards to my client's application?

Regards

Krista McMahon | Senior Associate

D +61 7 3223 9122

F +61 7 3221 5518

T +61 7 3223 9100

E krista.mcmahon@brhlawyers.com.au



Level 8, 179 Turbot Street, Brisbane Qld 4000

GPO Box 635, Brisbane Qld 4001

www.brhlawyers.com.au



RTI DL RELEASE - DNRM

NOTICE: This e-mail is intended only for the use of the addressee and may contain information that is privileged, confidential and/or exempt from disclosure at law. You must not edit this e-mail or any attachments without our express written consent. Broadley Rees Hogan is not liable for any failed, corrupted or incomplete transmission of this e-mail or any attachments or for any viruses contained in them. By opening any attachments, you accept full responsibility for the consequences. If you are not the intended recipient, any dissemination, reliance upon or copying of this e-mail or any attachments is strictly prohibited, and you must immediately erase them permanently from your system, notify us by telephone (at our cost) and destroy any hard copies. Thank you.

From: THOMAS Paula [mailto:Paula.Thomas@dnrm.qld.gov.au]
Sent: Tuesday, 9 December 2014 1:06 PM
To: Krista McMahon
Subject: RE: application for removal of non-conversion condition - MJ Neilson Pty Ltd - (Elvas Case: 2014/004246)

Good afternoon Krista,

I refer to your email yesterday, seeking an update in relation to the progress of your client's conversion application.

I wish to advise your client's application was forwarded to the department's State Valuation Service on 3 December 2014, for a valuation and inspection of the land to be completed.

Upon receipt of the valuation report from the department's State Valuation Service, this office will be able to progress your client's application.

Should you have any further enquiries in relation to your client's application, I can be contacted on telephone number (07) 4447 9180.

Kind regards,

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180
Facsimile: (07) 4447 9199

Address:
Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:
PO Box 5318
Townsville Qld 4810

From: Krista McMahon [mailto:Krista.McMahon@brhlawyers.com.au]
Sent: Monday, 8 December 2014 8:38 AM
To: THOMAS Paula
Subject: RE: application for removal of non-conversion condition - MJ Neilson Pty Ltd - (Elvas Case: 2014/004246)

Hi Paula

Further to your below email, my client was just hoping to get an update in relation to their application prior to Christmas.

Do you have any update I can provide them?

Regards

Krista McMahon | Senior Associate

D +61 7 3223 9122

F +61 7 3221 5518

T +61 7 3223 9100

E krista.mcmahon@brhlawyers.com.au



Level 8, 179 Turbot Street, Brisbane Qld 4000

GPO Box 635, Brisbane Qld 4001

www.brhlawyers.com.au



The partners and staff wish you a Merry Christmas and a prosperous New Year.

Please note that our office will close at 5 pm on Wednesday, 24 December 2014 and will reopen on Monday, 5 January 2015.

If you require immediate assistance over this period, please contact Mark Hogan, Partner on 0428 482 553.

NOTICE: This e-mail is intended only for the use of the addressee and may contain information that is privileged, confidential and/or exempt from disclosure at law. You must not edit this e-mail or any attachments without our express written consent. Broadley Rees Hogan is not liable for any failed, corrupted or incomplete transmission of this e-mail or any attachments or for any viruses contained in them. By opening any attachments, you accept full responsibility for the consequences. If you are not the intended recipient, any dissemination, reliance upon or copying of this e-mail or any attachments is strictly prohibited, and you must immediately erase them permanently from your system, notify us by telephone (at our cost) and destroy any hard copies. Thank you.

From: THOMAS Paula [<mailto:Paula.Thomas@dnrm.qld.gov.au>]

Sent: Monday, 17 November 2014 8:38 AM

To: Krista McMahon

Subject: application for removal of non-conversion condition - MJ Neilson Pty Ltd - (Elvas Case: 2014/004246)

Good morning Krista,

I wish to advise the department's investigations into your client's application for the removal of the non-conversion condition from Special Lease 44/50840 has been finalised.

Please find attached a copy of the conditions on Special Lease 44/50840 with the removal of the non-conversion condition being removed from the lease.

Application for Conversion of SL 44/50840 – (Elvas Case: 2014/008186)

I refer to our telephone conversation on 12 November 2014, in relation to your client's application to convert their lease to freehold tenure.

The department has received council's written views in relation to your client's application, as part of our investigations into the removal of the non-conversion condition.

The department will continue with our investigations which will include addressing Native Title, seeking other relevant agencies views, requesting an inspection and report from the department's State Valuation Service.

Upon any further progress of your client's conversion application, your office will be advised accordingly.

Should you have any further enquiries in relation to your client's application, I can be contacted on telephone number (07) 4447 9180.

Kind regards,

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180
Facsimile: (07) 4447 9200

Address;
Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:
PO Box 5318
Townsville Qld 4810

The information in this email together with any attachments is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. There is no waiver of any confidentiality/privilege by your inadvertent receipt of this material.

Any form of review, disclosure, modification, distribution and/or publication of this email message is prohibited, unless as a necessary part of Departmental business.

If you have received this message in error, you are asked to inform the sender as quickly as possible and delete this message and any copies of this message from your computer and/or your computer system network.

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

RTI DL RELEASE - DNRM

From: Krista McMahon [Krista.McMahon@brhlawyers.com.au]

Sent: Friday, 27 February 2015 11:38 AM

To: THOMAS Paula

Subject: FW: application for removal of non-conversion condition - MJ Neilson Pty Ltd - (Elvas Case: 2014/004246)

Hi Paula

Any word back from the valuation team?

Just letting you know that I am leaving the firm with my last day being next Friday, 6 March 2015.

Accordingly can you please forward all future correspondence in this matter to Darren Anderson (details below).

Darren Anderson | Partner

D: +61 7 3223 9103

F: +61 7 3221 5518

T: +61 7 3223 9100

E: darren.anderson@brhlawyers.com.au

Regards

Krista McMahon | Senior Associate

D +61 7 3223 9122

F +61 7 3221 5518

T +61 7 3223 9100

E krista.mcmahon@brhlawyers.com.au



Level 8, 179 Turbot Street, Brisbane Qld 4000

GPO Box 635, Brisbane Qld 4001

www.brhlawyers.com.au



RTI DL RELEASE - DNRM

NOTICE: This e-mail is intended only for the use of the addressee and may contain information that is privileged, confidential and/or exempt from disclosure at law. You must not edit this e-mail or any attachments without our express written consent. Broadley Rees Hogan is not liable for any failed, corrupted or incomplete transmission of this e-mail or any attachments or for any viruses contained in them. By opening any attachments, you accept full responsibility for the consequences. If you are not the intended recipient, any dissemination, reliance upon or copying of this e-mail or any attachments is strictly prohibited, and you must immediately erase them permanently from your system, notify us by telephone (at our cost) and destroy any hard copies. Thank you.

From: Krista McMahon
Sent: Tuesday, 10 February 2015 11:24 AM
To: paula.thomas@dnrm.qld.gov.au
Subject: FW: application for removal of non-conversion condition - MJ Neilson Pty Ltd - (Elvas Case: 2014/004246)

Hi Paula

Just wondering if you have any further update on this one?

Regards

Krista McMahon | Senior Associate

D +61 7 3223 9122

F +61 7 3221 5518

T +61 7 3223 9100

E krista.mcmahon@brhlawyers.com.au



Level 8, 179 Turbot Street, Brisbane Qld 4000

GPO Box 635, Brisbane Qld 4001

www.brhlawyers.com.au



RTI DL RELEASE - DNRM

NOTICE: This e-mail is intended only for the use of the addressee and may contain information that is privileged, confidential and/or exempt from disclosure at law. You must not edit this e-mail or any attachments without our express written consent. Broadley Rees Hogan is not liable for any failed, corrupted or incomplete transmission of this e-mail or any attachments or for any viruses contained in them. By opening any attachments, you accept full responsibility for the consequences. If you are not the intended recipient, any dissemination, reliance upon or copying of this e-mail or any attachments is strictly prohibited, and you must immediately erase them permanently from your system, notify us by telephone (at our cost) and destroy any hard copies. Thank you.

From: Krista McMahon
Sent: Tuesday, 13 January 2015 8:38 AM
To: 'THOMAS Paula'
Subject: RE: application for removal of non-conversion condition - MJ Neilson Pty Ltd - (Elvas Case: 2014/004246)

Hi Paula

Happy New Year

Just wondering if you have any further update in regards to my client's application?

Regards

Krista McMahon | Senior Associate

D +61 7 3223 9122

F +61 7 3221 5518

T +61 7 3223 9100

E krista.mcmahon@brhlawyers.com.au



Level 8, 179 Turbot Street, Brisbane Qld 4000

GPO Box 635, Brisbane Qld 4001

www.brhlawyers.com.au



RTI DL RELEASE - DNRM

NOTICE: This e-mail is intended only for the use of the addressee and may contain information that is privileged, confidential and/or exempt from disclosure at law. You must not edit this e-mail or any attachments without our express written consent. Broadley Rees Hogan is not liable for any failed, corrupted or incomplete transmission of this e-mail or any attachments or for any viruses contained in them. By opening any attachments, you accept full responsibility for the consequences. If you are not the intended recipient, any dissemination, reliance upon or copying of this e-mail or any attachments is strictly prohibited, and you must immediately erase them permanently from your system, notify us by telephone (at our cost) and destroy any hard copies. Thank you.

From: THOMAS Paula [<mailto:Paula.Thomas@dnrm.qld.gov.au>]
Sent: Tuesday, 9 December 2014 1:06 PM
To: Krista McMahon
Subject: RE: application for removal of non-conversion condition - MJ Neilson Pty Ltd - (Elvas Case: 2014/004246)

Good afternoon Krista,

I refer to your email yesterday, seeking an update in relation to the progress of your client's conversion application.

I wish to advise your client's application was forwarded to the department's State Valuation Service on 3 December 2014, for a valuation and inspection of the land to be completed.

Upon receipt of the valuation report from the department's State Valuation Service, this office will be able to progress your client's application.

Should you have any further enquiries in relation to your client's application, I can be contacted on telephone number (07) 4447 9180.

Kind regards,

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180
Facsimile: (07) 4447 9199

Address:
Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:
PO Box 5318
Townsville Qld 4810

From: Krista McMahon [<mailto:Krista.McMahon@brhlawyers.com.au>]
Sent: Monday, 8 December 2014 8:38 AM
To: THOMAS Paula
Subject: RE: application for removal of non-conversion condition - MJ Neilson Pty Ltd - (Elvas Case: 2014/004246)

Hi Paula

Further to your below email, my client was just hoping to get an update in relation to their application prior to Christmas.

Do you have any update I can provide them?

Regards

Krista McMahon | Senior Associate

D +61 7 3223 9122

F +61 7 3221 5518

T +61 7 3223 9100

E krista.mcmahon@brhlawyers.com.au



Level 8, 179 Turbot Street, Brisbane Qld 4000

GPO Box 635, Brisbane Qld 4001

www.brhlawyers.com.au



The partners and staff wish you a Merry Christmas and a prosperous New Year.

Please note that our office will close at 5 pm on Wednesday, 24 December 2014 and will reopen on Monday, 5 January 2015.

If you require immediate assistance over this period, please contact Mark Hogan, Partner on 0428 482 553.

NOTICE: This e-mail is intended only for the use of the addressee and may contain information that is privileged, confidential and/or exempt from disclosure at law. You must not edit this e-mail or any attachments without our express written consent. Broadley Rees Hogan is not liable for any failed, corrupted or incomplete transmission of this e-mail or any attachments or for any viruses contained in them. By opening any attachments, you accept full responsibility for the consequences. If you are not the intended recipient, any dissemination, reliance upon or copying of this e-mail or any attachments is strictly prohibited, and you must immediately erase them permanently from your system, notify us by telephone (at our cost) and destroy any hard copies. Thank you.

From: THOMAS Paula [<mailto:Paula.Thomas@dnrm.qld.gov.au>]

Sent: Monday, 17 November 2014 8:38 AM

To: Krista McMahon

Subject: application for removal of non-conversion condition - MJ Neilson Pty Ltd - (Elvas Case: 2014/004246)

Good morning Krista,

I wish to advise the department's investigations into your client's application for the removal of the non-conversion condition from Special Lease 44/50840 has been finalised.

Please find attached a copy of the conditions on Special Lease 44/50840 with the removal of the non-conversion condition being removed from the lease.

Application for Conversion of SL 44/50840 – (Elvas Case: 2014/008186)

I refer to our telephone conversation on 12 November 2014, in relation to your client's application to convert their lease to freehold tenure.

The department has received council's written views in relation to your client's application, as part of our investigations into the removal of the non-conversion condition.

The department will continue with our investigations which will include addressing Native Title, seeking other relevant agencies views, requesting an inspection and report from the department's State Valuation Service.

Upon any further progress of your client's conversion application, your office will be advised accordingly.

Should you have any further enquiries in relation to your client's application, I can be contacted on telephone number (07) 4447 9180.

Kind regards,

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180

Facsimile: (07) 4447 9200

Address;

Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:

PO Box 5318

Townsville Qld 4810

The information in this email together with any attachments is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. There is no waiver of any confidentiality/privilege by your inadvertent receipt of this material.

Any form of review, disclosure, modification, distribution and/or publication of this email message is prohibited, unless as a necessary part of Departmental business.

If you have received this message in error, you are asked to inform the sender as quickly as possible and delete this message and any copies of this message from your computer and/or your computer system network.

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

RTI DL RELEASE - DNRM

From: SIMMONDS Peter [Peter.Simmonds@dnrm.qld.gov.au]
Sent: Thursday, 23 April 2015 9:40 AM
To: THOMAS Paula
CC: Townsville SLAMS
Subject: 2014/008186 Conv
Attachments: wtr7010-18896_Elvas_2014-008186_Conversion_Tomlins St.pdf

Paula,

Another for you.

Peter

RTI DL RELEASE - DNRM

Report Format 2 - SLAM Valuation* / Inspection* Report

INSTRUCTION FROM SLAM case manager: Paula Thomas

Business Unit Name (if applicable)

State Land Asset Management

Contact Number

Address

PO Box 5318, Townsville, Qld, 4810.

Valuation prepared by

State Valuation Service

Applicant Details

Purpose of Report/Valuation

To provide a site valuation for Lease Conversion to Freehold Purposes in terms of section 167 of the Land Act 1994. The current registered Lessee of this property (MJ Nielson Pty Ltd) is also the registered owner of the adjoining freehold parcel (being Lot 1 on RP748244 – Title Reference 21412054). Accordingly MJ Nielson Pty Ltd would like to convert their leasehold to freehold to acquire the property.

PROPERTY DETAILS

eLVAS reference

2014/008188

MIS Code

Property Name / Address

Lot 499 on Plan EP2382, Tomlin's Street, South Townsville

Tenure

Road

Real Property Description

Lot	499	Plan	EP2382

Property Type

Plaza, boardwalk

Encumbrances

Nil registered on road area.

Area

984 square metres

Current Use

Plaza seating landscaping

Highest and Best Use

Commercial

Use of Adjoining Lands

Improved with a walkway attached to a multi storey commercial building with a ground floor retail component. Total building floor area is about 16,348 square metres.

Proposed Use

Commercial development.

Indicative Planning

Land is zoned "High Density Residential Zone" under the Townsville City Plan 2014 and is within Palmer Street precinct. Under the previous Townsville City Town Plan (2005) the land was primarily for mixed use tourist and residential accommodation with high quality and innovative entertainment uses Restaurants, art/craft centres etc.

Public Use

The base area is used as an open Plaza and boardwalk (since removed) by occupants of the applicants building immediately adjacent (Lot 1 RP748244) and also used as a walkway by the public.

Local Authority

Townsville City Council

Public Utilities

Nil

Roads and Access

Tomlin's Street is a one lane one way bitumen sealed road with kerbing and channelling and on street parking both sides.

Land Description

Improved 984m2 site being irregular in shape (10m width with 98m frontage - above road height) with uninterrupted views north across Ross Creek towards Flinders Street. Although the subject lease has wide frontage facing north across Ross Creek the land is situated in a quiet area with limited pedestrian or vehicular traffic. The land is situated one block north from the restaurant/bar precinct of Palmer Street with frontage to Tomlin's Street, Anthony Street and Dobb's Street, South Townsville.

Improvements

Open landscaped plaza area with seating.

Comments by Interested Parties

Townsville City Council: Townsville City Council has no objection, subject to conditions as outlined in their letter of 11th August 2014 and summarised as follows;
"Council has a strong preference on the preferred use of the land to include waterfront connectivity to include cafes, restaurants, bars and publicly accessible private open space."

Report Format 2 - SLAM Valuation* / Inspection* Report

Additional Comments or Issues Identified during inspection

Services: Town water, telephone, sewerage and power are available to the subject.

Native Title: Nil

Survey: The common boundary is surveyed.

Summary/Remarks:

It is understood that the subject lot was originally established to legalise an encroachment of an awning from the adjoining structure of 3 - 17 Tomlin's Street. The land is leased (SL44/50840) to MJ Nielson Pty Ltd.

Purpose of SL 44/50840 comprising 984m² is for Business (Plaza, boardwalk and associated purposes). Term of lease is 50 years commencing 13/10/1989. Site comprises 10m width with 98m frontage - Added value to adjacent site (3 - 17 Tomlin's Street - River Quays - Lease provides no compensation for structural improvements undertaken on the land. The subject site is a walkway used by the public, and from a practical sense is unlikely to be developed in isolation due to its shape and size from the adjoining parent property at 3 - 17 Tomlin's Street. Furthermore the fact that the ground level of 3 - 17 Tomlin's Street has been vacant for a considerable period of time means that there is little passing pedestrian traffic as activity is centred around Palmer Street one block to the east.

Basis/Sales:

The purpose of this report is to provide an inspection report and valuation for the lease conversion of the subject parcel Lot 499 on EP2382.

The highest and most probable use of the subject land is inclusion into the adjoining land aggregation owned by the applicant. A before and after valuation method is considered the correct approach to such a valuation and has therefore been adopted.

The applicant's adjacent improved property (Lot 1 RP748244) comprises a multi storey commercial office building of about 16,348 square metres. Present use is the highest and best use as commercial development.

The subject site valuation has been undertaken using the direct comparison approach an explanation of which follows;

Sale 1 sch4p4(6) Personal information, property address comprises 2 titles of approximately 773m² each. Purchaser is Tropical Bliss Developments Pty Ltd. Competition at time of purchase. Purchaser had to move quickly. No negotiation. Vendor held firm at asking price of \$78B(2) Purchaser had been looking for a development site for some time. This was his first such project in Townsville. Zoned Mixed Use Residential with a current development approval (June 2014) for Multiple Dwelling (4 x 1BR + 1 x 2BR + 1 x 3 BR Units) plus Medical Centre. Superior to subject in terms of North Ward location. Inferior to subject in terms of existing zoning designation. Inferior to subject in terms of site area. Overall sale 1 is inferior to subject property on a rate per square metre basis of \$78B(2) and superior to the subject on a total value basis of \$78B(2)

Sale 2 sch4p4(6) Personal information, property address comprises a 3,354m² site located at Eyre and Leichhardt streets at the old Townsville general hospital site in North Ward. Zoned medium density residential use which allows for 3 storeys or 12m whichever is the lesser. Inferior to subject in terms of North Ward location. Inferior to subject in terms of existing zoning designation. Superior to subject in terms of site area. Overall sale 2 is inferior to the subject property on a rate per square metre basis of \$78B(2) and superior to subject on total value basis of \$78B(2)

Sale 3 sch4p4(6) Personal information, property address comprises a 6072m² which lends itself to a mixed use development including residential apartments, retail or such other commercial opportunities such as a hotel subject to approvals. Receivership sale. Purchaser did extensive due diligence before making their non-negotiable offer of \$78B(2) Property had been on market for a considerable length of time. Sydney based purchaser who had financed another project in Townsville. The site has historically been identified as a proposed mixed use development. The Strand frontage has a 4 storey height limit while the rear part of the site (Mitchell street) has a height limit of 8 storeys. Maximum site coverage 50%. Superior to subject in terms of Strand frontage within the North Ward location. Inferior to subject in terms of existing zoning designation. Superior to subject in terms of site area. Overall sale 3 is inferior to subject on a rate per square metre basis of \$78B(2) and superior on a total value basis of \$78B(2)

Sale 4 sch4p4(6) Personal information, property address This sale occurred late 2013 and comprised a seven lot aggregation of 5,464 square metres forming a regular shaped corner commercial redevelopment site with 3 lot frontages. The sale analysed to \$78B(2) (including demolition costs of \$78B(2)) or \$78B(2) The property was partly improved with an aged office warehouse complex (since demolished). The property is located adjacent to the newly constructed Ergon Office Tower and in close proximity to the newly constructed State Government office block - 445 Flinders Street. Overall Sale 4 is inferior to the subject on a rate per square metre basis of \$78B(2) The owners (Lancini Group) have since subdivided the 5,464 square metre site into two parcels. The Stanley Street parcel comprising half of the site - 2,732 square metres, went under contract on 18th March 2015 to McDonalds for \$78B(2) inclusive of site works and asbestos residue remediation. An analysed sale price of \$78B(2) per square metre analysed was reported by the purchaser. On a rate per square metre basis the sale to McDonald's component is considered superior to the subject Tomlin's Street land.

Sale 5 sch4p4(6) Personal information, property address This is a near regular shaped level allotment, located between Ross Creek and Ogden Street which has similar site characteristics to the subject property. The sales \$78B(2) per square metre. Overall sale 5 is superior to the subject on a rate per square metre basis and total value basis of \$78B(2)

Report Format 2 - SLAM Valuation* / Inspection* Report

Sale 6 – sch4p4(6) Personal information, property address located just east of the subject land. It is far larger in area (3,908 square metres) and although has better proximity to the tourist accommodation and eatery area of the city it does not have any views over water unlike the subject. Overall sale 6 is superior to the subject on a rate per square metre basis of s78B(2) and total value basis of s78B(2)

Sale 7 – Subject leasehold sale of sch4p4(6) Personal information, property address MJ Nielson Pty Ltd. Special lease 44/50840 was transferred from Port of Townsville Limited to MJ Nielson Pty Ltd on 28/10/2013 for s78B(2) (GST inclusive). This equates to s78B(2) GST exclusive s78B(2) which is representative of the leasehold interest in the subject land only.

Sale No. Dealing No.	Address	Sale Date	Sale price (Excl GST) \$Rate/m2	Comments (similar/superior/inferior/ analysed rate)
1 715696468		6/02/2014		Area 1,546 square metres Overall sale is inferior to subject on a rate per square metre basis.
2 715450448		18/11/2013		Area 3,354 square metres Overall sale is inferior to subject on a rate per square metre basis.
3 715577707		4/10/2013		Area 6072 square metres Overall sale is inferior to subject on a rate per square metre basis.
4 7155747131	sch4p4(6) Personal information	15/11/2013	s78B(2) - business affairs	Area 5464 square metres Overall sale is inferior to subject on a rate per square metre basis.
5 714729305		31/07/2012		2209 square metres (Plus BHWM Lease of 531/m2) not included in analysis. Overall sale is superior on a rate per square metre basis.
6 714543033		2/06/2012		3908 square metres. Overall sale is inferior on a rate per square metre basis.
7 715392615		12/06/2013		984 square metres – subject property inferior on a rate per square metre basis due to inferior tenure.
LEASEHOLD SUBJECT SALE				

Summary

Valuation Before

2,803m2 @ s78B(2) - business affairs

Valuation After

3,787m2 @ s78B(2) - business affairs

Added Value s78B(2) - business affairs

Adopt s78B(2) - business affairs

Report Format 2 - SLAM Valuation* / Inspection* Report

VALUATION

Date of Valuation	1/4/2015	Date of Inspection	25/3/2015
--------------------------	----------	---------------------------	-----------

Valuation

Market value is defined as “The estimated amount for which a property should exchange on the date of valuation between a willing buyer and a willing seller in an arm’s length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently and without compulsion” (International Valuation Standard 1).

s78B(2) - business affairs

Valuers Signature	Valuers Name / Qualification
sch4p4(6) Personal information, Signature	Rodney Hyman MRICS Senior Valuer, Cairns Registered Valuer QLD 2238

Endorsing Officers Signature	Valuers Name / Qualification
sch4p4(6) Personal information, Signature 22/4/2015 Scanned Signature	Peter Simmonds Principal Valuer, Townsville

Attachments: Aerial Photo, Photographs, Section 167 Certification and Title Particulars

RTI DL RELEASE - DNRM

Report Format 2 - SLAM Valuation* / Inspection* Report



View looking south east from Tomlins Street South Townsville towards subject



View looking north east along Tomlins Street South Townsville, towards subject (above & below)



Report Format 2 - SLAM Valuation* / Inspection* Report

Attachment 1: Section 167 Certification

<p>a) Whether part of the lease should be set apart and declared as State Forest under the Forestry Act 1959; No area of the lease is suitable or required for State Forest.</p>
<p>b) whether part of the leased land is better suited for long-term forest management for the production of indigenous timbers of commercial value than for all other forms of primary production; The subject lease is not located in a proven timber producing area.</p>
<p>c) Whether the public interest could be adversely affected, other than for an issue mentioned in paragraph (b), if the lease was converted; Not applicable</p>
<p>d) Whether part of the lease is needed for environmental or nature conservation purposes; Not applicable</p>
<p>e) Condition of the leased land; The inspection of the property revealed the land to be in overall fair condition.</p>
<p>f) The extent to which the lease suffers from, or is at serious risk of land degradation; Not applicable</p>
<p>g) Whether the lessee has complied with, or to what extent the lessee has complied with, the conditions of the lease; The lessee has satisfactorily complied with the lease conditions.</p>
<p>h) Whether part of the lease has a more appropriate use from a land planning perspective; The current use of commercial is considered to be the most appropriate use from a land planning perspective.</p>
<p>i) Whether part of the lease is on an island or its location, topography, geology, accessibility, heritage importance, aesthetic appeal or like issues make it special; Not applicable</p>
<p>j) Whether part of the lease is needed for a public purpose; No part of the lease is needed for a public purpose at this point in time.</p>
<p>k) Whether part of the lease is needed for property build-up purposes of other properties without reducing the remaining land to less than a living area; Not applicable</p>
<p>l) Whether the lease could be subdivided without reducing the remaining land to less than a living area; Not applicable</p>
<p>m) The most appropriate tenure for the leased land. The most appropriate form of tenure for the land is freehold</p>
<p>n) The lessee's record of compliance with this Act. The lessee has complied with the requirements of the Land Act 1994 in respect to the leased land.</p>
<p>o) The natural environmental values of the leased land. Not applicable</p>

Report Format 2 - SLAM Valuation* / Inspection* Report

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

Search Date: 07/04/2015 17:03

Title Reference: 17598156

Date Created: 22/10/1995

DESCRIPTION OF LAND

Tenure Reference: SL 44/50840

Lease Type: TERM

LOT 499 CROWN PLAN EP2382
County of ELPHINSTONE Parish of COONAMBELAH
Local Government: TOWNSVILLE

Area: 0.098400 Ha. (SURVEYED)

No Land Description

No Forestry Entitlement Area

No Future Conservation Area

Purpose for which granted:

BUSINESS (PLAZA, BOARDWALK AND ASSOCIATED PURPOSES)

TERM OF LEASE

Term and day of beginning of lease

Term: 50 years commencing on 13/10/1989

Expiring on 12/10/2039

REGISTERED LESSEE

Dealing No: 715392615 28/10/2013

MJ NIELSON PTY LTD A.C.N. 063 240 344

CONDITIONS

C5 The lessee shall 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.

C173 The lessee shall 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 Mining Act 1968) or other material upon the leased land without the permission of the Minister except under the authority of and in compliance in every respect with the requirements of a permit, license, agreement or contract granted or made under the Forestry Act 1959.

Report Format 2 - SLAM Valuation* / Inspection* Report

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

Search Date: 07/04/2015 17:03

Title Reference: 17598156
Date Created: 22/10/1995

CONDITIONS

- C179 No compensation for improvements or developmental works shall be payable by the State at the expiration of the term of the lease, but the lessee shall have the right to remove movable improvements within a period of three months, provided all moneys due by the lessee to the State on any account whatsoever have been paid. However should the leased land revert to the State and be again made available for lease or purchase the former lessee shall be entitled to receive payment for the value of his improvements or developmental work in accordance with the principles set out in the said Act.
- C183 The lessee shall not at any time destroy any tree upon the leased land without the prior permit in writing of the Land Commissioner or contrary to any terms and conditions of such permit.
- E10 The lessee shall pay the cost of any required survey of the leased land.
- H51 No further access to the leased land will be provided by the State or the Local Authority.
- K1 The lessee shall maintain the leased land free from noxious plants.
- M76 The Lessee shall use the leased land for Business (Plaza and Boardwalk and associated purposes) and for no other purpose whatsoever.
- M76 The Lessee shall not be permitted to transfer or sublease the subject land to any person, persons or corporation other than the owners of the adjoining freehold parcels, being Lot 612 on EP1784 and Lot 12 on RP726133, parish of Coonambelah.

ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Lease No. 17598156
2. MORTGAGE No 715392621 28/10/2013 at 16:10
GE CAPITAL SECURITY AGENT PTY LTD A.C.N. 075 554 120
Lodged at 16:10 on 28/10/2013 Recorded at 11:56 on 31/10/2013
3. AMENDMENT OF LEASE CONDITIONS No 716128434 10/11/2014 at 05:00
THE CONDITIONS OF THE WITHIN TENURE ARE HEREBY AMENDED.
Lodged at 05:00 on 10/11/2014 Recorded at 05:00 on 10/11/2014

ADMINISTRATIVE ADVICES - NIL

Report Format 2 - SLAM Valuation* / Inspection* Report

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

Search Date: 07/04/2015 17:03

Title Reference: 17598156

Date Created: 22/10/1995

UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current State Tenure Search **

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

RTI DL RELEASE - DNRM

From: RYAN Jacinta [Jacinta.Ryan@dnrm.qld.gov.au]
Sent: Wednesday, 29 April 2015 11:57 AM
To: THOMAS Paula
Subject: FW: Local Member of Parliament enquiry

Hi Paula,

Can you please place this email on file?

Andrew Buckley, Executive Director, will be meeting with Mr Scott Stewart this week and will advise him that we are actioning this matter as a priority. We will give a commitment to having an offer (subject to conditions to be determined, dependent on our further native title investigations) out in early June.

Can you please request the Special Lease and Reserve files so we can commence a further native title assessment?

Cheers,
Jacinta Ryan
Senior Land Officer
State Land Asset Management
Service Delivery - North Region
Department of Natural Resources and Mines

Phone: (07) 4447 9170; **Fax:** (07) 4447 9199
Office: Level 9, Verde Tower,
445 Flinders Street, Townsville Q 4810
Postal: PO Box 5318, Townsville Q 4810

Customers first | Ideas into action | Unleash potential | Be courageous | Empower people

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. For more information please refer to [Application forms](#) on the departments webpage.

 Please consider the environment before printing this email

From: RYAN Jacinta
Sent: Tuesday, 28 April 2015 3:53 PM
To: HORROCKS Paul
Cc: REID Terry
Subject: Local Member of Parliament enquiry

Hi Paul,

Mr Scott Stewart, Member for Townsville, telephoned the department this morning (Tuesday 28 April) regarding an application by MJ Neilson Pty Ltd (Elvas Case: 2014/008186).

MJ Neilson Pty Ltd is the current lessee of Special Lease 44/50840, described as Lot 499 on EP2382 and shown below. The property is located along Tomlins Street (near Palmer Street, South Townsville), in front of the building locally known as the Telstra Building.



RTI/DL RELEASE - DNRM

MJ Neilson Pty Ltd has applied to the department to convert the current Special Lease into Freehold tenure. The Special Lease is for Business (plaza, boardwalk and associated purposes), and is used in conjunction with the adjoining property (on which the main building is located).

The inspection and report from the department's State Valuation Service was received with the SLAM unit on 23 April 2015, which provides a purchase price for the freeholding to occur.

In addition, Native Title is required to be reinvestigated to allow the conversion application to proceed.

An initial assessment was forwarded to the department's Native Title Assessment and Advice Team, which confirmed that the current lease (issued in 1989 – pre native title) was not sufficient to extinguish native title. The initial grant of the lease to the Townsville Port Authority is considered a Crown to Crown (statutory authority) grant, which does not extinguish native title. The department now needs to undertake further research to assess whether the area is covered by valid public works and there is sufficient evidence to rely upon.

Upon Native Title being reassessed by the department, a recommendation will be forwarded to the decision maker for a decision to be made.

The application is being dealt with in priority.

Mr Stewart's telephone number is: 4766 4100.

If you require any further information, please let me know

Kind regards,

Jacinta Ryan

Senior Land Officer

State Land Asset Management

Service Delivery - North Region

Department of Natural Resources and Mines

Phone: (07) 4447 9170; **Fax:** (07) 4447 9199

Office: Level 9, Verde Tower,
445 Flinders Street, Townsville Q 4810

Postal: PO Box 5318, Townsville Q 4810

Customers first | Ideas into action | Unleash potential | Be courageous | Empower people

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. For more information please refer to [Application forms](#) on the departments webpage.



Please consider the environment before printing this email

RTI DL RELEASE - DNRM

From: THOMAS Paula [Paula.Thomas@dnrm.qld.gov.au]
Sent: Friday, 1 May 2015 12:00 PM
To: MILLER Carla
Subject: request for files

Hi Carla,

Could I please have the following files forwarded to the Townsville office, to allow Native Title assessment to be completed.

File – RES 85-261 Part 2

File – Special Lease 44/50840

Thanks

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180

Facsimile: (07) 4447 9199

Address:

Level 9, Verde Tower

445 Flinders Street, Townsville Qld 4810

Postal:

PO Box 5318

Townsville Qld 4810

RTI DL RELEASE - DNRM

From: THOMAS Paula [Paula.Thomas@dnrm.qld.gov.au]
Sent: Monday, 18 May 2015 11:52 AM
To: Townsville SLAMS
Subject: request for file

Hi,

Could I please have the following file forwarded to the Townsville office for a Tenure History search for Native Title.

File – RES 85-261 Part 1

Thanks

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180

Facsimile: (07) 4447 9199

Address:

Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:

PO Box 5318

Townsville Qld 4810

RTI DL RELEASE - DNRM

From: THOMAS Paula [Paula.Thomas@dnrm.qld.gov.au]
Sent: Tuesday, 19 May 2015 11:17 AM
To: SIMMONDS Peter
Subject: request for valuation for conversion of SL 44/50840
Attachments: SVS - valuation report for SL 50840.pdf

Hi Peter,

Please see attached valuation report endorsed 22 April, for conversion of Special Lease 44/50840.

The valuation provided a purchase price to allow for the land to be included into the lessee's adjoining freehold land, being Lot 1 on RP748244.

However, further investigations by the department has determined as the lease is a Special Lease issued under the Land Act, the lessee is entitled to be granted an option of the issue of a Deed of Grant or a Freeholding Lease.

Could you provide a valuation report to allow for the conversion of Special Lease 44/50840 as a stand-alone parcel of land.

Thanks

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region

Telephone: (07) 4447 9180
Facsimile: (07) 4447 9199

Address:
Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:
PO Box 5318
Townsville Qld 4810

RTI/DL RELEASE - DNRM

Report Format 2 - SLAM Valuation* / Inspection* Report

INSTRUCTION FROM SLAM case manager: Paula Thomas

Business Unit Name (if applicable)

State Land Asset Management

Contact Number

Valuation prepared by

State Valuation Service

Address

PO Box 5318, Townsville, Qld, 4810.

Applicant Details

Purpose of Report/Valuation

To provide a site valuation for Lease Conversion to Freehold Purposes in terms of section 167 of the Land Act 1994. The current registered Lessee of this property (MJ Nielson Pty Ltd) is also the registered owner of the adjoining freehold parcel (being Lot 1 on RP748244 – Title Reference 21412054). Accordingly MJ Nielson Pty Ltd would like to convert their leasehold to freehold to acquire the property.

PROPERTY DETAILS

eLVAS reference

2014/008188

MIS Code

Property Name / Address

Lot 499 on Plan EP2382, Tomlin's Street, South Townsville

Tenure

Road

Real Property Description

Lot		Plan	
	499		EP2382

Property Type

Plaza, boardwalk

Encumbrances

Nil registered on road area.

Area

984 square metres

Current Use

Plaza seating landscaping

Highest and Best Use

Commercial

Use of Adjoining Lands

Improved with a walkway attached to a multi storey commercial building with a ground floor retail component. Total building floor area is about 16,348 square metres.

Proposed Use

Commercial development.

Indicative Planning

Land is zoned "High Density Residential Zone" under the Townsville City Plan 2014 and is within Palmer Street precinct. Under the previous Townsville City Town Plan (2005) the land was primarily for mixed use tourist and residential accommodation with high quality and innovative entertainment uses Restaurants, art/craft centres etc.

Public Use

The base area is used as an open Plaza and boardwalk (since removed) by occupants of the applicants building immediately adjacent (Lot 1 RP748244) and also used as a walkway by the public.

Local Authority

Townsville City Council

Public Utilities

Nil

Roads and Access

Tomlin's Street is a one lane one way bitumen sealed road with kerbing and channelling and on street parking both sides.

Land Description

Improved 984m2 site being irregular in shape (10m width with 98m frontage - above road height) with uninterrupted views north across Ross Creek towards Flinders Street. Although the subject lease has wide frontage facing north across Ross Creek the land is situated in a quiet area with limited pedestrian or vehicular traffic. The land is situated one block north from the restaurant/bar precinct of Palmer Street with frontage to Tomlin's Street, Anthony Street and Dibb's Street, South Townsville.

Improvements

Open landscaped plaza area with seating.

Comments by Interested Parties

Townsville City Council: Townsville City Council has no objection, subject to conditions as outlined in their letter of 11th August 2014 and summarised as follows;
"Council has a strong preference on the preferred use of the land to include waterfront connectivity to include cafes, restaurants, bars and publicly accessible private open space."

Report Format 2 - SLAM Valuation* / Inspection* Report

Additional Comments or Issues Identified during inspection

Services: Town water, telephone, sewerage and power are available to the subject.

Native Title: Nil

Survey: The common boundary is surveyed.

Summary/Remarks:

It is understood that the subject lot was originally established to legalise an encroachment of an awning from the adjoining structure of 3 - 17 Tomlin's Street. The land is leased (SL44/50840) to MJ Nielson Pty Ltd.

Purpose of SL 44/50840 comprising 984m² is for Business (Plaza, boardwalk and associated purposes). Term of lease is 50 years commencing 13/10/1989. Site comprises 10m width with 98m frontage - Added value to adjacent site (3 - 17 Tomlin's Street - River Quays - Lease provides no compensation for structural improvements undertaken on the land. The subject site is a walkway used by the public, and from a practical sense is unlikely to be developed in isolation due to its shape and size from the adjoining parent property at 3 - 17 Tomlin's Street. Furthermore the fact that the ground level of 3 - 17 Tomlin's Street has been vacant for a considerable period of time means that there is little passing pedestrian traffic as activity is centred around Palmer Street one block to the east.

Basis/Sales:

The purpose of this report is to provide an inspection report and valuation for the lease conversion of the subject parcel Lot 499 on EP2382.

The highest and most probable use of the subject land is inclusion into the adjoining land aggregation owned by the applicant. A before and after valuation method is considered the correct approach to such a valuation and has therefore been adopted.

The applicant's adjacent improved property (Lot 1 RP748244) comprises a multi storey commercial office building of about 16,348 square metres. Present use is the highest and best use as commercial development.

The subject site valuation has been undertaken using the direct comparison approach an explanation of which follows;

Sale 1 sch4p4(6) Personal information, street address comprises 2 titles of approximately 773m² each. Purchaser is Tropical Bliss Developments Pty Ltd. Competition at time of purchase. Purchaser had to move quickly. No negotiation. Vendor held firm at asking price of s78B(2) Purchaser had been looking for a development site for some time. This was his first such project in Townsville. Zoned Mixed Use Residential with a current development approval (June 2014) for Multiple Dwelling (4 x 1BR + 1 x 2BR + 1 x 3 BR Units) plus Medical Centre. Superior to subject in terms of North Ward location. Inferior to subject in terms of existing zoning designation. Inferior to subject in terms of site area. Overall sale 1 is inferior to subject property on a rate per square metre basis of s78B(2) and superior to the subject on a total value basis of s78B(2)

Sale 2 sch4p4(6) Personal information, street address comprises a 3,354m² site located at Eyre and Leichhardt streets at the old Townsville general hospital site in North Ward. Zoned medium density residential use which allows for 3 storeys or 12m whichever is the lessor. Inferior to subject in terms of North Ward location. Inferior to subject in terms of existing zoning designation. Superior to subject in terms of site area. Overall sale 2 is inferior to the subject property on a rate per square metre basis of s78B(2) and superior to subject on total value basis of s78B(2)

Sale 3 sch4p4(6) Personal information, street address comprises a 6072m² which lends itself to a mixed use development including residential apartments, retail or such other commercial opportunities such as a hotel subject to approvals. Receivership sale. Purchaser did extensive due diligence before making their non-negotiable offer of s78B(2) Property had been on market for a considerable length of time. Sydney based purchaser who had financed another project in Townsville. The site has historically been identified as a proposed mixed use development. The Strand frontage has a 4 storey height limit while the rear part of the site (Mitchell street) has a height limit of 8 storeys. Maximum site coverage 50%. Superior to subject in terms of Strand frontage within the North Ward location. Inferior to subject in terms of existing zoning designation. Superior to subject in terms of site area. Overall sale 3 is inferior to subject on a rate per square metre basis of s78B(2) and superior on a total value basis of s78B(2)

Sale 4 - sch4p4(6) Personal information, street address This sale occurred late 2013 and comprised a seven lot aggregation of 5,464 square metres forming a regular shaped corner commercial redevelopment site with 3 lot frontages. The sale analysed to s78B(2) (including demolition costs of s78B(2) The property was partly improved with an aged office warehouse complex (since demolished). The property is located adjacent to the newly constructed Ergon Office Tower and in close proximity to the newly constructed State Government office block - 445 Flinders Street. Overall Sale 4 is inferior to the subject on a rate per square metre basis of s78B(2) The owners (Lancini Group) have since subdivided the 5,464 square metre site into two parcels. The Stanley Street parcel comprising half of the site - 2,732 square metres, went under contract on 18th March 2015 to McDonalds for s78B(2) inclusive of site works and asbestos residue remediation. An analysed sale price of s78B(2) per square metre analysed was reported by the purchaser. On a rate per square metre basis the sale to McDonald's component is considered superior to the subject Tomlin's Street land.

Sale 5 sch4p4(6) Personal information, street address This is a near regular shaped level allotment, located between Ross Creek and Ogden Street which has similar site characteristics to the subject property. The sale per square metre. Overall sale 5 is superior to the subject on a rate per square metre basis and total value basis of s78B(2)

Report Format 2 - SLAM Valuation* / Inspection* Report

Sale 6 – sch4p4(6) Personal information, property address located just east of the subject land. It is far larger in area (3,908 square metres) and although has better proximity to the tourist accommodation and eatery area of the city it does not have any views over water unlike the subject. Overall sale 6 is superior to the subject on a rate per square metre basis of s78B(2) and total value basis of s78B(2)

Sale 7 – Subject leasehold sale of sch4p4(6) Personal information, property address MJ Nielson Pty Ltd. Special lease 44/50840 was transferred from Port of Townsville Limited to MJ Nielson Pty Ltd on 28/10/2013 for s78B(2) GST inclusive). This equates to s78B(2) which is representative of the leasehold interest in the subject land only.

Sale No. Dealing No.	Address	Sale Date	Sale price (Excl GST) \$Rate/m2	Comments (similar/superior/inferior/ analysed rate)
1 715696468		6/02/2014		Area 1,546 square metres Overall sale is inferior to subject on a rate per square metre basis.
2 715450448		18/11/2013		Area 3,354 square metres Overall sale is inferior to subject on a rate per square metre basis.
3 715577707		4/10/2013		Area 6072 square metres Overall sale is inferior to subject on a rate per square metre basis.
4 7155747131	sch4p4(6) Personal information, street address	15/11/2013	s78B(2) - business affairs	Area 5464 square metres Overall sale is inferior to subject on a rate per square metre basis.
5 714729305		31/07/2012		2209 square metres (Plus BHWM Lease of 531/m2) not included in analysis. Overall sale is superior on a rate per square metre basis.
6 714543033		2/06/2012		3908 square metres. Overall sale is inferior on a rate per square metre basis.
7 715392615		12/06/2013		984 square metres – subject property inferior on a rate per square metre basis due to inferior tenure.
LEASEHOLD SUBJECT SALE				

Summary

Valuation Before

2,803m2 @ s78B(2) - business affairs

Valuation After

3,787m2 @ s78B(2) - business affairs

Added Value s78B(2) - business affairs

s78B(2) - business affairs

Report Format 2 - SLAM Valuation* / Inspection* Report

VALUATION

Date of Valuation	1/4/2015	Date of Inspection	25/3/2015
--------------------------	----------	---------------------------	-----------

Valuation

Market value is defined as “*The estimated amount for which a property should exchange on the date of valuation between a willing buyer and a willing seller in an arm’s length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently and without compulsion*” (International Valuation Standard 1).

s78B(2) - business affairs

Valuers Signature sch4p4(6) Personal information, Signature	Valuers Name / Qualification Rodney Hyman MRICS Senior Valuer, Cairns Registered Valuer QLD 2238
---	---

Endorsing Officers Signature sch4p4(6) Personal information, Signature 22/4/2015 Scanned Signature	Valuers Name / Qualification Peter Simmonds Principal Valuer, Townsville
--	--

Attachments: Aerial Photo, Photographs, Section 167 Certification and Title Particulars

RTI DL RELEASE - DNRM

Report Format 2 - SLAM Valuation* / Inspection* Report



Report Format 2 - SLAM Valuation* / Inspection* Report



View looking south east from Tomlins Street South Townsville towards subject



View looking north east along Tomlins Street South Townsville, towards subject (above & below)



Report Format 2 - SLAM Valuation* / Inspection* Report

Attachment 1: Section 167 Certification

<p>a) Whether part of the lease should be set apart and declared as State Forest under the Forestry Act 1959; No area of the lease is suitable or required for State Forest.</p>
<p>b) whether part of the leased land is better suited for long-term forest management for the production of indigenous timbers of commercial value than for all other forms of primary production; The subject lease is not located in a proven timber producing area.</p>
<p>c) Whether the public interest could be adversely affected, other than for an issue mentioned in paragraph (b), if the lease was converted; Not applicable</p>
<p>d) Whether part of the lease is needed for environmental or nature conservation purposes; Not applicable</p>
<p>e) Condition of the leased land; The inspection of the property revealed the land to be in overall fair condition.</p>
<p>f) The extent to which the lease suffers from, or is at serious risk of land degradation; Not applicable</p>
<p>g) Whether the lessee has complied with, or to what extent the lessee has complied with, the conditions of the lease; The lessee has satisfactorily complied with the lease conditions.</p>
<p>h) Whether part of the lease has a more appropriate use from a land planning perspective; The current use of commercial is considered to be the most appropriate use from a land planning perspective.</p>
<p>i) Whether part of the lease is on an island or its location, topography, geology, accessibility, heritage importance, aesthetic appeal or like issues make it special; Not applicable</p>
<p>j) Whether part of the lease is needed for a public purpose; No part of the lease is needed for a public purpose at this point in time.</p>
<p>k) Whether part of the lease is needed for property build-up purposes of other properties without reducing the remaining land to less than a living area; Not applicable</p>
<p>l) Whether the lease could be subdivided without reducing the remaining land to less than a living area; Not applicable</p>
<p>m) The most appropriate tenure for the leased land. The most appropriate form of tenure for the land is freehold</p>
<p>n) The lessee's record of compliance with this Act. The lessee has complied with the requirements of the Land Act 1994 in respect to the leased land.</p>
<p>o) The natural environmental values of the leased land. Not applicable</p>

Report Format 2 - SLAM Valuation* / Inspection* Report

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

Search Date: 07/04/2015 17:03

Title Reference: 17598156

Date Created: 22/10/1995

DESCRIPTION OF LAND

Tenure Reference: SL 44/50840

Lease Type: TERM

LOT 499 CROWN PLAN EP2382
County of ELPHINSTONE Parish of COONAMBELAH
Local Government: TOWNSVILLE

Area: 0.098400 Ha. (SURVEYED)

No Land Description

No Forestry Entitlement Area

No Future Conservation Area

Purpose for which granted:
BUSINESS (PLAZA, BOARDWALK AND ASSOCIATED PURPOSES)

TERM OF LEASE

Term and day of beginning of lease

Term: 50 years commencing on 13/10/1989

Expiring on 12/10/2039

REGISTERED LESSEE

Dealing No: 715392615 28/10/2013

MJ NIELSON PTY LTD A.C.N. 063 240 344

CONDITIONS

C5 The lessee shall 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.

C173 The lessee shall 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 Mining Act 1968) or other material upon the leased land without the permission of the Minister except under the authority of and in compliance in every respect with the requirements of a permit, license, agreement or contract granted or made under the Forestry Act 1959.

Report Format 2 - SLAM Valuation* / Inspection* Report

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

Search Date: 07/04/2015 17:03

Title Reference: 17598156
Date Created: 22/10/1995

CONDITIONS

- C179 No compensation for improvements or developmental works shall be payable by the State at the expiration of the term of the lease, but the lessee shall have the right to remove movable improvements within a period of three months, provided all moneys due by the lessee to the State on any account whatsoever have been paid. However should the leased land revert to the State and be again made available for lease or purchase the former lessee shall be entitled to receive payment for the value of his improvements or developmental work in accordance with the principles set out in the said Act.
- C183 The lessee shall not at any time destroy any tree upon the leased land without the prior permit in writing of the Land Commissioner or contrary to any terms and conditions of such permit.
- E10 The lessee shall pay the cost of any required survey of the leased land.
- H51 No further access to the leased land will be provided by the State or the Local Authority.
- K1 The lessee shall maintain the leased land free from noxious plants.
- M76 The Lessee shall use the leased land for Business (Plaza and Boardwalk and associated purposes) and for no other purpose whatsoever.
- M76 The Lessee shall not be permitted to transfer or sublease the subject land to any person, persons or corporation other than the owners of the adjoining freehold parcels, being Lot 612 on EP1784 and Lot 12 on RP726133, parish of Coonambelah.

ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Lease No. 17598156
2. MORTGAGE No 715392621 28/10/2013 at 16:10
GE CAPITAL SECURITY AGENT PTY LTD A.C.N. 075 554 120
Lodged at 16:10 on 28/10/2013 Recorded at 11:56 on 31/10/2013
3. AMENDMENT OF LEASE CONDITIONS No 716128434 10/11/2014 at 05:00
THE CONDITIONS OF THE WITHIN TENURE ARE HEREBY AMENDED.
Lodged at 05:00 on 10/11/2014 Recorded at 05:00 on 10/11/2014

ADMINISTRATIVE ADVICES - NIL

Report Format 2 - SLAM Valuation* / Inspection* Report

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

Search Date: 07/04/2015 17:03

Title Reference: 17598156

Date Created: 22/10/1995

UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current State Tenure Search **

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

RTI DL RELEASE - DNRM

From: SIMMONDS Peter [Peter.Simmonds@dnrm.qld.gov.au]
Sent: Friday, 5 June 2015 3:24 PM
To: THOMAS Paula
CC: Townsville SLAMS; HYMAN Rodney
Subject: RE: Conversions - Valuation for eLVAS Case: 2014/008186

Paula,

I have reviewed the Valuation and as the structures on the property are constructed as part of the adjoining building and the parcel is too narrow to be of use stand alone, the previous report and valuation (derived from its added value to the adjoining site) is appropriate for independent sale offer.

Peter Simmonds
Principal Valuer
State Valuation Service - Townsville Q
Department of Natural Resources and Mines
Phone (07) 4447 9122
QNet 29122
Fax (07) 4447 9200
Email Peter.Simmonds@dnrm.qld.gov.au

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

From: THOMAS Paula
Sent: Tuesday, 19 May 2015 3:55 PM
To: eLVAS - SVS (Townsville)
Cc: THOMAS Paula
Subject: SVS: Conversions - Valuation for eLVAS Case: 2014/008186

Job request details:

Forecast Completion Date for this Job Request is 10/06/2015

For eLVAS Case: 2014/008186. Requested by Thomas, Paula Suzanne (Townsville).

Application: Conversion to freehold Special Lease 44/50840

Description: Lot 499 on EP2382

County: Elphinstone

Parish: Coonambelah

Local Authority: Townsville City Council

Location: South Townsville

From: THOMAS Paula [Paula.Thomas@dnrm.qld.gov.au]

Sent: Friday, 12 June 2015 4:29 PM

To: Library requests

Subject: request for Gazette notice for reclamation of an area of land below Victoria Bridge.

Attachments: copy of department' s letter dated 8 April 1958.pdf; copy of letter from Harbours Board dated 21 February 1958.pdf; copy of draft Gazettal notice.pdf; Smart map showing Lot 499 on EP2382.pdf

Hello,

I am currently looking for information relating to a Government Gazette which may have been gazetted after 8 April 1958.

For your information, I have attached a copy of the draft notice dated February 1958.

I am looking for a copy of the Gazette notice and any other information relating to the reclamation of an area of land below Victoria Bridge in Townsville, to assist in addressing Native Title for an application that I am investigating.

Your assistance in this matter is appreciated.

Thanks

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180

Facsimile: (07) 4447 9199

Address;

Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:

PO Box 5318

Townsville Qld 4810

RTI DL RELEASE - DNRM

Res. 65-261

8th April, 1958.

Sir,

With reference to your B/C (57/859 H.R. Sds. T'ville Gen.) dated 10th ultimo, I have to inform you that this Department has no objection to the issue of an Order in Council for the reclamation of an area of land below Victoria bridge, Ross Creek, Toonsville.

Your plan is returned herewith.

Yours faithfully,

[Signature]
Secretary.

Encl.

B/C - The Land Commissioner,
TOWNSVILLE.

For your information.

[Signature]
Secretary.
8/4/1958.

The Under Secretary,
The Treasury,
BRISBANE.

Awray
2094.58

RIIDL RELEASE - DNRM

ORDER IN COUNCIL

At the Executive Buildings, Brisbane, the day of
February, 1958.

Present:

His Excellency the Administrator of the Government
in Council

WHEREAS, by "The Harbours Acts, 1955 to 1956," it is amongst other things provided that the Governor in Council may from time to time, by Order in Council published in the Gazette, authorise any Harbour Board or Local Authority or any person whomsoever to reclaim from the sea or from the waters of any harbour (including any navigable river) any land lying below high-water mark in any case where the Governor in Council considers (i) that it is expedient to permit that reclamation; and (ii) that such reclamation will not interrupt or interfere with navigation, nor prejudice any right, title, estate, or interest of any other person, and that the terms and conditions upon and subject to which any person may be so authorised shall be such as may be fixed by the Governor in Council and set out in the Order in Council, and the Order in Council may prescribe such penalties as the Governor in Council may fix by way of forfeiture of the authority to reclaim or payment of moneys for failure by the person so authorised to observe any of those terms and conditions and so that different penalties may be fixed for different terms and conditions: and whereas it is expedient to permit the Townsville Harbour Board to reclaim the land lying below high-water mark within the limits of the Harbour of Townsville described in the First Part of the Schedule hereto, which reclamation will neither interrupt or interfere with navigation nor prejudice the right, title, estate, or interest of any other person, and to fix terms and conditions as set forth in the Second Part of the said Schedule upon and subject to which the said Townsville Harbour Board shall be so authorised, and to impose as set forth in the Third Part of the said Schedule penalties by way of forfeiture of the authority to reclaim for failure by the said Townsville Harbour Board to observe any of such terms and conditions: Now, therefore, His Excellency the Administrator of the Government, by and with the advice of the Executive Council and in pursuance of the provisions of "The Harbours Acts, 1955 to 1956," doth hereby order as follows:-

1. That the Townsville Harbour Board is hereby authorised to reclaim the land lying below high-water mark within the limits of the Harbour of Townsville described in the First Part of the Schedule hereto.
2. That the terms and conditions upon and subject to which the said Townsville Harbour Board is so authorised shall be as fixed by the Second Part of the said Schedule.
3. That the penalties by way of forfeiture of this authority to reclaim for failure by the said Townsville Harbour Board to observe the terms and conditions upon and subject to which the Board is so authorised shall be such as are prescribed by the Third Part of the said Schedule.

and the Honourable the Treasurer is to give the necessary directions herein accordingly.

Acting Clerk of the Council.

THE SCHEDULE

FIRST PART

City of Townsville - Parish of Oonambelah - County of Elphinstone

All that piece or parcel of land comprising part of the Port of Townsville and situated in Ross Creek as below described:-

Commencing at the intersection of the northern alignment of Palmer Street, City of Townsville, with the bank of Ross Creek and bounded thence by a line being an arc of distance 1237 feet 3 inches and radius 1800 feet, the chord of which lies on the south eastern side of the said arc and bears 44 degrees 39 minutes for 1213 feet 1 inch, by a line being an arc of 110 feet and radius 70 feet, the chord of which lies on the south western side of the said arc and bears 112 degrees 2 minutes for 99 feet, by a line bearing 157 degrees 2 minutes for 242 feet, by a line being an arc of 157 feet 1 inch and radius 100 feet, the chord of which lies on the north eastern side of the said arc and bears 112 degrees 2 minutes for 141 feet 5 inches, by lines bearing 67 degrees 2 minutes for about 484 feet and 76 degrees for about 298 feet to the bank of Ross Creek aforesaid, thence by that bank upstream to the point of commencement.

As shown on plan catalogued, Townsville 7290-5, in the office of the Department of Harbours and Marine, Brisbane, Queensland.

SECOND PART.

- (a) The permittee shall maintain the land free from all noxious plants while the reclamation is in progress.
- (b) No access to the land is to be provided by the Crown.
- (c) The permittee shall, within twelve months of the date hereof or within such extended period thereafter as the Governor in Council may allow, and to the satisfaction of the Chief Engineer, Department of Harbours and Marine, complete the reclamation.

THIRD PART.

The authority to reclaim the land shall be forfeited if the permittee fails to complete the reclamation to the satisfaction of the Chief Engineer, Department of Harbours and Marine, within twelve months of the date hereof, or within such extended period thereafter as the Governor in Council may allow, or fails to observe any of the other conditions contained herein.

MAR 1958

Re. 85/261

DEPT. OF PUBLIC LANDS

09426 13 MAR 58

Treas. & P.D.
BRISBANE

58/9859 Har. Bds. T'ville Gen.

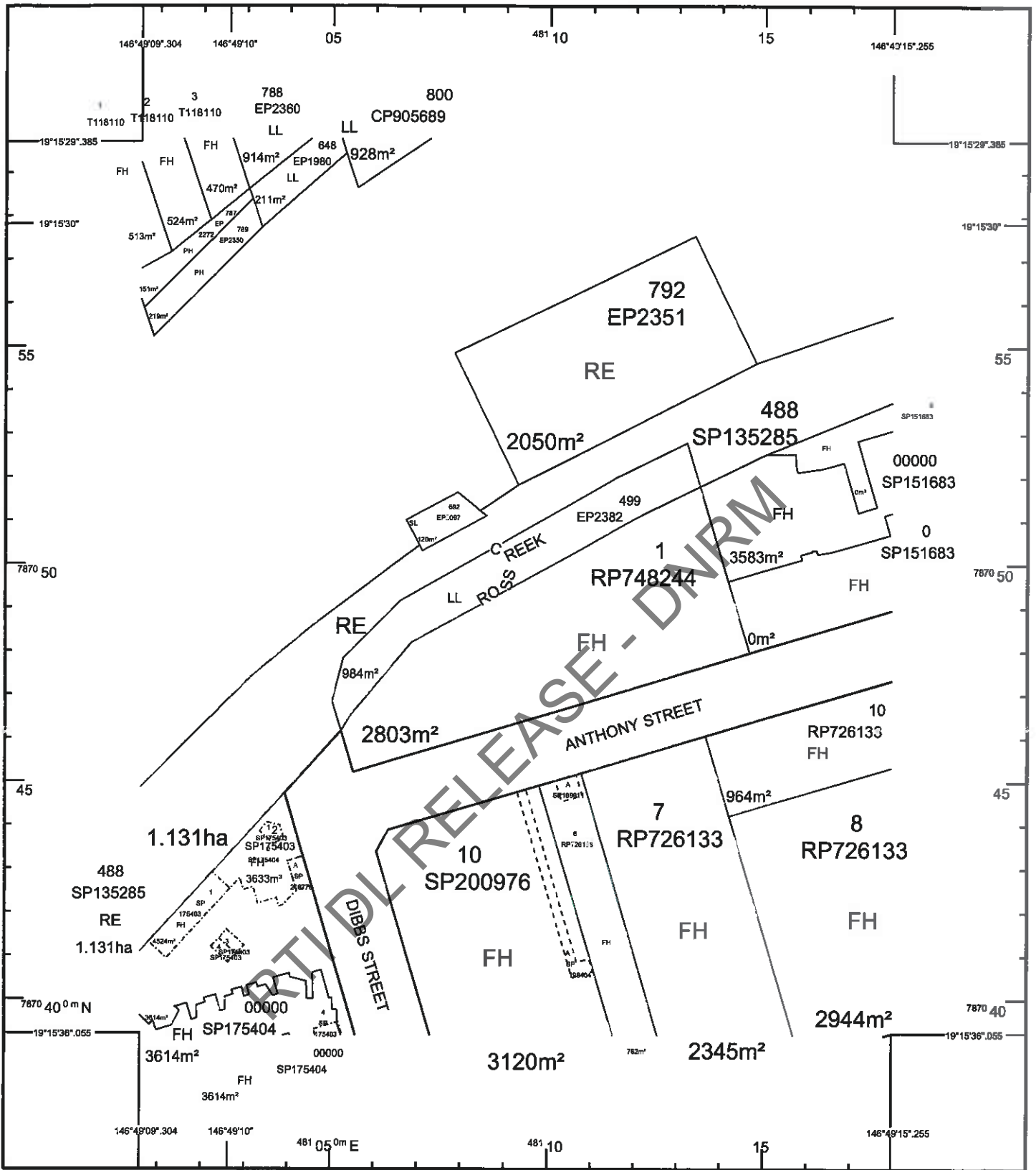
*Department of Harbours & Marine
Edward Street (Reception case at T'ville)*

Brisbane: 21st February, 1958.

4(6) Personal information, Signature

RTI DL RELEASE - DNRM

29.8.58 on
sch4p4(6) Personal information, Signature



STANDARD MAP NUMBER
8259-24144



MAP WINDOW POSITION & NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	Lot/Plan	499/EP23C2
	Area/Volume	984m ²
	Tenure	LANDS LEASE
	Local Government	TOWNSVILLE CITY
	Locality	SOUTH TOWNSVILLE
	Parish	COONAMBELAH
	County	ELPHINSTONE
	Segment/Parcel	51584/17

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 12/08/2015

DCDB 11/08/2015

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.

File B

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

SmartMap

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



Queenland Government



From: Library requests [Library@ehp.qld.gov.au]
Sent: Thursday, 18 June 2015 4:17 PM
To: THOMAS Paula
Subject: RE: request for Gazette notice for reclamation of an area of land below Victoria Bridge.
Attachments: SKM_C364e15061813400.pdf; SKM_C364e15061813390.pdf

Hi Paula

I have attached 2 pages from the 3rd May 1958 which refer to the Harbours Act and the parcel of land which you were chasing. This order in council appears to have the same wording as the draft you supplied.

I hope this is what you were after.

Please let me know if you need more information.

Cheers
Cecelia

Cecelia Carroll

Manager Library Services

Library Services | Corporate Communications

EHP | NPSR | DEWS | DNRM | Science Delivery DSITI

P 07 31705471

Ground Floor, Ecoscience Precinct, 41 Boggo Rd Qld 4102

GPO Box 2454, Brisbane QLD 4001

[Library Services...we find stuff!](#) (for EHP, NPSR, DNRM, DEWS and Science Delivery)

From: THOMAS Paula
Sent: Friday, 12 June 2015 4:30 PM
To: Library requests
Subject: request for Gazette notice for reclamation of an area of land below Victoria Bridge.

Hello,

I am currently looking for information relating to a Government Gazette which may have been gazetted after 8 April 1958.

For your information, I have attached a copy of the draft notice dated February 1958.

I am looking for a copy of the Gazette notice and any other information relating to the reclamation of an area of land below Victoria Bridge in Townsville, to assist in addressing Native Title for an application that I am investigating.

Your assistance in this matter is appreciated.

Thanks

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180
Facsimile: (07) 4447 9199

Address;
Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:
PO Box 5318
Townsville Qld 4810

RTI DL RELEASE - DNRM

From: THOMAS Paula [Paula.Thomas@dnrm.qld.gov.au]
Sent: Monday, 29 June 2015 12:14 PM
To: 'Kathleen Ready'
Subject: RE: River Quays Boardwalk - conversion to freehold (Elvas Case 2014/004246)

Good afternoon Kathleen,

I refer to your email in relation to the progress of your client's application for conversion to freehold Special Lease 44/50840, being Lot 499 on EP2382.

The department has been required to review our Native Title assessment for your client's conversion application.

This office has received further evidence to assist in addressing Native Title.

This office is awaiting written advice from the department's Native Title Policy unit, confirming the evidence found will allow the department to address Native Title.

Upon written confirmation from the department's Native Title Policy unit, confirming our assessment of Native Title is completed, this office will be able to proceed with making a recommendation and decision in relation to your client's application.

Should you have any further enquiries in relation to your client's conversion application, I can be contacted on telephone number (07) 4447 9180.

Kind regards,

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180
Facsimile: (07) 4447 9199

Address:
Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:
PO Box 5318
Townsville Qld 4810

From: Kathleen Ready [mailto:Kathleen.Ready@brhlawyers.com.au]
Sent: Monday, 29 June 2015 11:19 AM
To: THOMAS Paula
Subject: River Quays Boardwalk - conversion to freehold (Elvas Case 2014/004246)
Importance: High

Hi Paula

I was wondering if you has any update since you last spoke to my colleague in March, I note I have left several messages without response.

Any questions please contact me.

Kind regards

Kathleen Ready | Partner

D: +61 7 3223 9132

F: +61 7 3221 5518

T: +61 7 3223 9100

E: kathleen.ready@brhlawyers.com.au



Level 8, 179 Turbot Street, Brisbane Qld 4000

GPO Box 635, Brisbane Qld 4001

www.brhlawyers.com.au



NOTICE: This e-mail is intended only for the use of the addressee and may contain information that is privileged, confidential and/or exempt from disclosure at law. You must not edit this e-mail or any attachments without our express written consent. Broadley Rees Hogan is not liable for any failed, corrupted or incomplete transmission of this e-mail or any attachments or for any viruses contained in them. By opening any attachments, you accept full responsibility for the consequences. If you are not the intended recipient, any dissemination, reliance upon or copying of this e-mail or any attachments is strictly prohibited, and you must immediately erase them permanently from your system, notify us by telephone (at our cost) and destroy any hard copies. Thank you.

RTI DL RELEASE - DNRM

From: THOMAS Paula [Paula.Thomas@dnrm.qld.gov.au]
Sent: Tuesday, 25 August 2015 3:31 PM
To: SYMONDS Peter
CC: RYAN Jacinta; BOX Stephen
Subject: RE: ATSILS: Cat 2 - Mod BA, BB & CA queries for eLVAS Case: 2014/008186

Hi Peter,

Thank you for this information.

Hi Stephen,

It would be appreciated if your advice in relation to the Native Title assessment could be received as soon as possible, as the lessee's Solicitor is chasing this matter.

Kind regards,

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180
Facsimile: (07) 4447 9199

Address:
Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:
PO Box 5318
Townsville Qld 4810

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

From: SYMONDS Peter
Sent: Tuesday, 25 August 2015 3:01 PM
To: THOMAS Paula
Cc: RYAN Jacinta; BOX Stephen
Subject: RE: ATSILS: Cat 2 - Mod BA, BB & CA queries for eLVAS Case: 2014/008186

Ladies - Mr Box is handling this one for you, so please let him know if there is a date the advice is require by.

I apologise that this has been overlooked until now.

Regards

Peter Symonds
Senior Project Officer, Assessment & Advice Team
Telephone: 07 31815186 (VOIP) Facsimile:
Email: peter.symonds@qld.gov.au
www.derm.qld.gov.au
Department of Natural Resources and Mines, Level 11, Mineral House, Brisbane Q 4000

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

From: THOMAS Paula

Sent: Monday, 17 August 2015 8:41 AM

To: WOGNTP

Subject: FW: ATSILS: Cat 2 - Mod BA, BB & CA queries for eLVAS Case: 2014/008186

Hi,

Please see below email forwarded to you on 8 and 28 July.

The conversion application has been given a High priority as the department has given a commitment to the Executive Director that an offer will be forwarded to the registered lessee's upon department's native title investigations being completed.

Could you please provide an anticipated timeframe as to when I may expect a response from your office in relation to the Native Title assessment.

Your assistance in this matter is very much appreciated.

Thanks

Paula Thomas

Land Administration Officer

State Land Asset Management

Service Delivery Group – North Region

Department of Natural Resources and Mines

Telephone: (07) 4447 9180

Facsimile: (07) 4447 9199

Address:

Level 9, Verde Tower

445 Flinders Street, Townsville Qld 4810

Postal:

PO Box 5318

Townsville Qld 4810

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

From: THOMAS Paula

Sent: Tuesday, 28 July 2015 11:25 AM

To: WOGNTP

Cc: RYAN Jacinta

Subject: FW: ATSILS: Cat 2 - Mod BA, BB & CA queries for eLVAS Case: 2014/008186

Hi,

Please see below email forwarded to you on 8 July.

The conversion application has been given a High priority as the department has given a commitment to the Executive Director that an offer will be forwarded to the registered lessee's upon department's native title investigations being completed.

Could you please provide an anticipated timeframe as to when I may expect a response from your office in relation to the Native Title assessment.

Your assistance in this matter is very much appreciated.

Thanks

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180
Facsimile: (07) 4447 9199

Address:
Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:
PO Box 5318
Townsville Qld 4810

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

From: THOMAS Paula
Sent: Wednesday, 8 July 2015 8:29 AM
To: WOGNTP
Subject: FW: ATSILS: Cat 2 - Mod BA, BB & CA queries for eLVAS Case: 2014/008186

Hi,

Please see below request for advice sent to ATSILS on 25 June.

Could you please advise as to when I may receive a response in relation to this enquiry.

Your assistance in this matter is very much appreciated.

Kind regards,

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180
Facsimile: (07) 4447 9199

Address:
Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:
PO Box 5318
Townsville Qld 4810

RTI/DL RELEASE - DNRM

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

From: THOMAS Paula

Sent: Thursday, 25 June 2015 2:48 PM

To: WOGNTP

Cc: THOMAS Paula

Subject: ATSILS: Cat 2 - Mod BA, BB & CA queries for eLVAS Case: 2014/008186

Job request details:

Forecast Completion Date for this Job Request is 09/07/2015

For eLVAS Case: 2014/008186. Requested by Thomas, Paula Suzanne (Townsville).

QNTIME Research Boundary Ref: RB/40162

Proposed Dealing: Conversion of SL 44/50840 Primary Applicant: MJ Nielson Pty Ltd Background to request: Confirmation Module CA can be used to assess Native Title. Refer to Peter Symonds email dated 12 December 2014.

RTI DL RELEASE - DNRM

From: THOMAS Paula [Paula.Thomas@dnrm.qld.gov.au]
Sent: Tuesday, 25 August 2015 4:34 PM
To: 'Kathleen Ready'
CC: RYAN Jacinta
Subject: RE: River Quays Boardwalk - conversion to freehold (Elvas Case 2014/004246)

Good afternoon Kathleen,

I refer to your email dated 24 August, seeking an update in relation to your client's application for conversion of Special Lease 44/50840, being Lot 499 on EP2382.

This office has forwarded to the department's Native Title unit further evidence to assist in addressing Native Title.

The department's Native Title unit has advised this office, this matter has been made a priority and will be attending to this urgent request.

Upon written confirmation from the department's Native Title unit, confirming our assessment of Native Title is completed, this office will be able to proceed with making a recommendation and decision in relation to your client's conversion application.

Should you have any further enquiries in relation to your client's conversion application, I can be contacted on telephone number (07) 4447 9180.

Kind regards,

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180
Facsimile: (07) 4447 9199

Address:
Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:
PO Box 5318
Townsville Qld 4810

From: Kathleen Ready [mailto:Kathleen.Ready@brhlawyers.com.au]
Sent: Monday, 24 August 2015 10:14 AM
To: THOMAS Paula
Subject: RE: River Quays Boardwalk - conversion to freehold (Elvas Case 2014/004246)
Importance: High

Paula

I refer to your email below and note that we have not heard from you since 29 June, would you please provide an update.

Kind regards

Kathleen Ready | Partner

D: +61 7 3223 9132

F: +61 7 3221 5518

T: +61 7 3223 9100

E: kathleen.ready@brhlawyers.com.au

cid:image001.jpg@01D04ABE.5E6E4130



Level 8, 179 Turbot Street, Brisbane Qld 4000

GPO Box 635, Brisbane Qld 4001

www.brhlawyers.com.au



NOTICE: This e-mail is intended only for the use of the addressee and may contain information that is privileged, confidential and/or exempt from disclosure at law. You must not edit this e-mail or any attachments without our express written consent. Broadley Rees Hogan is not liable for any failed, corrupted or incomplete transmission of this e-mail or any attachments or for any viruses contained in them. By opening any attachments, you accept full responsibility for the consequences. If you are not the intended recipient, any dissemination, reliance upon or copying of this e-mail or any attachments is strictly prohibited, and you must immediately erase them permanently from your system, notify us by telephone (at our cost) and destroy any hard copies. Thank you.

From: THOMAS Paula [<mailto:Paula.Thomas@dnrm.qld.gov.au>]

Sent: Monday, 29 June 2015 12:15 PM

To: Kathleen Ready

Subject: RE: River Quays Boardwalk - conversion to freehold (Elvas Case 2014/004246)

Good afternoon Kathleen,

I refer to your email in relation to the progress of your client's application for conversion to freehold Special Lease 44/50840, being Lot 499 on EP2382.

The department has been required to review our Native Title assessment for your client's conversion application.

This office has received further evidence to assist in addressing Native Title.

This office is awaiting written advice from the department's Native Title Policy unit, confirming the evidence found will allow the department to address Native Title.

Upon written confirmation from the department's Native Title Policy unit, confirming our assessment of Native Title is

completed, this office will be able to proceed with making a recommendation and decision in relation to your client's application.

Should you have any further enquiries in relation to your client's conversion application, I can be contacted on telephone number (07) 4447 9180.

Kind regards,

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180
Facsimile: (07) 4447 9199

Address:
Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:
PO Box 5318
Townsville Qld 4810

From: Kathleen Ready [<mailto:Kathleen.Ready@brhlawyers.com.au>]
Sent: Monday, 29 June 2015 11:19 AM
To: THOMAS Paula
Subject: River Quays Boardwalk - conversion to freehold (Elvas Case 2014/004246)
Importance: High

Hi Paula

I was wondering if you has any update since you last spoke to my colleague in March, I note I have left several messages without response.

Any questions please contact me.

Kind regards

Kathleen Ready | Partner

D: +61 7 3223 9132

F: +61 7 3221 5518

T: +61 7 3223 9100

E: kathleen.ready@brhlawyers.com.au



Level 8, 179 Turbot Street, Brisbane Qld 4000
GPO Box 635, Brisbane Qld 4001



NOTICE: This e-mail is intended only for the use of the addressee and may contain information that is privileged, confidential and/or exempt from disclosure at law. You must not edit this e-mail or any attachments without our express written consent. Bradley Rees Hogan is not liable for any failed, corrupted or incomplete transmission of this e-mail or any attachments or for any viruses contained in them. By opening any attachments, you accept full responsibility for the consequences. If you are not the intended recipient, any dissemination, reliance upon or copying of this e-mail or any attachments is strictly prohibited, and you must immediately erase them permanently from your system, notify us by telephone (at our cost) and destroy any hard copies. Thank you.

The information in this email together with any attachments is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. There is no waiver of any confidentiality/privilege by your inadvertent receipt of this material.

Any form of review, disclosure, modification, distribution and/or publication of this email message is prohibited, unless as a necessary part of Departmental business.

If you have received this message in error, you are asked to inform the sender as quickly as possible and delete this message and any copies of this message from your computer and/or your computer system network.

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

RTI DL RELEASE - DIRM

From: THOMAS Paula [Paula.Thomas@dnrm.qld.gov.au]
Sent: Wednesday, 30 September 2015 9:42 AM
To: 'Kathleen Ready'
Subject: RE: River Quays Boardwalk - conversion to freehold (Elvas Case 2014/004246)

Good morning Kathleen,

I refer to our telephone conversation this morning in relation to the progress of your client's conversion application.

I wish to advise the Townsville office has been conducting a thorough search of our departmental files to find evidence to address Native Title under the department's Native Title Work Procedures.

I have forwarded maps and plans and other documentation, including imagery provided by the Townsville Port Authority on Friday (25 September), to assist in addressing Native Title to the department's Native Title Policy Unit in Brisbane.

I apologise for the delay in progressing your client's application however, as part of our investigations, it is a requirement to address Native Title under the department's Native Title Work Procedures and the Native Title assessment for this application has been of a complicated process.

Should the department being unable to extinguish Native Title under the department's Native Title Work Procedures, the department can make an offer to your client for conversion of their lease to freehold tenure, subject to your client addressing Native Title.

Once this office has received written advice from the department's Native Title Policy unit, in relation to the additional information forwarded regarding extinguishing Native Title, this office will be able to advise you of the outcome of this information.

Should you have any further enquiries in relation to your client's conversion application, please contact Paula Thomas on telephone number (07) 4447 9180.

Kind regards,

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180
Facsimile: (07) 4447 9199

Address:
Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:
PO Box 5318

Townsville Qld 4810

From: Kathleen Ready [mailto:Kathleen.Ready@brhlawyers.com.au]
Sent: Wednesday, 30 September 2015 8:50 AM
To: THOMAS Paula
Cc: RYAN Jacinta; Ellie Ferguson (ellie.ferguson@nielsonproperties.com.au)
Subject: RE: River Quays Boardwalk - conversion to freehold (Elvas Case 2014/004246)
Importance: High

Paula

Would you please provide an update on the status of this matter.

Many thanks

Kathleen Ready | Partner

D: +61 7 3223 9132
F: +61 7 3221 5518
T: +61 7 3223 9100
E: kathleen.ready@brhlawyers.com.au

cid:image001.jpg@01D04ABE.5E6E4130



Level 8, 179 Turbot Street, Brisbane Qld 4000
GPO Box 635, Brisbane Qld 4001

www.brhlawyers.com.au



NOTICE: This e-mail is intended only for the use of the addressee and may contain information that is privileged, confidential and/or exempt from disclosure at law. You must not edit this e-mail or any attachments without our express written consent. Broadley Rees Hogan is not liable for any failed, corrupted or incomplete transmission of this e-mail or any attachments or for any viruses contained in them. By opening any attachments, you accept full responsibility for the consequences. If you are not the intended recipient, any dissemination, reliance upon or copying of this e-mail or any attachments is strictly prohibited, and you must immediately erase them permanently from your system, notify us by telephone (at our cost) and destroy any hard copies. Thank you.

From: THOMAS Paula [mailto:Paula.Thomas@dnrm.qld.gov.au]
Sent: Tuesday, 25 August 2015 4:35 PM
To: Kathleen Ready
Cc: RYAN Jacinta
Subject: RE: River Quays Boardwalk - conversion to freehold (Elvas Case 2014/004246)

Good afternoon Kathleen,

I refer to your email dated 24 August, seeking an update in relation to your client's application for conversion of Special Lease 44/50840, being Lot 499 on EP2382.

This office has forwarded to the department's Native Title unit further evidence to assist in addressing Native Title.

The department's Native Title unit has advised this office, this matter has been made a priority and will be attending to this urgent request.

Upon written confirmation from the department's Native Title unit, confirming our assessment of Native Title is completed, this office will be able to proceed with making a recommendation and decision in relation to your client's conversion application.

Should you have any further enquiries in relation to your client's conversion application, I can be contacted on telephone number (07) 4447 9180.

Kind regards,

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180
Facsimile: (07) 4447 9199

Address:
Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:
PO Box 5318
Townsville Qld 4810

From: Kathleen Ready [<mailto:Kathleen.Ready@brhlawyers.com.au>]
Sent: Monday, 24 August 2015 10:14 AM
To: THOMAS Paula
Subject: RE: River Quays Boardwalk - conversion to freehold (Elvas Case 2014/004246)
Importance: High

Paula

I refer to your email below and note that we have not heard from you since 29 June, would you please provide an update.

Kind regards

Kathleen Ready | Partner

D: +61 7 3223 9132
F: +61 7 3221 5518
T: +61 7 3223 9100
E: kathleen.ready@brhlawyers.com.au

cid:image001.jpg@01D04ABE.5E6E4130

Level 8, 179 Turbot Street, Brisbane Qld 4000
GPO Box 635, Brisbane Qld 4001

www.brhlawyers.com.au



NOTICE: This e-mail is intended only for the use of the addressee and may contain information that is privileged, confidential and/or exempt from disclosure at law. You must not edit this e-mail or any attachments without our express written consent. Bradley Rees Hogan is not liable for any failed, corrupted or incomplete transmission of this e-mail or any attachments or for any viruses contained in them. By opening any attachments, you accept full responsibility for the consequences. If you are not the intended recipient, any dissemination, reliance upon or copying of this e-mail or any attachments is strictly prohibited, and you must immediately erase them permanently from your system, notify us by telephone (at our cost) and destroy any hard copies. Thank you.

From: THOMAS Paula [<mailto:Paula.Thomas@dnrm.qld.gov.au>]
Sent: Monday, 29 June 2015 12:15 PM
To: Kathleen Ready
Subject: RE: River Quays Boardwalk - conversion to freehold (Elvas Case 2014/004246)

Good afternoon Kathleen,

I refer to your email in relation to the progress of your client's application for conversion to freehold Special Lease 44/50840, being Lot 499 on EP2382.

The department has been required to review our Native Title assessment for your client's conversion application.

This office has received further evidence to assist in addressing Native Title.

This office is awaiting written advice from the department's Native Title Policy unit, confirming the evidence found will allow the department to address Native Title.

Upon written confirmation from the department's Native Title Policy unit, confirming our assessment of Native Title is completed, this office will be able to proceed with making a recommendation and decision in relation to your client's application.

Should you have any further enquiries in relation to your client's conversion application, I can be contacted on telephone number (07) 4447 9180.

Kind regards,

Paula Thomas
Land Administration Officer

State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180
Facsimile: (07) 4447 9199

Address:
Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:
PO Box 5318
Townsville Qld 4810

From: Kathleen Ready [<mailto:Kathleen.Ready@brhlawyers.com.au>]
Sent: Monday, 29 June 2015 11:19 AM
To: THOMAS Paula
Subject: River Quays Boardwalk - conversion to freehold (Elvas Case 2014/004246)
Importance: High

Hi Paula

I was wondering if you has any update since you last spoke to my colleague in March, I note I have left several messages without response.

Any questions please contact me.

Kind regards

Kathleen Ready | Partner

D: +61 7 3223 9132
F: +61 7 3221 5518
T: +61 7 3223 9100
E: kathleen.ready@brhlawyers.com.au



Level 8, 179 Turbot Street, Brisbane Qld 4000
GPO Box 635, Brisbane Qld 4001

www.brhlawyers.com.au



NOTICE: This e-mail is intended only for the use of the addressee and may contain information that is privileged, confidential and/or exempt from disclosure at law. You must not edit this e-mail or any attachments without our express written consent. Broadley Rees Hogan is not liable for any failed, corrupted or incomplete transmission of this e-mail or any attachments or for any viruses contained in them. By opening any attachments, you accept full responsibility for the consequences. If you are not the intended recipient, any dissemination, reliance upon or copying of this e-mail or any attachments is strictly prohibited, and you must immediately erase them permanently from your system, notify us by telephone (at our cost) and destroy any hard copies. Thank you.

The information in this email together with any attachments is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. There is no waiver of any confidentiality/privilege by your inadvertent receipt of this material.

Any form of review, disclosure, modification, distribution and/or publication of this email message is prohibited, unless as a necessary part of Departmental business.

If you have received this message in error, you are asked to inform the sender as quickly as possible and delete this message and any copies of this message from your computer and/or your computer system network.

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

RTI DL RELEASE - DNRM

From: BOX Stephen [Stephen.Box@dnrm.qld.gov.au]
Sent: Tuesday, 27 October 2015 3:18 PM
To: THOMAS Paula
Subject: FW: Application for conversion of SL 44/50840 - Lot 499 on EP2382 (Elvas Case: 2014/004246)
Attachments: QAP1085-14.jpg; QAP1159-23.jpg

Hi Paula,

The Order in Council dated 1 May 1958 provided that the permittee shall complete the reclamation within 12 months or within such extended period thereafter.

The authority to reclaim is forfeited if the permittee fails to completed the reclamation within 12 months or within such extended period.

The 1st aerial dated 5/12/1960 shows that the reclamation hasn't been completed by that date, i.e. 2 ½ years.

The 2nd aerial dated 1 August shows the reclamation complete.

So, what all this means is that if there wasn't an extension giving Order in Council (for more than one extension) the works would be invalid.

So that is what you need to find. This may have to be done manually searching the gazettes for the relevant years. Dane Griffiths (31374228) recently did this for the Scarborough Boat Harbour and it may be a good idea if you have a chat to him on how he went about it.

Regards

Stephen Box
Senior Policy Officer
Aboriginal and Torres Strait Islander Land Services
Telephone: 31815177
Email: Stephen.Box@dnrm.qld.gov.au

Department of Natural Resources and Mines
Level 11 Mineral House
41 George Street, Brisbane 4000
GPO Box 2454, Brisbane 4001

From: BOX Stephen
Sent: Thursday, 22 October 2015 1:45 PM
To: THOMAS Paula
Subject: RE: Application for conversion of SL 44/50840 - Lot 499 on EP2382 (Elvas Case: 2014/004246)

I am raising this with the group in our revived discussion session on Tuesday.

s78B(2) - personal information

From: THOMAS Paula
Sent: Wednesday, 30 September 2015 9:22 AM
To: BOX Stephen

Subject: Application for conversion of SL 44/50840 - Lot 499 on EP2382 (Elvas Case: 2014/004246)

Good morning Stephen,

Here is some imagery provided by the Townsville Port Authority to assist with address Native Title for the conversion application.

I have a number of other imagery if you require them.

I did forward a number of plans and other relevant information that I had found to you on Friday.

Could you please advise if the information I have forwarded to you, is sufficient to address Native Title under Module CA of the department's Native Title Work Procedures.

Kind regards,

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180

Facsimile: (07) 4447 9199

Address:

Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:

PO Box 5318
Townsville Qld 4810

From: HOOKEY Julie
Sent: Monday, 28 September 2015 8:24 AM
To: THOMAS Paula
Subject: FW: Lot 499on EP2382 - 3 of 3 [SEC=In-Confidence:Commercial]

Good morning Paula

Information from Ports for your native title research for the conversion case

Regards

Julie

From: David Young [<mailto:dyoung@townsville-port.com.au>]

Sent: Monday, 28 September 2015 8:22 AM
To: HOOKEY Julie
Subject: Lot 499on EP2382 - 3 of 3 [SEC=In-Confidence:Commercial]

David Young
Senior Property & Project Advisor
Port of Townsville

☎ Telephone +61 7 4781 1537
📱 Mobile
☎ Fax +61 7 4781 1525
✉ Email dyoung@townsville-port.com.au

PO Box 1031, Townsville QLD 4810, Australia
Administration Building, Port of Townsville, Benwell Road, Townsville, Qld, 4810, Australia
Website www.townsville-port.com.au

🌱 Please consider the environment before printing this e-mail

This email and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom it is addressed. If you are not the recipient be advised that you have received this email in error and that any use, dissemination, forwarding, printing copying or use of the contents contained in this e-mail and any file attachments is strictly prohibited. If you have received this email in error please immediately notify the sender by telephone or by reply email to the sender. You must destroy the original transmission and its contents. It is recommended that you virus test the information and any attachments. The Port of Townsville does not accept liability for any loss or damage howsoever incurred as a result of this email transmission or any attachments to it.

Scanned by the Netbox from [Netbox Blue](#)

RTI DL RELEASE - DNRM



RTI DL RELEASE - DNRM

Q1085 - 14

TOWNSVILLE-COWLEY RUN 1 5-12-60 MAG 680 LENS 216631 152-70M/M 6.000 ↑

© The State of Queensland 2011
Environment & Resource Management



RTI/DL RELEASE - DNRM

Q1159-23

TOWNSVILLE RUN 1 11-8-61 MAG.295 LENS 120 152.09 M/M 12.000 ↑

© The State of Queensland 2007
Dept of Natural Resources and Water

From: THOMAS Paula [Paula.Thomas@dnrm.qld.gov.au]
Sent: Thursday, 19 November 2015 1:11 PM
To: BOX Stephen
Subject: Application for conversion of SL 44/50840 - Lot 499 on EP2382 (Elvas Case: 2014/004246)
Attachments: QAP1085-14.jpg; QAP1159-23.jpg

Hi Stephen,

I refer to your email of 27 October, I wish to advise that I have exhausted all avenues in attempting to find the Gazette notice, granting an extension to the works being completed.

In respect to not being able to find any further evidence to determine if the reclamation works were valid, can you please advise as to the Native Title status in relation to the conversion application of Special Lease 44/50840.

Your advice in relation to the Native Title status, should Module CA is not be able to be used would be appreciated, as I would like to continue with progressing this application and provide an outcome to the lessee's Solicitors in relation to Native Title as soon as possible.

Should you wish to discuss this matter, I can be contacted on telephone number (07) 4447 9180.

Kind regards,

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180

Facsimile: (07) 4447 9199

Address:

Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:

PO Box 5318

Townsville Qld 4810

From: BOX Stephen
Sent: Tuesday, 27 October 2015 3:19 PM
To: THOMAS Paula
Subject: FW: Application for conversion of SL 44/50840 - Lot 499 on EP2382 (Elvas Case: 2014/004246)

Hi Paula,

The Order in Council dated 1 May 1958 provided that the permittee shall complete the reclamation within 12 months or within such extended period thereafter.

The authority to reclaim is forfeited if the permittee fails to completed the reclamation within 12 months or within such extended period.

The 1st aerial dated 5/12/1960 shows that the reclamation hasn't been completed by that date, i.e. 2 ½ years.

The 2nd aerial dated 1 August shows the reclamation complete.

So, what all this means is that if there wasn't an extension giving Order in Council (or more than one extension) the works would be invalid.

So that is what you need to find. This may have to be done manually searching the gazettes for the relevant years. Dane Griffiths (31374228) recently did this for the Scarborough Boat Harbour and it may be a good idea if you have a chat to him on how he went about it.

Regards

Stephen Box
Senior Policy Officer
Aboriginal and Torres Strait Islander Land Services
Telephone: 31815177
Email: Stephen.Box@dnrm.qld.gov.au

Department of Natural Resources and Mines
Level 11 Mineral House
41 George Street, Brisbane 4000
GPO Box 2454, Brisbane 4001

From: BOX Stephen
Sent: Thursday, 22 October 2015 1:45 PM
To: THOMAS Paula
Subject: RE: Application for conversion of SL 44/50840 - Lot 499 on EP2382 (Elvas Case: 2014/004246)

I am raising this with the group in our revived discussion session on Tuesday.

sch4p4(6) Personal information, sick leave

From: THOMAS Paula
Sent: Wednesday, 30 September 2015 9:22 AM
To: BOX Stephen
Subject: Application for conversion of SL 44/50840 - Lot 499 on EP2382 (Elvas Case: 2014/004246)

Good morning Stephen,

Here is some imagery provided by the Townsville Port Authority to assist with address Native Title for the conversion application.

I have a number of other imagery if you require them.

I did forward a number of plans and other relevant information that I had found to you on Friday.

Could you please advise if the information I have forwarded to you, is sufficient to address Native Title under Module CA of the department's Native Title Work Procedures.

Kind regards,

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180
Facsimile: (07) 4447 9199

Address:
Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:
PO Box 5318
Townsville Qld 4810

From: HOOKEY Julie
Sent: Monday, 28 September 2015 8:24 AM
To: THOMAS Paula
Subject: FW: Lot 499on EP2382 - 3 of 3 [SEC=In-Confidence:Commercial]

Good morning Paula

Information from Ports for your native title research for the conversion case

Regards

Julie

From: David Young [<mailto:dyoung@townsville-port.com.au>]
Sent: Monday, 28 September 2015 8:22 AM
To: HOOKEY Julie
Subject: Lot 499on EP2382 - 3 of 3 [SEC=In-Confidence:Commercial]

David Young
Senior Property & Project Advisor
Port of Townsville

☎ Telephone +61 7 4781 1537

☎ Mobile

☎ Fax +61 7 4781 1525

✉ Email dyoung@townsville-port.com.au

PO Box 1031, Townsville QLD 4810, Australia

Administration Building, Port of Townsville, Benwell Road, Townsville, Qld, 4810, Australia

Website www.townsville-port.com.au

🌱 Please consider the environment before printing this e-mail

This email and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom it is addressed. If you are not the recipient be advised that you have received this email in error and that any use, dissemination, forwarding, printing copying or use of the contents contained in this e-mail and any file attachments is strictly prohibited. If you have received this email in error please immediately notify the sender by telephone or by reply email to the sender. You must destroy the original transmission and its contents. It is recommended that you virus test the information and any attachments. The Port of Townsville does not accept liability for any loss or damage howsoever incurred as a result of this email transmission or any attachments to it.

Scanned by the Netbox from [Netbox Blue](#)

RTI DL RELEASE - DNRM



Q1085 - 14

TOWNSVILLE-COWLEY RUN 1 5-12-60 MAG 680 LENS 216631 152-70M/M 6.000 ↑

© The State of Queensland 2011
Environment & Resource Management



RTI/DL RELEASE - DNRM

Q1159-23

TOWNSVILLE RUN 1 11-8-61 MAG.295 LENS 120 152.09 M/M 12.000 ↑

© The State of Queensland 2007
Dept of Natural Resources and Water

From: Tracy Carr [tracy.carr@brhlawyers.com.au]
Sent: Monday, 7 December 2015 5:16 PM
To: THOMAS Paula
CC: Robert Lyons
Subject: River Quays Boardwalk - Conversion to Freehold Land - DNRM reference 2014/008186

Hi Paula

I contacted your office this afternoon with respect to the above matter.

I spoke with Angela of your office who advised that you were returning to the office tomorrow morning.

As our clients are anxious to know that their application is progressing, Angela looked into the matter in order to provide an update. She advised that it appeared that you are awaiting further information from your Native Title Policy Unit. I mentioned that this had been the case for a number of months (as noted in an email sent in June of this year). She also advised:

- that there had been a number of steps taken by you, the last one of which was last week requesting further details;
- that there is a native title issue, which I believe is new information;
- you were speaking at length with the Native Title Policy Unit with a view to extinguishment.

Would you mind confirming the above information and elaborating on any parts where possible, so that we can refer it to our client?

Many thanks for your assistance.

Tracy Carr | Solicitor

D: +61 7 3223 9122

F: +61 7 3221 5518

T: +61 7 3223 9100

E: tracy.carr@brhlawyers.com.au

cid:image001.jpg@01D04ABE.5E6E4130



Level 8, 179 Turbot Street, Brisbane Qld 4000

GPO Box 635, Brisbane Qld 4001

www.brhlawyers.com.au



The partners and staff wish you a Merry Christmas and a prosperous New Year.



*Please note that our office will close at
5 pm on Thursday, 24 December 2015
and will reopen on Monday, 4 January 2016.*

***If you require immediate assistance over this period,
please contact
Vince Hefferan, Partner on 0416 145 990***

NOTICE: This e-mail is intended only for the use of the addressee and may contain information that is privileged, confidential and/or exempt from disclosure at law. You must not edit this e-mail or any attachments without our express written consent. Broadley Rees Hogan is not liable for any failed, corrupted or incomplete transmission of this e-mail or any attachments or for any viruses contained in them. By opening any attachments, you accept full responsibility for the consequences. If you are not the intended recipient, any dissemination, reliance upon or copying of this e-mail or any attachments is strictly prohibited, and you must immediately erase them permanently from your system, notify us by telephone (at our cost) and destroy any hard copies. Thank you.

RTI DL RELEASE - DNRM

From: THOMAS Paula [Paula.Thomas@dnrm.qld.gov.au]
Sent: Thursday, 10 December 2015 9:04 AM
To: 'Tracy Carr'
Subject: RE: River Quays Boardwalk - Conversion to Freehold Land - DNRM reference 2014/008186

Hi Tracy,

I refer to your email dated 7 December 2015, in relation to your client's conversion application.

I wish to advise the department is in the process of making a recommendation in relation to the conversion application.

For your client's information, I can advise you that the purchase price is \$375,000.00, GST and Stamp Duty will be added to the purchase price. As the existing lease is a Special Lease issued under the Land Act 1962, your client will have the option of paying annual instalments along with a deposit for the conversion application to allow for a Freeholding Lease to issue.

In respect to the issues of Native Title that the department has been endeavouring to resolve, the department has been unable to find sufficient evidence to clear the existence of Native Title over the leased area.

Accordingly, although a formal decision has not been made, the assessment indicates that Native Title does continue to exist over the subject land.

This will be a matter for the lessees to address, as part of any offer made by the department for the conversion of the leased land.

Should you wish to discuss your client's conversion application, please contact Paula Thomas on telephone number (07) 4447 9180.

Kind regards,

Paula Thomas
Land Administration Officer
State Land Asset Management
Service Delivery Group – North Region
Department of Natural Resources and Mines

Telephone: (07) 4447 9180

Facsimile: (07) 4447 9199

Address:

Level 9, Verde Tower
445 Flinders Street, Townsville Qld 4810

Postal:

PO Box 5318
Townsville Qld 4810

From: Tracy Carr [mailto:tracy.carr@brhlawyers.com.au]
Sent: Monday, 7 December 2015 5:16 PM

To: THOMAS Paula
Cc: Robert Lyons
Subject: River Quays Boardwalk - Conversion to Freehold Land - DNRM reference 2014/008186

Hi Paula

I contacted your office this afternoon with respect to the above matter.

I spoke with Angela of your office who advised that you were returning to the office tomorrow morning.

As our clients are anxious to know that their application is progressing, Angela looked into the matter in order to provide an update. She advised that it appeared that you are awaiting further information from your Native Title Policy Unit. I mentioned that this had been the case for a number of months (as noted in an email sent in June of this year). She also advised:

- that there had been a number of steps taken by you, the last one of which was last week requesting further details;
- that there is a native title issue, which I believe is new information;
- you were speaking at length with the Native Title Policy Unit with a view to extinguishment.

Would you mind confirming the above information and elaborating on any parts where possible, so that we can refer it to our client?

Many thanks for your assistance.

Tracy Carr | Solicitor

D: +61 7 3223 9122

F: +61 7 3221 5518

T: +61 7 3223 9100

E: tracy.carr@brhlawyers.com.au

cid:image001.jpg@01D04ABE.5E6E4130



Level 8, 179 Turbot Street, Brisbane Qld 4000

GPO Box 635, Brisbane Qld 4001

www.brhlawyers.com.au



The partners and staff wish you a Merry Christmas and a prosperous New Year.



Please note that our office will close at 5 pm on Thursday, 24 December 2015 and will reopen on Monday, 4 January 2016.

If you require immediate assistance over this period, please contact

Vince Hefferan, Partner on 0416 145 990

NOTICE: This e-mail is intended only for the use of the addressee and may contain information that is privileged, confidential and/or exempt from disclosure at law. You must not edit this e-mail or any attachments without our express written consent. Bradley Rees Hogan is not liable for any failed, corrupted or incomplete transmission of this e-mail or any attachments or for any viruses contained in them. By opening any attachments, you accept full responsibility for the consequences. If you are not the intended recipient, any dissemination, reliance upon or copying of this e-mail or any attachments is strictly prohibited, and you must immediately erase them permanently from your system, notify us by telephone (at our cost) and destroy any hard copies. Thank you.

RTI DL RELEASE - DNRM