

9715658
9715692

S.L. No.

06/22860.



24760

1974

SPECIAL LEASE

SL 22860 SURRENDERED

715
Chinla9

ATSILCS (97/5658) 7497
(97/5692) 7501

REFER NEW PERPETUAL

LEASE R/PPL 2 1631 ON

BRI/002621

RIGHT TO RELEASE - DIRM

15 Plan: SL11787 Seg: Par:

Current Officer: Primary Officer: WILKIE_AR
Application Nos: 7497

Events

Assessment: IS NOT AN ISSUE

| Event | Details One | Details Two |
|----------------------------|------------------------------------|----------------|
| Usage inconsistent with NT | Legal Right prior 31 December 1993 | Event Detail 2 |

Regional Officer: FERGUSON_DJ
District : BRISBANE
Date Assessed : 19/03/1998
Comments : Prior Commitment. I agree with the research officer's assessment. Dealing may proceed.

FERGUSON_DJ 19/03/1998 3:30 PM

s.49 - Signature

CHQ Officer :
District :
Date Assessed :
Comments :

Senior Land Officer
Land Services Brisbane

RTI DL RELEASE - DNRM

*** END OF REPORT ***

Lot: 19 Plan: SL11787 Seg: Par:

Current Officer: Primary Officer: WILKIE_AR
Application Nos: 7497

Events

Assessment: IS NOT AN ISSUE

| Event | Details One | Details Two |
|----------------------------|------------------------------------|----------------|
| Usage inconsistent with NT | Legal Right prior 31 December 1993 | Event Detail 2 |

Regional Officer: FERGUSSON_DJ
District : BRISBANE
Date Assessed : 19/03/1998
Comments : Attached from Lot: 15 Plan: SL11787 Date: 19/03/98 15:30:51
By: FERGUSSON_DJ

s.49 - Signature

Senior Land Officer
Land Services Brisbane

CHQ Officer :
District :
Date Assessed :
Comments :

RTI DL RELEASE - DNRM

*** END OF REPORT ***

Dept of Natural Resources

ATSILCS

ntr_appln

19-Mar-1998 Job ID 18101

Application Report

Page 1

Application No: 7497 Application Type: Dealing

Application Date : 18/03/1998

Case Officer : WILKIE_AR

District of Origin: BRISBANE

DNR Ref No : SL22860

Applicant : TANGALOOMA ISLAND RESORT LTD

Project Name : BRISBANE DISTRICT - AL

Dealing Assessment: Research Required

AB Ref : N/A

Dealing Type : Application to Lease - Term Lease

General Comments :

| Lot | Plan | Seg | Par | Current Officer |
|-----|---------|-----|-----|-----------------|
| 15 | SL11787 | 0 | 0 | WILKIE_AR |
| 19 | SL11787 | 0 | 0 | WILKIE_AR |

Number of Parcels: 2

*** END OF REPORT ***

RTI DL RELEASE - DNRM

Dept of Natural Resources
19-Mar-1998 Job ID 18103

ATSILCS
Worksheet Report

ntr_worksheet
Page 1

Lot: 19 Plan: SL11787

Seg: Par:

Current Officer: WILKIE AR
Application Nos: 7497

Primary Officer: WILKIE_AR

Research Details

| Date Entry | Research Officer | Source Reference | Date Effect | Details |
|------------|------------------|------------------|-------------|---|
| 19/03/1998 | WILKIE_AR | SL22860 | 19/03/1998 | DEALING MAY PROCEED DUE TO PRIOR COMMITMENT AS PER ATTACHMENT 9 IN N\T WORK PROCEDURES (PAT/101/000)-APPLICANT RECEIVED OFFER FROM NATIONAL PARKS MINISTER MR MCKECHNIE DATED 11/12/85 TO LEASE AREA |

Assessment: UNDER INVESTIGATION

Event

Detail One

Detail Two

Regional Officer:
District :
Date Assessed :
Comments :

CHO Officer :
District :
Date Assessed :
Comments :

*** END OF REPORT ***

RTI DL RELEASE - DNR/M

499

Dept of Natural Resources
19-Mar-1998 Job ID 18102

ATSILCS
Worksheet Report

ntr_worksheet
Page 1

Lot: 15 Plan: SL11787

Seg: Par:

Current Officer: WILKIE AR
Application Nos: 7497

Primary Officer: WILKIE_AR

Research Details

| Date Entry | Research Officer | Source Reference | Date Effect | Details |
|------------|------------------|------------------|-------------|--|
| 19/03/1998 | WILKIE_AR | SL22860 | 19/03/1998 | DEALING MAY PROCEED DUE PRIOR COMMITMENT AS PER AT TACHMENT 9 IN N/T WORK PROCEDURES (PAT/101/100)-APPLICANT RECEIVED OFFER DATED 11/12/85 FROM MR MCKE CHNIE NATIONAL PARKS MINISTER TO LEASE THIS AREA |

Assessment: UNDER INVESTIGATION

Event

Detail One

Detail Two

Regional Officer:
District :
Date Assessed :
Comments :

CHQ Officer :
District :
Date Assessed :
Comments :

*** END OF REPORT ***

RTI DL RELEASE - DNR/M

496

Application No: 7501 Application Type: Dealing

Application Date : 18/03/1998

Case Officer : WILKIE_AR

District of Origin: BRISBANE

DNR Ref No : SL22860

Applicant : TANGALOOMA TOURIST RESORT LTD

Project Name : BRISBANE DISTRICT - AL

Dealing Assessment: Research Required

AB Ref : N/A

Dealing Type : Applications to Lease - Permit to Occupy

General Comments :

| Lot | Plan | Seg | Par | Current Officer |
|-----|---------|-----|-----|-----------------|
| 18 | SL11788 | 0 | 0 | WILKIE_AR |

 Number of Parcels: 1

*** END OF REPORT ***

RTI DL RELEASE - DNRM

Dept of Natural Resources
19-Mar-1998 Job ID 18110

ATSILCS
Worksheet Report

ntr_worksheet
Page 1

Lot: 18 Plan: SL11788
Current Officer: WILKIE_AR
Application Nos: 750I

Seg: Par:
Primary Officer: WILKIE_AR

Research Details

| Date Entry | Research Officer | Source Reference | Date Effect | Details |
|------------|------------------|------------------|-------------|---|
| 19/03/1998 | WILKIE_AR | SL22860 | 19/03/1998 | DEALING MAY PROCEED DUE PRIOR COMMITMENT AS PER AT TACHMENT 9 IN N/T WORK PROCEDURES (PAT/101/100-APP LICANT RECEIVED OFFER DATED 11/12/85 FROM MR MCKEC HNIE MINISTER FOR NATIONAL PARKS TO LEASE THE AREA |

Assessment: UNDER INVESTIGATION

Event

Detail One

Detail Two

Regional Officer:
District :
Date Assessed :
Comments :

CHQ Officer :
District :
Date Assessed :
Comments :

*** END OF REPORT ***

RTI DL RELEASE - DNR/M

496

* Miners Homestead tenures
See email dated 27/11/97^{27 of 57}
from D. Luxton.

ATTACHMENT 9 - PRIOR COMMITMENT

The proposed dealing must be a past act applying the past act test.

Where there is any doubt as to the application of the past act test, the matter should be referred to CHQ.

A dealing may proceed on or after 1 January 1994 without further reference to native title if it is giving effect to an offer, commitment, arrangement or undertaking if the offer, commitment, arrangement or undertaking was given in good faith;

- before 1 July 1993; and
- is evidenced in writing created at or about the time the offer, commitment, arrangement or undertaking was made.

The following are examples of a prior commitment:

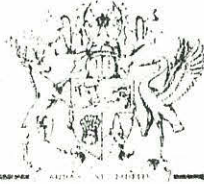
- A letter written on or before 1 July 1993 from the appropriate representative of the Crown offering to grant an interest in land to an individual, company or other party providing certain conditions are fulfilled. Therefore, if the conditions are satisfied Governor in Council approval will be sought to grant the lease;
- A Government undertaking, evidenced in writing to do the dealing given prior to 1 July 1993, such as the Queensland Government's commitment to provide dedicated access to Miners Homestead Perpetual Leases - dedicated access may be provided without further reference to native title.

The date of the prior offer, commitment, arrangement or undertaking relied upon must be before 1 July 1993.

The question of whether or not a prior commitment exists is a legal question. As a result, any circumstances not explained by these Attachments must be referred to CHQ.

Postal P.O. BOX 155
BRISBANE NORTH QUAY
QUEENSLAND 4000

Office: 6th FLOOR, COMALCO HOUSE
GEORGE STREET
BRISBANE



MINISTER
FOR
TOURISM, NATIONAL PARKS,
SPORT AND THE ARTS

11 DEC 1985

Dear Mr Osborne,

As you will be aware Cabinet recently approved the gazettal of additional areas of Moreton Island as national park.

Cabinet further agreed that an area be set aside and leased to Tangalooma for waste disposal purposes. This lease will legitimize the resort's existing rubbish dump operation and will allow the relocation of your sewerage treatment plant.

It was also resolved that the two additional areas you requested be set aside as Departmental and Official Purposes Reserves under the trusteeship of the Director of National Parks and Wildlife. These areas will be excluded from the national park to allow for possible development of day use facilities and extensions to your resort. It was not considered appropriate to issue leases over these areas in the absence of detailed development proposals.

You will, however, be issued with a Permit to Occupy over these areas for a period of five years to permit presentation of detailed and acceptable development plans for the areas.

If within the five year period Tangalooma is unable to provide such plans or decides not to proceed with the development, the land would become available for other uses as recommended by the Moreton Island Planning Advisory Committee. My Director of National Parks and Wildlife can provide you with guidelines for the development of acceptable proposals and further details on the establishment of the lease and reserves.

Yours sincerely,

s.49 - Signature

PETER MCKECHNIE
MINISTER FOR TOURISM,
NATIONAL PARKS, SPORT AND THE ARTS

Mr B. Osborne,
Director,
Tangalooma Island Resort Limited,