

## Vanrook PH 34/253 - Macaroni

Description: Lot 893 on plan FK2  
Lessee: Mowburn Nominees Pty Ltd  
Encumbrances: National Australia Bank  
Original Lease in existence: No

### Offer requirements:

- Original offer sent 28/2/1992
- Notification of Acceptance of Offer – **10/6/1998**
- Partial surrender**
- General Consent Form 18 -**
- Plan & Balance plan – CP847173 & CP805083
- Payment of offer account (1998/2936)- \$19,823.550

**Paid \$245.00 (Receipt no. Z027076 6/9/1995)**

Informal occupancy Rent from 28/2/1992 – 30/6/2003	\$17,167.40
1 <sup>st</sup> years rent (1/7/2003-30/6/2004)	\$2,500.00
Plan fees	\$254.40
Titles fee	\$102.50
Lease fee	\$44.25
<b>SUB-TOTAL</b>	\$20,068.55
Less amount paid	-\$245.00
<b>TOTAL</b>	\$19,823.55

REFUND

- ① Reply to be sent to Carpentaria Land Council, await information from KFPW regarding whether the facilities are low impact facilities in accordance with Telecommunication (Low Impact Facilities) Determination 1997. An email of this nature has been forwarded to Toni McKnight (KFPW) she advised that she is taking this to a meeting with Telstra and will advise at a later date.

② KFPW need to lodge partial surrender, Form 18 General Consent and original instrument of lease.

Lapse offer + refund money

Release

## Hurle Louise

---

**From:** Hurle Louise  
**Sent:** Wednesday, 24 March 2004 2:11 PM  
**To:** Twomey John; Coonan Greg  
**Cc:** Waters Raeleen  
**Subject:** Telstra Leases - s.73 [redacted] and Macaroni

**Importance:** High

John

I have now lapsed the above 3 offers. Could you please arrange to have the following monies refunded to Telstra:

Macaroni (PH 253) 1998/2936 - \$245.00 (receipt no. Z027076)

s.73 [redacted]

Can you let me know if you require more information or copies of the receipts.

Regards

*Louise Hurle*

Administration Officer

State Land Asset Management

Land Management & Use

North Region

Telephone: (07) 47428209

Facsimile: (07) 47428220

*[louise.hurle@nrm.qld.gov.au](mailto:louise.hurle@nrm.qld.gov.au)*

Released by DNRPM  
under the  
RTI Act 2009



Author Louise Hurlé  
Our reference  
Your reference  
Directorate / Unit State Land Asset Management Section  
Phone 0747428209

24 March 2004

Telstra Corporation Limited  
C/- United KFPW Pty Ltd  
GPO Box 2474  
BRISBANE QLD 4001

Dear Ms McKnight

**MACARONI (30119000) – VANROOK PASTORAL HOLDING NO. 253**

s.73

Your attention is drawn to the fact that your client's offer in relation to the above applications was given a further extension of time for completion at 30 June 2003. This date has been well exceeded with Telstra no closer to completing their offer requirements.

Owing to the excessive time, which has lapsed since our original offers, please be advised the offers have now lapsed. Should your client find that these circumstances have changed and they are able to satisfy the Department's requirements (having regard to duly executed Surrender Form 107, General Consent Form 18 and relevant instrument of lease) at some future date fresh applications will be required to be lodged in this office.

Please note all monies previously paid relating to the above will be refunded.

If you require any further clarification on these matters please contact Louise Hurlé on (07) 47428209.

Yours sincerely

sch4p3(3) Prejudice

Louise Hurlé  
Land Administration Officer  
North Region

72 Uhr Street  
PO Box 7  
CLONCURRY QLD 4824  
Telephone 07 47428222  
Facsimile 07 47428220  
Website www.nrm.qld.gov.au

**SUBJECT AREA:****DESCRIPTION:**

Part Lot 893 on plan FK2  
(being Lot 10 on CP847173 - Area 4ha)

**LOCAL AUTHORITY:** Carpentaria Shire Council

**CURRENT TENURE/STATUS OF AREA/S:**

Covering part Vanrook Pastoral Holding No. 34/253

**KEYWORDS:**

PH 34/253

**PROPOSED DEALING/S:**

Grant of a Term Lease for communications purposes to Telstra Corporation Limited.

**NATIVE TITLE ASSESSMENT DECISION:**

- Can proceed
- Native Title Policy Unit advice required
- Required advice is attached
- Recommended future act option
- Notify and consider any comments

**BASIS FOR DECISION:**

*PAT/301/000 – Module K (Facilities for services to the public).*

- The grant of a lease that permits the construction of a telecommunication tower.
- The construction of this telecommunication installations took place prior 31 December 1996 and under the provisions of the Telecommunications Act.
- Consequently to guarantee the validity of the dealings notification under 24KA will take place (refer to Cyril Cordery, Senior Project Officer, Native Title and Indigenous Land Services memo date 12 November 2003).
- The non-extinguishment principle applies to an act, such as the grant of this lease, which occurs in terms of section 24 KA of the Native Title Act 1993 (Cwth).

**RELEVANT SECTION OF THE NATIVE TITLE ACT:** 24 KA of the Native Title Act 1993 (Cwth)

**Delegated Officer:** Louise Hurle

Position: Land Administration Officer, Land Management & Use, North Region, Cloncurry

sch4p3(3) Prejudice th

Signature: \_\_\_\_\_

Date: 17/11/2003



Author Louise Hurle

Natural Resources and Mines

Our reference [redacted] PH 253, s.73

Your reference

Directorate / Unit State Land Asset Management Section

Phone 07 47421404

1 October 2003

Telstra Corporation Limited  
C/- United KFPW Pty Ltd  
GPO Box 2474  
BRISBANE QLD 4001

**ATTENTION: LOU MIERZWA**

Dear Sir/Madam

**RE: PROPOSED LEASES TO TELSTRA** [redacted] s.73

**MACARONI,** [redacted] s.73

[redacted] s.73

I thank you for your comments of 11 June 2003 regarding Telstra's outstanding applications to lease land over the above-mentioned sites.

After consideration to the matters raised, I hereby address each in turn:

[redacted] s.73

- **MACARONI (30119000) – VANROOK PASTORAL HOLDING NO. 34/253**

1. Completion and return Partial Surrender form to this office;
2. Payment of \$19,823.55 (see attached account).

72 Uhr Street  
PO Box 7  
CLONCURRENCY QLD 4824  
Telephone 07 47428222  
Facsimile 07 47428220  
Website [www.nrm.qld.gov.au](http://www.nrm.qld.gov.au)

You requested an extension of time to complete these requirements in your letter of 11 June 2003. Please note that the offer account has been revised.

s.73

Released by DNRM  
under the  
RTI Act 2009

Please note all the accounts have been amended to take into consideration additional rent now payable to 30/6/2004 and the consumer price index.

Having regard to the length of time, which has lapsed since the original offers were made, it is now critical that your clients finalise their outstanding requirements. The expectation that this office will continually grant extensions of time is unreasonable. It would therefore be appreciated if you could review the above-mentioned cases and provide a final date for completion for each. On receipt of this advice action will be taken to issue a final extension of time provided your timeframe is realistic.

Your attention is drawn to the fact that unless these actions are finalized in the very near future it is this Department's intention to lapse these offers, resulting in your clients being required to reapply and the applications reinvestigated.

If you require any further clarification on these matters please contact Louise Hurle on (07) 47428209.

Yours sincerely

sch4p3(3) Prejudice

Louise Hurle  
for **LR Croton**  
**A/Regional Manager**  
**Natural Resource Management and Use**  
**North Region**

Offer Account

To ensure proper crediting of your account, please forward both copies of this account if you require a receipt, or one copy if a receipt is not required, together with your payment to the Department of Natural Resources.

Please Quote Reference: 1998/002936  
Our Reference: (TERM)PDH 253 (VANROOK)  
Offer Number: 514055

Applicant: KFPW PTY LIMITED  
GPO BOX 2474  
BRISBANE  
QLD

4001

ABN:  
ACN: 074196991

Offer Date: 3 Sep 2003

Item	Qty	Amount (\$)	Amount Due (\$)
Deposit (Estimate of First Years Rent)	1	2,500.00	2,500.00
Lease/Licence/Permit Fee (Div 81)	1	44.25	44.25
Plan Deposit Fee (Div 81)	1	254.40	254.40
Titles Registration Fee (Div 81)	1	102.50	102.50
Total Payable at Acceptance/Settlement		\$	2,901.15

Rent on new lease 28/2/92-30/6/03 totals \$17167.40. I acknowledge receipt of \$245.00. THE TOTAL AMOUNT OUTSTANDING IS \$19,823.55

Release



14 April 1999

KFPW Pty Limited  
GPO Box 2474  
BRISBANE Q 4001

Dear Sir/Madam

**RE: PROPOSED DRCS SIGE – MACARONI  
YOUR CLIENT – TELSTRA CORPORATION LIMITED**

I refer to the Department's letter of 22 May 1998 making an offer of a priority term lease to Telstra Corporation Limited over Lot 10 on CP847173 in terms of Section 121(1) of the Land Act 1994.

The Notification of Acceptance of Offer has been lodged in this office, however there are still outstanding requirements to be addressed before further action can be taken.

Outstanding requirements are as follows:

- (a) Completion and return to this office of the form of Partial Surrender of Vanrook Pastoral Holding, together with the Instrument of Lease. The consent of National Australia Bank Limited, as mortgagees, must be endorsed on the surrender.
- (b) Payment of the sum of \$6,467.40.

Please advise when these requirements will be addressed.

Yours faithfully

sch4p3( 3) Prejudice the protection of an individual

*B/WP*  
Barry Worthington  
for District Manager  
CLONCURRY

*21/7/99*  
sch4p3( 3) Pre

10 June, 1998



KFPW Pty Limited  
GPO Box 2474  
Brisbane QLD 4001

Our Ref: 1603/1/1

Your Ref: Vanrook PH 34/253

Mr Barry Worthington  
Department of Natural Resources  
PO Box 7  
Cloncurry, QLD 4824

Dear Sir,

**Re: Macaroni RT - Acceptance of Offer**

Please find enclosed the duly executed Notification of Acceptance Offer for the above property.

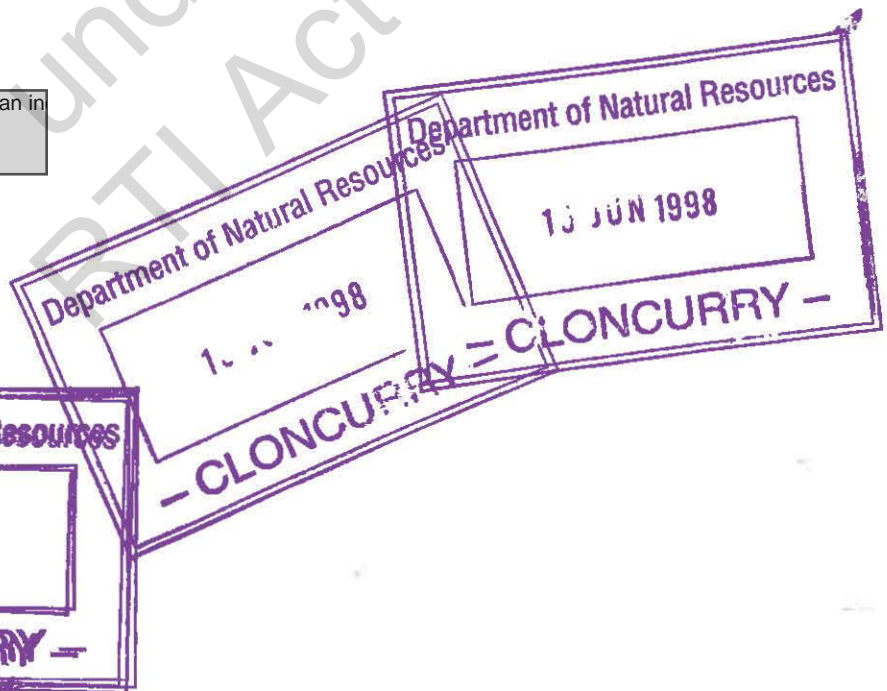
Our file now indicates that all matters are finalised and we look forward to receiving the registered documents.

Should you have any queries or require anything further please do not hesitate to contact the writer.

Yours faithfully

sch4p3( 3) Prejudice the protection of an in

*for* Agnieszka Dabrowski  
KFPW Pty Ltd



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KFPW Pty Ltd ACN 074 196 991

**Canberra**

Telephone: (02) 6269 5800  
Facsimile: (02) 6269 5888

**Sydney**

Telephone: (02) 9224 8000  
Facsimile: (02) 9221 6602

**Melbourne**

Telephone: (03) 9285 6500  
Facsimile: (03) 9285 6501

**Brisbane**

Telephone: (07) 3233 7727  
Facsimile: (07) 3229 9376

**Adelaide**

15-380  
Telephone: (08) 8236 7059  
Facsimile: (08) 8236 7335

**Perth**

Telephone: (08) 9322 4911  
Facsimile: (08) 9321 1153

File C

**Hobart**

Telephone: (03) 6235 7500  
Facsimile: (03) 6235 7521

**Darwin**

10 of 48  
Telephone: (08) 8981 3122  
Facsimile: (08) 8981 3177

**NOTIFICATION OF ACCEPTANCE OF OFFER**  
In terms of Section 121(1) of the Land Act 1994

The District Manager  
Department of Natural Resources  
PO Box 7  
CLONCURRY QLD 4824

I/We **KFPW Pty Limited** *Telstra Corporation Limited*  
of **GPO Box 2474**  
**BRISBANE QLD 4001**

being the person/s to whom an offer has been made in terms mentioned above, and in accordance with the Department's letter of offer dated 22 May 1998

**HEREBY GIVE YOU NOTICE** that I/We accept such offer.

**NOTE:** (This document should be signed by all persons to whom the offer has been made or their authorised representatives for and on their behalf. In the event of a Company being offered the tenure, this document is to be executed under the Company Seal).

**PARTICULARS OF LAND**

**Tenure Type:** Term Lease  
**Lot/Plan:** Lot 10 on Plan CP847173  
**Parish:** Boocan  
**County:** Yagoonya  
**Area of land:** 4 hectares  
**Annual Rent:** \$2,500

**DATED at** **this**  
**day of** **19**

**(Signature/s)**

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**REGIONAL PROPERTY  
MANAGER (Q)**

*Telstra Corporation Ltd*

**(Witness/es)**

sch4p3( 3) Prejudice the protection of a

*GARY FRANCIS STONIER*

*JUSTICE OF PEACE*

\*\*\* PLEASE RETURN THIS FORM TO THE DEPARTMENT OF NATURAL RESOURCES \*\*\*

22 May 1998

KFPW Pty Limited  
GPO Box 2474  
BRISBANE QLD 4001

Dear Sir

**PROPOSED DRCS SITE - MACARONI**

On 28 February 1992, the Department made an in principle offer of a Special Lease to Telstra Corporation Limited over part of Vanrook Pastoral Holding, subject to preparation of plans of survey of the communications site and the balance of the holding and certain other requirements. To date the necessary plans have been prepared and lodged and fees totalling \$245 were paid on 6 September 1995.

Departmental records reveal that no further action has been taken on this matter.

In view of legislative and Departmental policy and procedural changes since the original offer was made an updated formal offer is hereby made. Copies of Crown Plans 805083 and 847173 are attached.

Subject to surrender of the area from Vanrook Pastoral Holding the Department hereby offers to request the Minister to seek the issue by the Governor in Council of a grant to Telstra Corporation Limited of a priority Term Lease over Lot 10 on CP847173 in terms of Section 121(1) of the *Land Act 1994* on conditions as set out in the attached Schedule and subject to the following requirements:-

- a) Completion and return to this office of the attached Notification of Acceptance of Offer. *- Done 10/6/98*
- b) Completion and return to this office of the attached form of Partial Surrender of Vanrook Pastoral Holding, together with the Instrument of Lease. It will also be necessary for the consent of the National Australia Bank Limited as mortgagee to be endorsed on the Surrender.
- c) Payment of the sum of \$6,467.40 as detailed on the attached account.

The proposed lease will be for a term of twenty (20) years and be subject to an annual rent of \$2,500.00 for the first rental period. Please note that rent on the subject lease will be based on a percentage of the unimproved capital value and will be reassessed annually.

The unimproved value of the land for rental purposes has been assessed on the basis the land is used for communications purposes (Category 7) and as such rental is calculated at the rate of 5 percent of the unimproved value.

*MIS*  
Enquiries to: Barry Worthington  
Your Ref: QB 1603/1/1  
35-37 Scarr Street, CLONCURRY Q 4824  
PO Box 7, CLONCURRY Q 4824  
Telephone: (07) 3224 7658 Facsimile: (07) 3227 8429

Our Ref: Vanrook PH 34/253 BW:BC

Release

File C

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It is pointed out that the lease will commence on 1 July 1998 and that the minimum rent payable on this type of lease as from 1 July 1997 as prescribed by the *Land Regulation 1995* (as amended) is \$2500.00. The prescribed rent under the previous Regulation from 1 July 1995 to 30 June 1997 was \$500.00 per annum. It is intended to change Informal Occupancy Rent (IOR) from 28 February 1992 (original offer) to 30 June 1998. IOR from 28 February 1992 to 30 June 1995 will be charged at the rate of \$200.00 per annum as originally intended..

In terms of Section 421 of the *Land Act 1994* you have the right to appeal against the category of the lease, such appeal to be lodged within forty-two (42) days from the date of this letter. If it is intended to lodge an appeal, such appeal must be lodged on prescribed Form 101 copies of which are available from this office.

It should be noted that whilst this Department has no objections to you using the land for the purpose as proposed by you, it will still be necessary for you to comply with all of the requirements of the Local Authority including zoning and building permits etc in respect of your proposed use of the area.

Unless all of the requirements set out above have been satisfied within three (3) months from the date hereof the Department's offer will lapse. Should the offer lapse, the Department reserves the right to require the reinvestigation of all relevant issues in the event that you subsequently request that fresh consideration be given to your application.

Yours faithfully

sch4p3( 3) Prejudice the protection of an individuals right

Barry Worthington  
for **DISTRICT MANAGER**  
**CLONCURRY**

Encs

B/C:

Chief Executive Officer  
Carpentaria Shire Council  
**NORMANTON QLD 4890**

For your information.

sch4p3( 3) Prejudice the protection

Barry Worthington  
for **DISTRICT MANAGER**  
**CLONCURRY**

TRAVERSES ETC.

LINE	BEARING	DIST.
1-1a	63° 28' 30"	85.83
1-1b	14° 04' 50"	146.86
1a-1b	839° 05' 34"	115.59

DATUM

REFERENCE MARKS

STN	TO	REMARK	BEARING	DIST.
1	D/H	in guy blk	344° 18' 50"	104.83
3	"	"	226° 86'	70.825
4	"	"	289° 01'	72.185

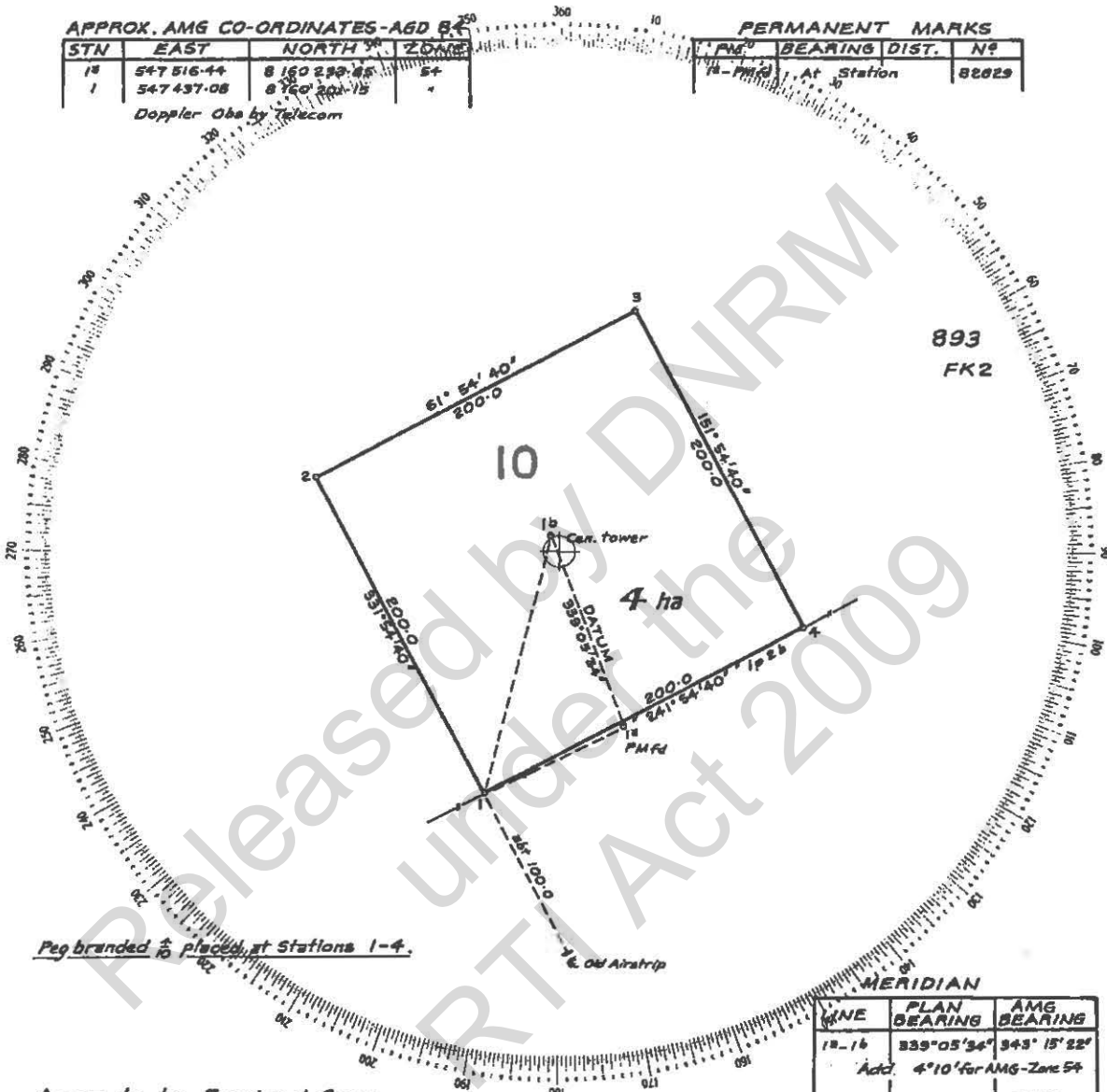
APPROX. AMG CO-ORDINATES-AGD 84

STN	EAST	NORTH	ZONE
1a	547 516.44	8 160 299.45	5+
1	547 437.08	8 160 201.15	"

Doppler Obs by Telecom

PERMANENT MARKS

PM	BEARING	DIST.	Nº
1a-PMd	At Station	82829	



Peg branded  $\frac{1}{2}$  placed at Stations 1-4.

Area to be Excised from  
Lot 893 on plan FK 2

(1-2-3-4).....4 ha

LINE	PLAN BEARING	AMG BEARING
1a-1b	339° 05' 34"	343° 15' 22"
	Add. 4° 10' for AMG-Zone 54	
		CAM BEARING
1a-1b	339° 05' 34"	339° 05' 34"
		CAM

Sun Obs by Telecom

I, Rexid, Carl, NILAND.....  
hereby certify that I/We-Company have surveyed the  
land comprised in this plan (either personally or by  
personally.....  
that the plan is accurate, that the said survey was  
performed in accordance with the Surveyors Act and  
the Surveyors Regulations and that the said survey  
was completed on 11.5.92.  
R. Niland Licensed Surveyor/  
Clerker  
Dated 23-7-92

PLAN OF Lot 10  
Cancelling part of Lot 893 on plan FK 2

PARISH BOCCAN.....  
COUNTY Yagoonya.....  
LOCAL AUTHORITY VANROOK.....  
LOCAL AUTHORITY CARPENTARIA S.C.....  
LAND AGENTS/ANNING DISTRICT Normanston.....

ORIGINAL RUN. 253 (CP)	NO. SURVEY RECORDS DEPOSITED	REGISTERING DIST	CROWN PLAN 847173
MERIDIAN SEE FACE	MAP REF SE 54-3	SCALE 1:2500	FILE REF PH34/253
ENDORSED 3/9/92 C.H.S.	REGISTERING DIST Brisbane		

847173

PLAN MUST BE DRAWN WITHIN BLACK LINES

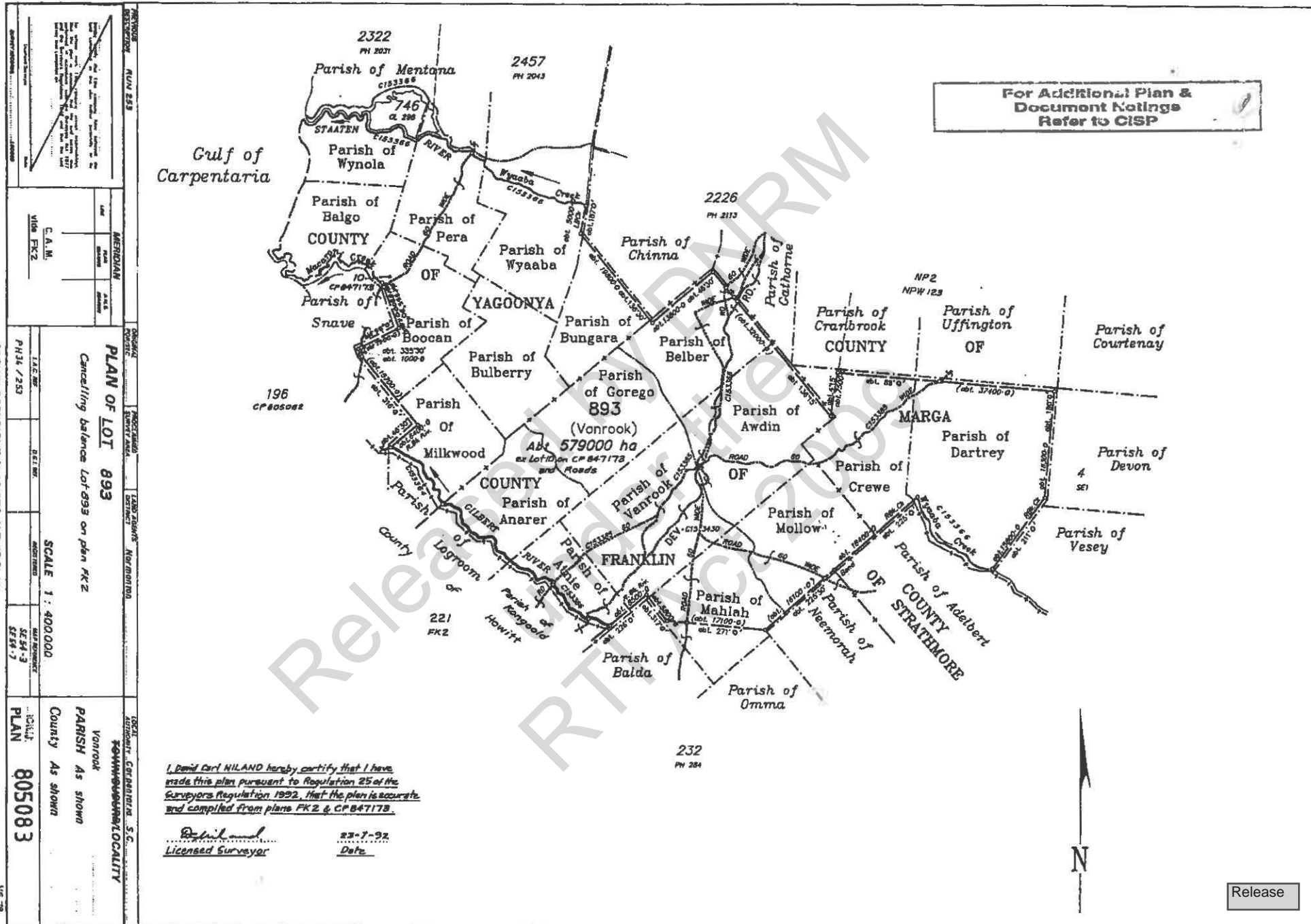
847173

847173

PLAN MUST BE DRAWN WITHIN BLACK LINES

847173

Released



I, David Carl NILAND hereby certify that I have made this plan pursuant to Regulation 25 of the Surveyors Regulation 1992, that the plan is accurate and compiled from plans FK2 & CP 847173.

David Carl Niland  
 Licensed Surveyor  
 23-7-92  
 Date

For Additional Plan & Document Notings Refer to CISP

Release

FOLDED OR MUTILATED PLANS WILL BE REJECTED - PLAN MAY BE ROLLED

PLAN 805083

## Conditions Report for 98/002936

18/05/1998

46

- (1) The lessee shall use the leased land for communication purposes Digital Radio Concentrator System.
- (2) In the event of the lessee ceasing to use the leased land as provided for in Condition A46 clause (1) above, the lease may be forfeited or cancelled.
- (3) The annual rent shall be paid yearly in advance and shall be determined in accordance with the provisions of the Land Act 1994.
- (4) The lessee shall pay the cost of any required re-survey.
- (5) The lessee must keep any noxious plants, on the leased land, under control.
- (6) The lessee has the responsibility for a duty of care for the leased land.
- (7) The lessee shall ensure that the use and development of the leased land conforms to the Town Planning Scheme By-Laws and requirements of the Council of the Shire of Carpentaria.
- (8) The lessee must give the Minister administering the Land Act 1994, the information the Minister administering the Land Act 1994 asks for about the lease.
- (9) The lessee shall not destroy any trees on the leased land unless in accordance with a tree clearing permit under the provisions of the Land Act 1994 or the provisions relating to the clearing for routine management purposes as prescribed in the Land Regulations 1995. (NOTE:- Routine Management provisions of the Land Act do not apply on leases over State Forests and Timber Reserves)
- (10) No compensation for improvements or developmental work shall be payable by the State at the expiration of the lease but the lessee shall either have the right to remove moveable improvements within a period of three (3) months from the expiration of the lease, provided all moneys due by the lessee to the State on any account whatsoever have been paid, or be required to remove those improvements as specified in any further condition of lease.

A47

- (1) 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.
- (2) Except as hereinafter provided 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 Mineral Resources Act 1989) or other material upon the leased land without the permission of the Minister administering the Land Act 1994 except under the authority of and in compliance in every respect with the requirements of a permit, licence, agreement or contract granted or made under the Forestry Act 1959.

- G42 The lease is not eligible for conversion to freehold tenure in terms of 166 of the Land Act 1994.
- H111 The lessee shall at all times during the term of the lease, allow any State Government Departments or Instrumentalities free and unrestricted access to from and across the leased land, if and when called upon to do so, for the purpose of constructing and/or maintaining the installations on land adjoining or adjacent thereto.
- H115 The provision of access to the leased land will not be the responsibility of the Carpentaria Shire Council or the State.

Release









**BB215/7/1**  
**Vanrook PH 34/253 PR:AB**  
**Enquiries: Mr P Roser**  
**Telephone: 224 2922**  
**Fax: 224 3006**

28 February 1992

The Regional Director  
Northern  
DX 41471  
TOWNSVILLE Q



The Manager  
Telecom Property Services  
PO Box 1109  
TOWNSVILLE Q 4810

Dear Sir

**RE: Proposed Special Lease over Digital Radio Concentrator  
Site at Macaroni**

Reference is made to your letter of 16 September 1991 concerning the above and I wish to advise that this Department will be prepared to accept a surrender of the required area from Vanrook PH and pursue the matter of the issue of a Special Lease thereover provided the following requirements are fully complied with:-

- (a) Plans of the site area and the balance lease, following excision, are provided at no cost to this Department;
- (b) All costs are paid;
- (c) All necessary documentation, in order for registration, is lodged in this Office; and
- (d) At the appropriate time, arrangements are made to have the necessary form of partial surrender duly completed and returned to this Office together with the relative Instrument of Lease.

In this particular case and having had regard to the remoteness of the area, survey will not be insisted on at this point in time, however, may be affected if so desired.

This approval is given on the distinct understanding that if the lessee/s of Vanrook PH makes an application for a more secure tenure over the area contained therein and a freehold/freeholding tenure is subsequently approved, Telecom Australia will complete the survey of the area which is the subject of this special lease offer together with access thereto, if applicable, in a manner which will not inconvenience the lessee of the aforementioned holding.

Release

In this regard it will be necessary, if survey is not effected in the first instance, for Telecom Australia to lodge a written intimation that it will comply with the requirements of the preceding paragraph if and when called upon to do so.



**DEPARTMENT  
OF LANDS**

**DIVISION OF  
LAND MANAGEMENT**

Office: Land  
Administration Building  
130-148 George Street  
Brisbane

Postal: PO Box 168  
North Quay Qld 4002  
Australia



Upon satisfaction of (a) above, your proposal will receive further consideration and it should be noted that following regionalisation of the functions of this Department all future correspondence relating to the subject site should be forwarded to the Regional Director, Northern Region, Department of Lands, Townsville.

Yours faithfully

Program Director  
Land Use

B/C The Regional Director  
Northern  
DX 41471  
TOWNSVILLE Q

For your information.

  
Program Director  
Land Use

Released under the RTI Act 2009

Release



LAND AGENT'S DISTRICT

SUBJECT:

Proposed Special Lease for Digital Radio Concentrator System

Application has been made for a Twenty (20) year Special lease in favour of Telecom over an area of about <sup>four</sup> hectares situated within <sup>part of</sup> lot 253 on plan PH 1893 presently held as Narrcook PH.

The lessee/s have indicated agreement to surrender of the site area and ~~granting a license for the purpose of access thereto.~~

The following Government bodies or other Organizations are/are not effected.

- Department of Mines ..... *No*
- Main Roads Department ..... *No*
- Department of Forestry ..... *No requirements.*
- Other ..... *Nil*
- Council's Views ..... *No objection*
- Archaeological clearance on file ..... *yes*
- Environmental Clearance on file ..... *yes*

The subject lease is not surveyed. D.M.S. Noting and litho on file.

An annual rent of \$ *200 - 00* has been recommended by the respective Regional Manager Division of Field Services.

Flag or outside memos checked for requirements. ✓

SUBMITTED:

*It is approved that*

~~May~~ Telecom Australia be forwarded the following advice:-

*96/4881*

*26/2/02*

Roser  
11/3. 2.

*26/2/02*

Release

The Regional Manager  
Telecom Property Services  
PO Box 1109  
TOWNSVILLE Q 4810

Sub. 2 Mr Roser  
224 2922

BB<sup>515</sup>/7/1

Vanrook P.H 34/253

Dear Sir

RE: Proposed Special Lease over *Digital Radio Concentrator*  
*Site at Macaron*

Reference is made to your letter of *10/9/91* concerning the above and I wish to advise that this Department will be prepared to accept a surrender of the required area from *Vanrook P.H* and pursue the matter of the issue of a Special Lease thereover provided the following requirements are fully complied with:-

- (a) Plans of the site area and the balance lease, following excision, are provided at no cost to this Department;
- (b) *(1)* The written concurrence/s of is/are lodged in this Office;
- (b) All costs are paid;
- (c) All necessary documentation, in order for registration, is lodged in this Office; and
- (d) At the appropriate time; arrangements are made to have the necessary form of partial surrender duly completed and returned to this Office together with the relative Instrument of Lease.

In this particular case and having had regard to the remoteness of the area, survey will not be insisted upon at this point in time, however, may be affected if so desired.

As the lessee/s have indicated willingness to grant you a License for the purpose of access to the site area, this Department does not have any further requirements in that regard. However any alternative method of access should be referred to this Department for further consideration.

.../2..

Release



This approval is given on the distinct understanding that if the lessee/s of *Vanrock P.4.* makes an application for a more secure tenure over the area contained therein and a freehold/freeholding tenure is subsequently approved, Telecom Australia will complete the survey of the area which is the subject of this special Lease offer together with access thereto, if applicable, in a manner which will not inconvenience the lessee of the aforementioned holding.

In this regard it will be necessary, if survey is not effected in the first instance, for Telecom Australia to lodge a written intimation that it will comply with the requirements of the preceding paragraph if and when called upon to do so.

Upon satisfaction of (a) above, your proposal will receive further consideration and it should be noted that following regionalization of the functions of this Department all future correspondence relating to the subject site should be forwarded to the Regional Director Northern Region, Dept of Land, TOWNSVILLE.

Yours faithfully  
for PDLU

AND

2. If (1) above approved and survey not effected the file to be flagged in the following manner:-

"Telecom australia had lodged an intimation that it will be responsible for compliance with survey requirements in respect of Special Lease in its favour for Digital Radio Concentrator System over part of this holding."

All proposed transferees should be made aware of the above.

B/C The Regional Director  
*Northern* Region

For your information

for P.D.L.U.

NOT TYPE

NOR MANTON

LAND AGENT'S DISTRICT

SUBJECT: Surrender of part of Vanrook PDH for the purpose of inclusion in Lotus Vale PDH. and subsequent inclusion of Special Conditions

B/c Recording.

Having regard to the above please note the following

- (1) Vide approval of 19.10.90.
- (2) Offer in principle of 30.10.90
- (3) Roads approval of 1.11.90
- (4) Formal offer of 5.11.90
- (5) Fees paid 22.11.90
- (6) Instruments of leases on files
- (7) Lots 221 & 893 on Plan FK2
- (8) Surrender executed 8.11.90
- (9) Road opened & closed by Gov Co of 16.3.91  
\* (within Lotus Vale only)

In view of the above would you please take the necessary action to amend Vanrook PDH & Lotus Vale PDH as per approval of 19.10.90

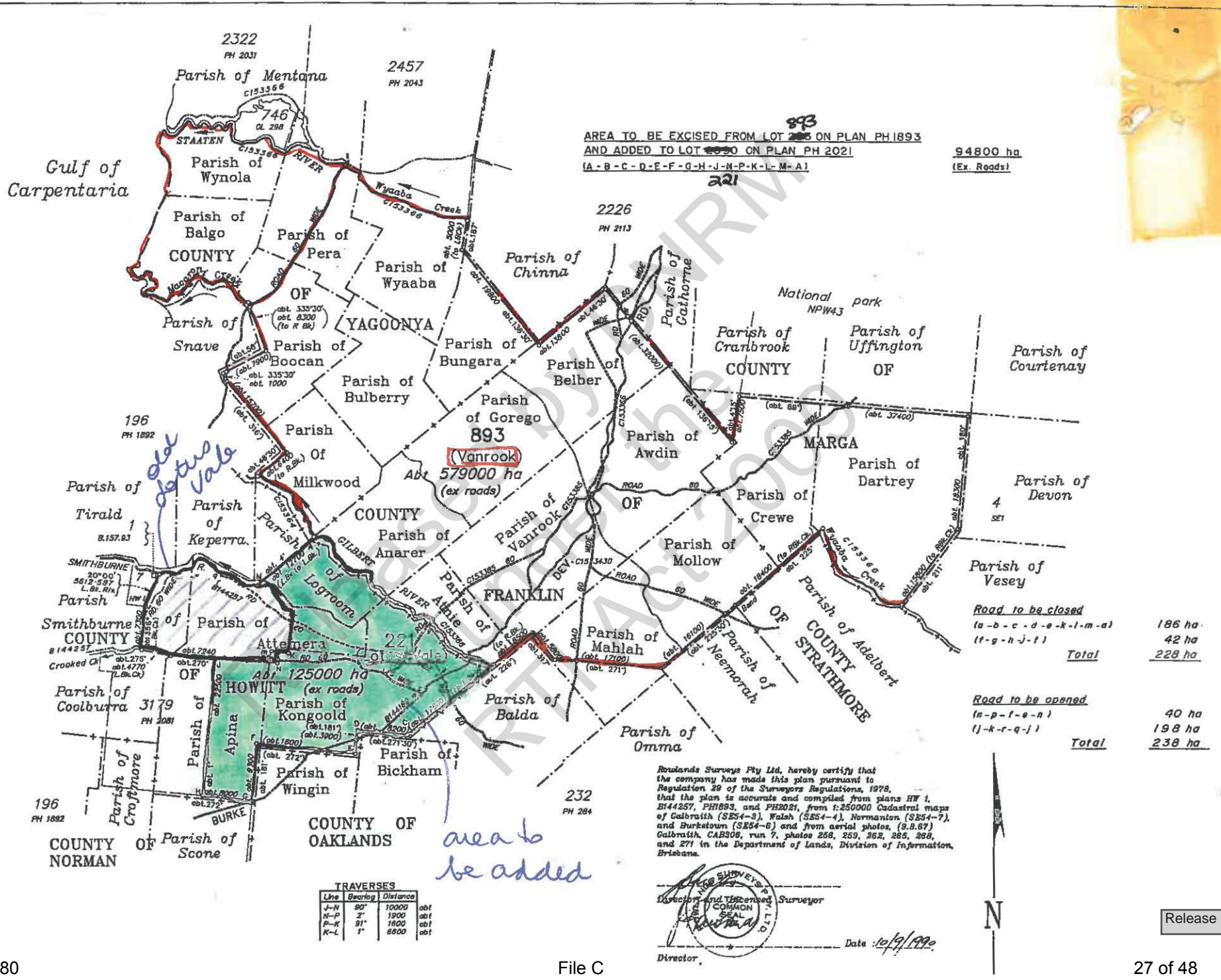
~~Y~~ Sule (1)

26.3.91

Release

\* Vanrook can be amended as from surrender date but Lotus Vale must be amended as from gazette date because of road actions.

DEPARTMENT OF LANDS, Queensland  
 Lot 2090 on plan PH2021 and lot 253 on plan PH1893  
 MERIDIAN  
 C.A.M.  
 Vibe PH 1893  
 L.A.C. REF. PH 34/233  
 D. 1. 2. 3. 4. 5.  
 PH 253 on plan PH 1893  
 SCALE 1:400,000  
 PH 2090 on plan PH2021 and lot 253 on plan PH1893  
 PLAN  
 County As shown  
 Parish As shown  
 Lot 253 on plan PH 1893  
 County As shown  
 Parish As shown  
 Lot 2090 on plan PH2021 and lot 253 on plan PH1893  
 PLAN  
 County As shown  
 Parish As shown  
 Lot 253 on plan PH 1893  
 County As shown  
 Parish As shown



**AREA TO BE EXCISED FROM LOT 221 ON PLAN PH 1893  
 AND ADDED TO LOT 2090 ON PLAN PH 2021**  
 (A - B - C - D - E - F - G - H - J - N - P - K - L - M - A)

**94800 ha**  
 (Ex. Roads)

old lot 253 vale

area to be added

Road to be closed  
 (a - b - c - d - e - k - l - m - a)  
 (f - g - h - j - l)

186 ha  
 42 ha  
Total      228 ha

Road to be opened  
 (a - p - f - g - n)  
 (j - k - r - q - j)

40 ha  
 198 ha  
Total      238 ha

**TRAVERSES**

Line	Bearing	Distance	obt
J-H	90°	10000	obt
H-P	2°	1000	obt
P-K	91°	1800	obt
K-L	1°	8800	obt

QUEENSLAND SURVEYS PTY. LTD.  
 Director and Licensed Surveyor  
 COMMON SEAL

Date: 10/19/1990

Release

FOLDED OR MUTILATED PLANS WILL BE REJECTED - PLAN MAY BE ROLLED

PC 97464  
PH 34/253

1- Roads 15

Please enter road spg & dos action in records.

2- Sub 1

For your further action and to note road opening and closure in AG 16-3-91 No 60 pgs 1408-9.

KN Grand  
Rds (10)  
20-3-91.

Released by DIRM  
under the  
RTI Act 2009

Release

Normanton

LAND AGENT'S DISTRICT

SUBJECT:

PERMANENT ROAD CLOSURE

OPENING OF ROAD

~~TEMPORARY ROAD CLOSURE~~

~~CANCELLATION OF ROAD LICENCE~~



APPROVAL: 1-11-90	NOTICE PREPARED KMcGrath Rob RO 25-2-91	MINUTE PREPARED 26/2/91 27/2/91
PLAN: FK 2		

GOVERNMENT GAZETTE NOTIFICATION DISTRIBUTION

- G.G.N. AND PLAN TO LAND AGENT Normanton Cloncurry
- G.G.N. AND PLAN TO VALUER GENERAL, BRISBANE
- G.G.N. AND PLAN TO DISTRICT ENGINEER MAIN ROADS DEPARTMENT Po Box 338 Cloncurry 4824 Ref: 31/1898/11 P64 31/1/703
- G.G.N. AND PLAN TO Carpentaria SHIRE/TOWN/CITY COUNCIL Po Box 31  
Normanton 4890  
Ref: DRP/A29/JCZ
- G.G.N. AND PLAN TO (OTHER GOVERNMENT DEPT.) \_\_\_\_\_

G.G.N. AND PLAN TO APPLICANT (address and reference)

Cannan & Peterson

Solicitors

DX 114

Brisbane

Your ref: RJS: DRB:MLF

Minutes and Gazette Section  
Action Complete

*[Signature]* 18 3 91

B/C ROADS DIVISION  
FOR YOUR FURTHER ATTENTION.

Department of Lands  
Brisbane, 14 March, 1991

IT is hereby notified, in pursuance of the provisions of the *Land Act 1962-1990*, that the lands described in the First Schedule hereto are hereby opened as roads and it is hereby further notified that the areas of road described in the Second Schedule are hereby permanently closed.

A. G. EATON  
Minister for Land Management

*First Schedule*

**THE BRISBANE LAND AGENT'S DISTRICT**

*County of Ward, parish of Nerang*

Vacant Crown Land

An area of 121 square metres contained within stations 2-3-6-7-8-9-2 abutting the western boundary of Reserve for Park (R.1005) and shown as road to be opened on plan WD806114 deposited in the Department of Lands.

Res. 13697

**THE CAIRNS LAND AGENT'S DISTRICT**

*County of Solander, parish of Salisbury, town of Port Douglas*

Reserve for Local Government (Port and Harbour) Purposes  
(R.177)

An area of about 2320 square metres being a strip of varying width within the Reserve and shown as road to be opened on plan SR808245 deposited in the Department of Lands.

Crown Land

A strip generally 30 metres wide in the vicinity of Port Street as shown on plan RA4213 in the Department of Lands.

Res. 17617

**THE GYMPIE LAND AGENT'S DISTRICT**

*County of March, parish of Gympie, town of Gympie*

Crown Land

Strips of varying width known as Beresford Crescent as shown on plan RA4247 in the Department of Lands.

R.C. 49410

**THE NORMANTON LAND AGENT'S DISTRICT**

*County of Howitt, parishes of Kongoold and Attemera*

Lot 253 on plan PH1893, Vanrook Pastoral Development Holding  
34/253

Lot 2090 on plan PH2021, Lotus Vale Pastoral Holding 34/2090

Areas totalling 238 hectares being a strip generally 60 metres wide within the Holdings and shown as road to be opened on plan FK2 deposited in the Department of Lands.

P.D.H. 34/253 Vanrook  
P.H. 34/2090 Lotus Vale

**THE TOOWOOMBA LAND AGENT'S DISTRICT**

*County of Aubigny, parish of Drayton, city of Toowoomba*

Crown Land

An area of 233 square metres being a strip along and within a southern boundary of Lot 213 on plan AG4208 and shown as road to be opened on plan AG4330 deposited in the Department of Lands.  
Res. 1979

*Second Schedule*

**THE BRISBANE LAND AGENT'S DISTRICT**

*County of Ward, parish of Nerang*

Areas totalling 1260 square metres being that part of Labrador Street, Labrador, abutting the western boundary of Lot 1 on R.P. 185150 and shown as road to be closed on plan WD810218 deposited in the Department of Lands.

R.C. 48103

**THE DALBY LAND AGENT'S DISTRICT**

*County of Lytton, parish of Thorn*

An area of 4.858 hectares being the road abutting the eastern boundaries of Lot 1 on R.P. 72824, Lot 167 on plan LY333 and intersecting Lot 166 on plan LY333 and shown as road to be closed on plan LY803553 deposited in the Department of Lands.

R.C. 48233

**THE GYMPIE LAND AGENT'S DISTRICT**

*County of Lennox, parish of Brooloo*

Areas totalling 1123 square metres being a strip of Yabba Creek Road adjacent to part of State Forest 135 an shown as road to be closed on plan LX2750 deposited in the Department of Lands.

B. 2582/2270/A/01

*County of March, parish of Woondum*

An area of 1.169 hectares being the road abutting the south-eastern boundaries of Lot 183 on plan MCH1515 and Lot 1 on R.P. 75329 and intersecting Lot 2 on R.P. 213601 and shown as road to be closed on plan MCH813967 deposited in the Department of Lands.

R.C. 47934

**THE INNISFAIL LAND AGENT'S DISTRICT**

*County of Nares, parish of Mourilyan*

Areas totalling 2.586 hectares being the roads separating Lot 18 on R.P. 702610 from Lot 2 on R.P. 718549 separating Lot 3 on R.P. 718549 and Lot 20 on R.P. 702610 from Lots 18 and 19 on R.P. 702610 and abutting the northern boundaries of Lot 3 on R.P. 718549 and Lots 19 and 20 on R.P. 702610 and shown as road to be closed on plan NR8088 deposited in the Department of Lands.

R.C. 19159

**THE IPSWICH LAND AGENT'S DISTRICT**

*County of Churchill, parish of Clumber*

An area of 1.785 hectares contained within stations 4b-5a-7-10-10a-4c-4b and shown as road to be closed on plan CC808035 deposited in the Department of Lands.

An area of 4135 square metres contained within stations 1b-4b-4c-2a-1b and shown as road to be closed on plan CC808035 deposited in the Department of Lands

L.A.B. 6097

Release

**ROAD TO BE OPENED, COLOURED**

**ROAD TO BE CLOSED, COLOURED**

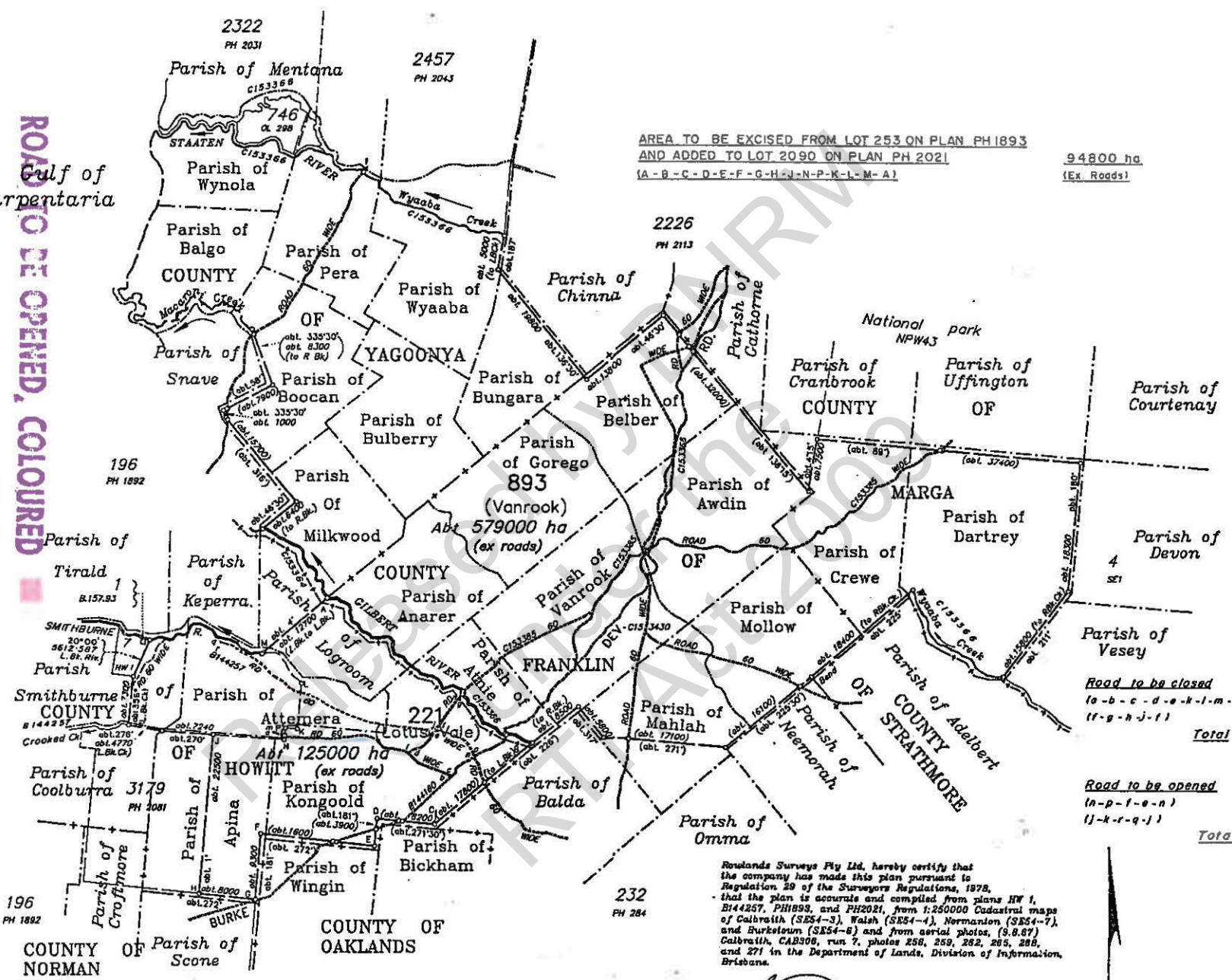
Gulf of Carpentaria

**PLAN OF LOTS 221 and 893**  
 Cancelling Lot 2090 on plan PH2021 and REDUCED COPY  
 Lot 253 on plan PH1893

Scale 1:400,000

PLAN PARISH As shown

15 380



AREA TO BE EXCISED FROM LOT 253 ON PLAN PH1893 AND ADDED TO LOT 2090 ON PLAN PH2021 (A-B-C-D-E-F-G-H-I-J-K-L-M-A)

94800 ha  
(Ex Roads)

Road to be closed (a-b-c-d-e-k-l-m-a) (f-g-h-j-i)	186 ha 42 ha <b>Total 228 ha</b>
Road to be opened (n-p-f-e-n) (j-k-r-q-j)	40 ha 198 ha <b>Total 238 ha</b>

Roulands Surveys Pty Ltd, hereby certify that the company has made this plan pursuant to Regulation 29 of the Surveyors Regulations, 1978, that the plan is accurate and compiled from plans HW 1, B14257, PH1893, and PH2021, from 1:250000 Cadastral maps of Calbraith (SES4-3), Walsh (SES4-4), Normanston (SES4-7), and Burkelston (SES4-8) and from aerial photos, (S.8.87), Calbraith, CAB308, run 7, photos 256, 259, 262, 265, 268, and 271 in the Department of Lands, Division of Information, Brisbane.

Director, Surveyors  
 Director

Date 10/9/1990

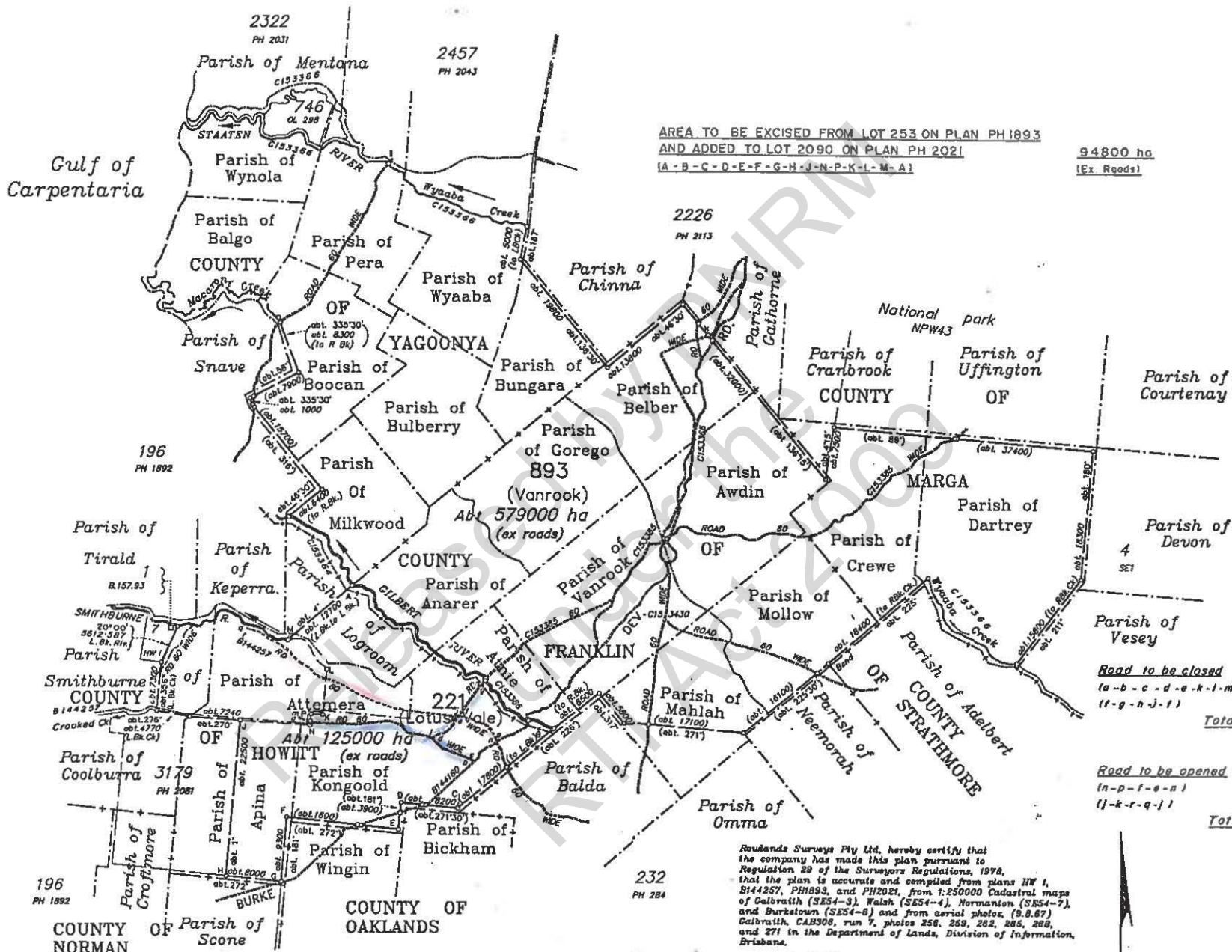
TRAVERSES

Line	Bearing	Distance	abt
J-N	90°	10000	abt
N-P	2°	1900	abt
P-K	91°	1600	abt
K-L	1°	6600	abt

File C

Release

31 of 48



AREA TO BE EXCISED FROM LOT 253 ON PLAN PH1893 AND ADDED TO LOT 2090 ON PLAN PH 2021 (A-B-C-D-E-F-G-H-J-N-P-K-L-M-A)

94800 ha  
(Ex Roads)

Road to be closed  
(a-b-c-d-e-k-l-m-a)  
(f-g-h-j-i) Total 228 ha

Road to be opened  
(n-p-f-e-a)  
(j-k-r-q-i) Total 238 ha

Roulands Surveys Pty Ltd, hereby certify that the company has made this plan pursuant to Regulation 28 of the Surveyors Regulations, 1978, that the plan is accurate and compiled from plans HW 1, B144257, PH893, and PH2021, from 1:250000 Cadastral maps of Galbraith (SES4-3), Walsh (SES4-4), Normanston (SES4-7), and Burketown (SES4-8) and from aerial photos, (S.B.87) Galbraith, CAS306, run 7, photos 256, 259, 262, 265, 268, and 271 in the Department of Lands, Division of Information, Brisbane.

Director and District Surveyor  
Date: 10/9/99

TRAVERSES			
Line	Bearing	Distance	abt
J-N	90°	10000	abt
N-P	2°	1900	abt
P-K	91°	1600	abt
K-L	1°	6900	abt

PLAN OF LOTS 221 and 893  
Cancelling Lot 2090 on plan PH2021 and REDUCED COPY  
Lot 253 on plan PH1893  
SCALE 1:400,000

PH 94/253  
66/2/90/106  
SE 54-3  
SER 4-7

PLAN FK2



WRL:KMCK  
RC 49290  
Enquiries: Roads (12) Mr Everitt :AC  
Telephone: 224 2331

18 February 1991

The Land Commissioner  
(Normanton District)  
CLONCURRY Q 4824

B/c The Land Commissioner  
For your information.  
Last H.O. B/c of 4/10/90  
refers.

for Assistant Director General

Cannan & Peterson  
Solicitors  
DX 114  
BRISBANE Q

Dear Sir

RE: APPLICATION FOR PERMANENT ROAD CLOSURE  
PARISHES OF KEPERRA AND SNAVE

Reference is made to your letter dated 30 January 1991 concerning the  
above matter.

I have to advise that upon registration of the transfer of Vanrook  
Pastoral Holding No. 253 in the name of Mowburn Nominees Pty Ltd this  
Department will give consideration to the joint application for the  
permanent road closure as sought.

Yours faithfully

*Michael Heath*

for Assistant Director General

*Rd 12 action  
completed at this time*

*① s/c Roads 10)  
Further to your submission  
on late 31-10-90 +  
Approval 1/11/90 +  
do you have an interest in  
this matter at this time  
② 14/1 sub ① 1/3/91  
③ 15/2 OPNS 12 20/2/91*

Release

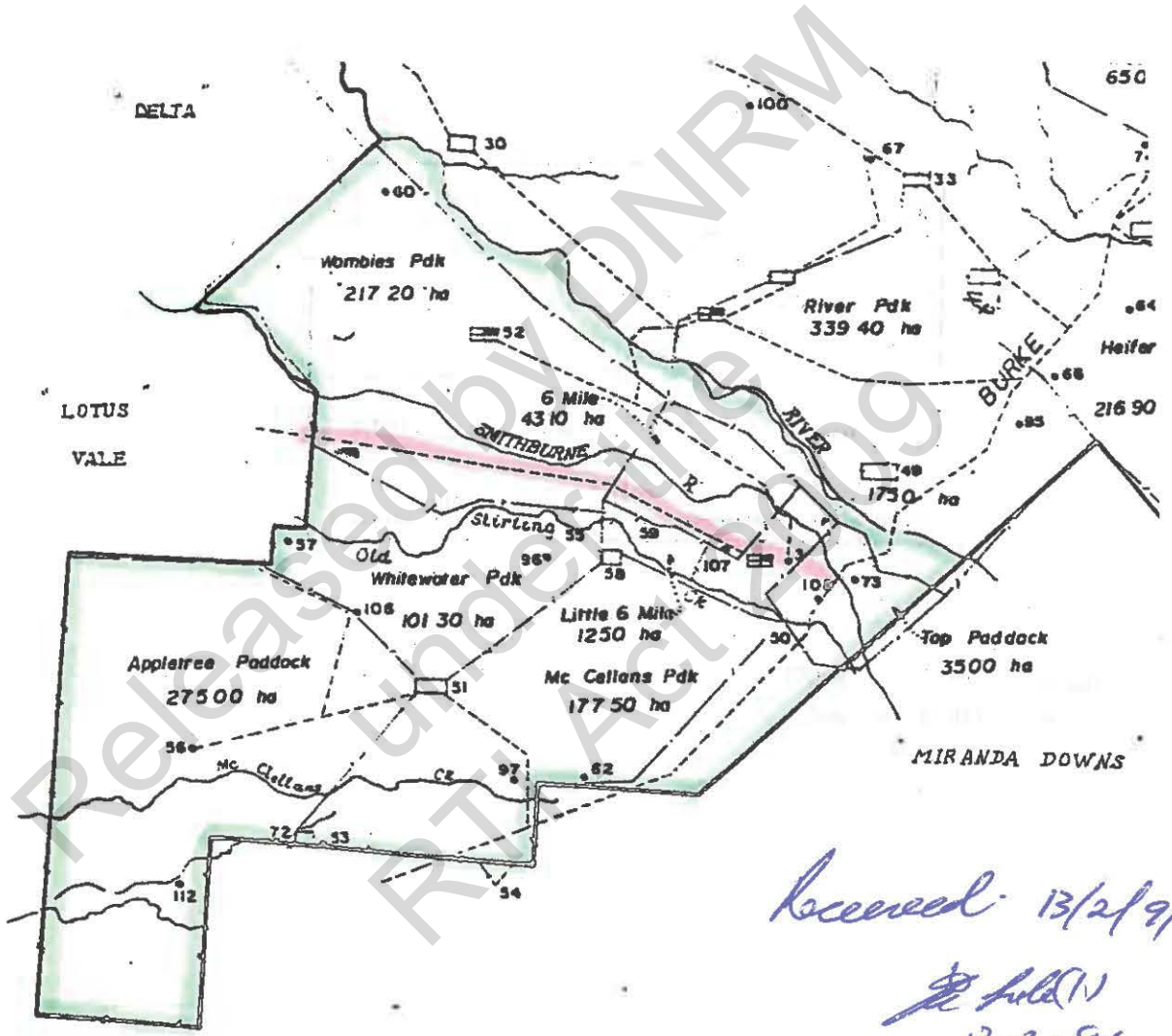
SURRENDER

KNOW ALL MEN BY THESE PRESENTS, that Queensland Stations Pty Ltd being the lessee of Vanrook Development Holding No 34/253 (Volume 7668 Folio 55)

Description: Lot 253 on Plan PH1893

Area : 6740 square kilometres

do hereby surrender and transfer to Her Sovereign Majesty Queen Elizabeth the Second all its right title and interest in and to the area coloured pink on the sketch below for road purposes and the balance of the area edged green for inclusion in Lotus Vale Pastoral Holding. (Plan to be drawn of Lotus Vale Pastoral Holding inclusive of this surrendered area will show the precise position of the road.)



*Received: 13/2/91*  
*J. Bull N*  
*13-2-91*

THE COMMON SEAL of QUEENSLAND STATIONS PTY LTD was hereto affixed on the 8th November 1990 by authority of a resolution of the Board of Directors

~~Witness whereof have hereunto set hand at~~

~~this~~ day of

Signed by the said in the presence of )  
CHARLES GRAHAM COULTS Director and )  
DAVID JOHN COULTS Director and )  
in my presence )

*[Handwritten signature]*  
J.P.



Release

## Normanton LAD

Re: Proposed road opening and closure within Vanrook Pastoral Holding No 34/253 and Lotus Vale Pastoral Holding No 34/2090.

In Report dated 24-9-90 it is recommended that road opening and closure action be taken however no reason is given for the recommendation. It is certified that there are no public utilities located on the area of road to be closed.

The proposed road opening and closure connects to the Burke Developmental Road and Main Roads were contacted on 18-9-90 for the views, but such have not yet been furnished.

In letter dated 28-9-90, Carpentaria Shire Council offered no objection to the proposed road opening and closure.

The road closure would appear not to adversely affect the public but does leave a road in Vanrook Holding ending at the Gilbert River.

Approval 19-10-90 allows for the area of Vanrook Holding, south of the Gilbert River, to be included in Lotus Vale Holding.

SUBMITTED:

may Imm Sdd(1) be advised that this Department would be prepared to seek Executive Authority in terms of section 362

and 368 (without advertisement) of the Land Act for the opening and closure of road as shown coloured pink and blue respectively on ~~attached~~ <sup>with</sup> hereunder provided:

OK 21-1-91

FK2

Vanrook 8-11-90

Lotus Vale 15-11-90

- ✓ (1) Department of Transport (Main Roads) concurs;
- ✓ (2) New plans are prepared suitable to describe the two Holdings exclusive of road to be opened and including area of road to be closed;
- ✓ (3) The area required to be opened as road is surrendered from Vanrook Holding 34/253 and Lotus Vale Holding 34/2090 for road purposes in conjunction with subdivision action.

KMcGraw

Rd 10

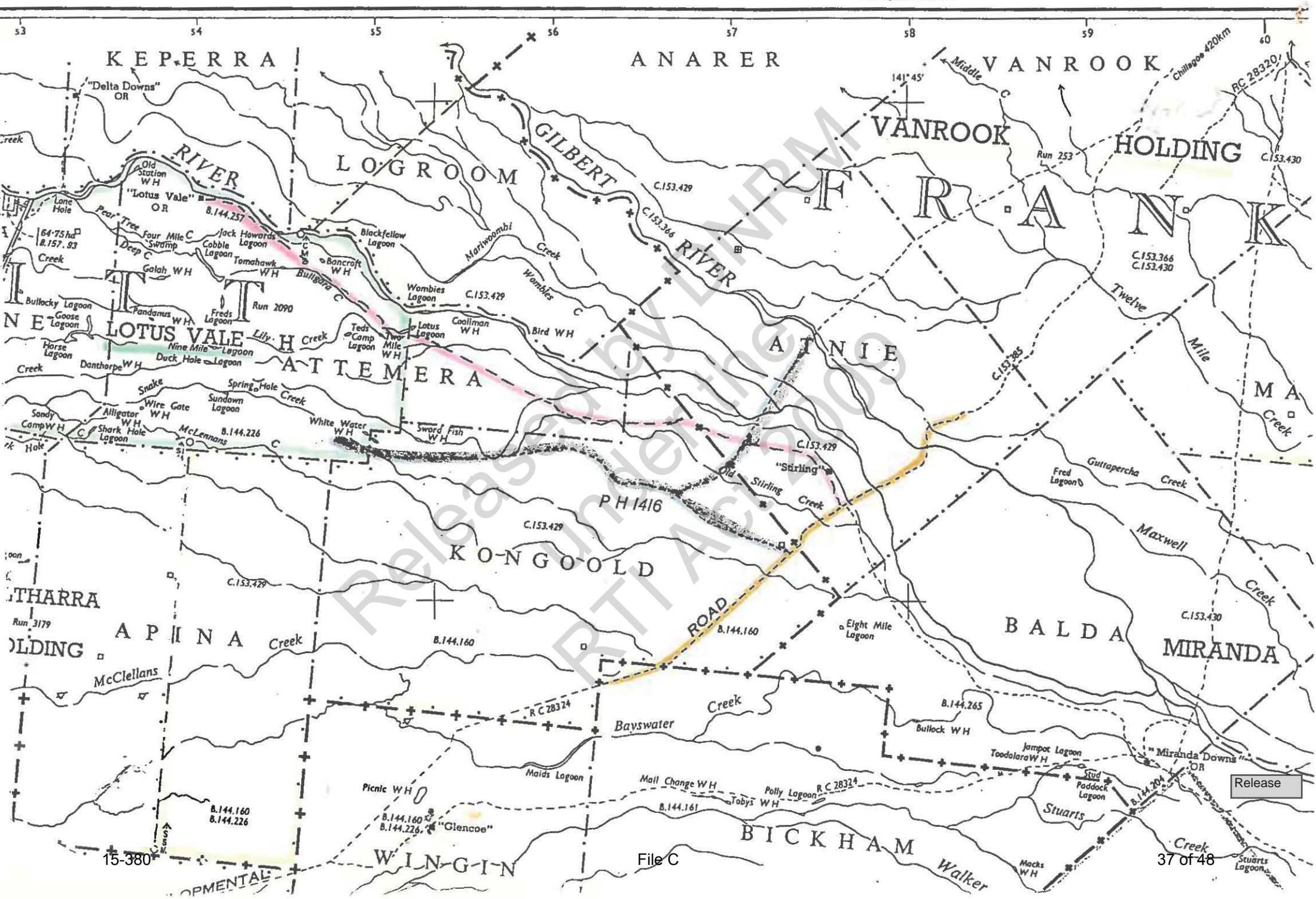
31-10-90

(1) (2) and (3)  
APPROVED

*[Signature]*  
11/11/90

B. J. Kelly  
MANAGER  
ROADS BRANCH

DONE SEE GA 16-3-91 1960 pgs 1408-9



Release

15-380

File C

DRB:LC  
PH 34/253 AW:LH  
Enquiries: Mr Wilkie SUB 1  
Telephone: 224 2344

29 October 1990

Land Commissioner  
Normanton District  
CLONCURRY Q 4824

Cannan & Peterson  
Solicitors  
DX 114  
BRISBANE QLD

Gentlemen

**RE TRANSFER OF THE "STERLING BLOCK" FROM VANROOK PASTORAL DEVELOPMENT HOLDING TO LOTUS VALE PASTORAL HOLDING**

Reference is made to previous correspondence in the above regard.

Provided the lessee of Vanrook Pastoral Development Holding surrenders that part of the holding south of the Gilbert River, it has been approved in principle to offer the lessee of Lotus Vale Pastoral Holding such surrendered area for inclusion in Lotus Vale Pastoral Holding in terms of the provisions of Section 13(2)(f) of the Land Act 1962-1990.

This offer is subject to:-

- (1) amendment of the conditions of lease of Lotus Vale PH in terms of the provisions of Section 14(2)(a) by insertion of the following conditions:-

Within 5 years

Construct fencing to divide Apple Tree Paddock into three lots;

Construct fencing to divide Wombies Paddock into two lots;

Construct two permanent water facilities in Apple Tree Paddock - one in the northern part of the paddock and the other in the southern part;

Construct a permanent water facility in the western part of Wombies Paddock;

Construct a set of yards at either McLennons or Apple Tree Dam;

*B/c Roads*

*Via page 6 of L/C's report of 24/9/90  
in which he recommends opening  
and closing of roads in Lotus Vale & Vanrook.*

*See also Carpentaria Jc's letter of 28-9-90  
raising no objection to the proposal.*

15-380

File C

Release

38 of 48

.../2

Equip with a mill and troughing and fence off:-

Apple Tree Dam  
 Allans Dam  
 New Six Mile Dam  
 Little Gal Dam  
 Sandstone Dam  
 Six Mile Dam

Construct two approved grids on the Burke Development Road to replace the existing gates;

(The lessee of Lotus Vale Pastoral Holding must furnish his written concurrence to the proposed amendment of the conditions of lease).

- (2) preparation of compiled plans of the adjusted holdings at no expense to the Crown;
- (3) payment of all costs and prescribed fees when requested;
- (4) adjustment of Vanrook Pastoral Development Holding on a pro-rata basis;
- (5) lodgement by both lessees of a declaration that they are aware of the provisions of Section 61 of the Land Act 1962-1990 which provides for reassessment of the annual rent of their existing leases from 1 January 1990 and that further rent may be payable on their leases pending the outcome of a review of land policy and administration in Queensland recently undertaken by the Land Policy and Review Committee; and
- (6) lodgement of advice from the Commissioner of Stamp Duties that his requirements, if any, have been satisfied.

The area and annual rent of the amalgamated block will be about 119280 hectares and \$7,634.00 respectively. These figures may be varied upon receipt of the compiled plan.

The Department is not prepared to seek Executive Authority for issue of a separate lease in respect of the area proposed to be surrendered from Vanrook Pastoral Development Holding as requested.

Investigations are presently being undertaken to determine whether the roads as shown on the attached sketch may be opened and closed. A formal offer to adjust the holdings will be made upon completion of these investigations.

B/C Land Commissioner

Yours faithfully

For your information.

  
 Secretary

  
 Secretary

Release

JRD.28925/CMG  
PH 34/253 AW:LH  
Enquiries: Mr Wilkie SUB 1  
Telephone: 224 2344

30 October 1990

Land Commissioner  
Normanton District  
CLONCURRENCY Q 4824

Boulton Cleary and Kern  
Solicitors  
DX 41404  
TOWNSVILLE QLD

Gentlemen

**RE TRANSFER OF THE "STERLING BLOCK" FROM VANROOK  
PASTORAL DEVELOPMENT HOLDING TO LOTUS VALE  
PASTORAL HOLDING**

Reference is made to previous correspondence in the above regard.

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This offer is subject to:-

- (1) amendment of the conditions of lease of Lotus Vale PH in terms of the provisions of Section 14(2)(a) by insertion of the following conditions:-

Within 5 years

Construct fencing to divide Apple Tree Paddock into three lots;

Construct fencing to divide Wombies Paddock into two lots;

Construct two permanent water facilities in Apple Tree Paddock - one in the northern part of the paddock and the other in the southern part;

Construct a permanent water facility in the western part of Wombies Paddock;

Construct a set of yards at either McLennons or Apple Tree Dam;

.../2

Release



Equip with a mill and troughing and fence off:-  
 Apple Tree Dam  
 Allans Dam  
 New Six Mile Dam  
 Little Gal Dam  
 Sandstone Dam  
 Six Mile Dam

Construct two approved grids on the Burke Development Road to replace the existing gates;

(The lessee of Lotus Vale Pastoral Holding must furnish his written concurrence to the proposed amendment of the conditions of lease).

- (2) preparation of compiled plans of the adjusted holdings at no expense to the Crown;
- (3) payment of all costs and prescribed fees when requested;
- (4) adjustment of Vanrook Pastoral Development Holding on a pro-rata basis;
- (5) lodgement by both lessees of a declaration that they are aware of the provisions of Section 61 of the Land Act 1962-1990 which provides for reassessment of the annual rent of their existing leases from 1 January 1990 and that further rent may be payable on their leases pending the outcome of a review of land policy and administration in Queensland recently undertaken by the Land Policy and Review Committee; and
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The Department is not prepared to seek Executive Authority for issue of a separate lease in respect of the area proposed to be surrendered from Vanrook Pastoral Development Holding as requested.

Investigations are presently being undertaken to determine whether the roads as shown on the attached sketch may be opened and closed. A formal offer to adjust the holdings will be made upon completion of these investigations.

Yours faithfully

B/C Land Commissioner

For your information.

  
 Secretary

  
 Secretary

Release

# MEMORANDUM

DATE: 10 October 1990

Vanrook 34/253

TO:

FROM:

A Wilkie Sub 1

SUBJECT:

SURRENDER PART OF VANROOK PDH (STERLING BLOCK) FOR THE PURPOSE OF INCLUSION IN LOTUS VALE PH



DEPARTMENT  
OF LANDS

Vide Mr Acting Commission Member Webster's direction of 26 July 1990 to instruct the District Land Commissioner to inspect the block and to furnish his report on the proposal as a matter of urgency.

Details of the blocks as contained in the Land Commissioner's report are as follows:-

	<u>Lotus Vale</u>	<i>part of</i> <u>Vanrook</u> <i>for addition</i> <i>to Lotus Vale</i>	<u>Amalgamated</u> <u>Block</u>
Area	30203 ha	89078 ha	119280 ha
Carrying Capacity	1:11 (2745)	1:15 (5938)	1:14 (8520)
Present Potential	1:11 (2745)	1:13 (6852)	1:12 (9940)

District Living Area Standard is 3900-5200.

Lotus Vale is presently well below a living area. If the proposal is allowed it will have a potential carrying capacity approaching two (2) living areas while Vanrook's viability will not be affected as it would then comprise about six (6) living areas.

The Carpentaria Shire Council by letter of 6 August 1990 raised no objection to the proposal subject to the condition that the two grids on the Dimbulah Road which were removed and replaced with gates be reinstated.

See also the letter of 12 September 1990 from the Department of Transport requesting that the gates across the Normanton to Dimbulah Road be replaced with approved road grids.

Previous development reports indicate the conditions of both leases have been and are being complied with.

The Land Commissioner recommends excision of the part of Vanrook PDH south of the Gilbert River and its inclusion in Lotus Vale PH as proposed be allowed at an annual rent of 6.9c per hectare.

.../2

Release

The Land Commissioner considers that in order to achieve the potential carrying <sup>capacity</sup> on Sterling it would be necessary to construct further water facilities together with associated fencing and yards.

The proposal would create a block when fully developed approaching two living area. Although this is somewhat on the high side it is considered to be more desirable to take the opportunity to bring Lotus Vale above a living area than maintain the present substandard block.

B/C Field Services

For your comments and review of the annual rent.

  
A Wilkie Sub 1  
10/10/90

B/C Sub (1) TMM

The terms, conditions and rental of 6.2 cents/ha are satisfactory.

The carrying capacity at 2520 (potential 9940) is somewhat higher than the living area standard, however the additional area would certainly be of great benefit to Lotus Vale.

I consider that the subdivision and amalgamation would not be against the public interest.

J. G. Douse  
RM(N) F/S  
11/10/90

Release

**SUBMITTED**

*fair principle*

May the Solicitors for both parties be advised that provided the lessee of Vanrook PDH surrenders that part of the holding south of the Gilbert River, it has been approved to offer the lessee of Lotus Vale PH such surrendered area for inclusion in his holding in terms of the provisions of Section 13(2)(f) of the Land Act at an annual rent of ~~6.9c~~ *6.49* per hectare for the balance of the rental period of the lease

*( See Regional Manager's Meeting of 29-10-90 on W.C.'s report )*

The offer will be subject to:

- (1) amendment of the conditions of lease of Lotus Vale PH in terms of the provisions of Section 14(2)(a) by insertion of the following conditions:- *( subject to the written consent of the lessee: Lotus Vale )*

Within 5 years

Construct fencing to divide Apple Tree Paddock into three lots;

Construct fencing to divide Wombies Paddock into two lots;

Construct two permanent water facilities in Apple Tree Paddock - one in the northern part of the paddock and the other in the southern part;

Construct a permanent water facility in the western part of Wombies Paddock;

Construct a set of yards at either McLennons or Apple Tree Dam;

Equip with a mill and troughing and fence off:-

- Apple Tree Dam
- Allans Dam
- New Six Mile Dam
- Little Gal Dam
- Sandstone Dam
- Six Mile Dam

Construct two approved grids on the Burke Development Road to replace the existing gates.

- (2) preparation of compiled plans of the adjusted holdings, *at no expense to the lessee*
- (3) payment of all costs and prescribed fees when requested;
- (4) adjustment of Vanrook PDH on a pro-rata basis;

Release

(5)

lodgement by both lessees of a declaration that they are aware of the provisions of Section 61 of the Land Act 1962-1990 which provides for reassessment of the annual rent of their existing leases from 1 January 1990 and further rent may be payable on their leases pending the outcome of a review of land policy and administration in Queensland recently undertaken by the Land Policy and Review Committee.

*AWAKE SUD1  
21.10.90*

*b. Determination on whether roads within area may be opened and closed as recommended by LC*

*The Department is not prepared to seek Executive Authority for issue of a separate Lease in respect of the area proposed to be surrendered from Varrack as requested.*

NOTE

*Normally matters relating to opening & closing of the roads in question would be resolved prior to approval being obtained for this action*

*However MRD views are outstanding and the contract for sale provides for subdivision approval by 9.11.90*

*I have no objection to this increase on the basis of build up of standard Lotus Vale. However the matter of whether the Commission is prepared to allow its increase to 2 living areas has yet to be addressed*

*R. Phillips*

MANAGER,  
TENURE MANAGEMENT AND MAINTENANCE

17.10.90

*Approved - it appears the Gilbert River has been run as a natural boundary.*

*J. White  
19-10-1990*

*Noted Varrack already substantially in nature of being areas and now is an increase of build up in a remote part of the state. WATCH*

*Approved to be incorporated in policy material in following areas oppd by B. S. Shea*

Release

# MEMORANDUM

DATE: 2 October 1990 RC 49290:PDK  
TO:  
FROM: Roads 12  
SUBJECT: APPLICATION FOR PERMANENT ROAD CLOSURE, PARISHES OF KEPERRA AND SNAVE



DEPARTMENT  
OF LANDS

Applicant: Morr Morr Pastoral Co Pty Ltd  
through their Solicitors Cannan and Peterson  
letter dated 18 April 1990.

The closure of the subject road shaded blue would create an area of landlocked road as highlighted yellow on the litho.

### SUBMITTED

May the applicant be advised through their Solicitor that the dedicated road as shown on Plan PH 1892 crosses into adjoining VANROOK HOLDING NO 253.

Section 363 of the Land Act states that only an adjoining owner/lessee of a road no longer required for public use may apply to have such road closed.

If the applicant were able to arrange for a joint application for permanent closure from the registered lessee of Vanrook Holding being Queensland Stations Pty Ltd, then consideration could be given to advertising the closure in terms of Section 363 of the Land Act.

If this joint application cannot be arranged, this Department would be prepared to advertise temporary closure of the road in terms of Section 363 of the Act, of such parts of the road within Delta Downs Holding - However it is pointed out that usage of the road by any person constitutes public use of the road.  
Your further advice in due course would be appreciated.

B/c Land Commissioner  
(Normanton District)  
CLONCURRY

ROADS 12

- 2 OCT 1990

APPROVED

*B. Howes*

B. Howes

MANAGER  
ROADS BRANCH

3 10.90

Release

# MEMORANDUM

DATE: 19 July 1990  
 TO: Mr Commissioner Member Webster  
 FROM: Mr R Mee - Sub (1)  
 SUBJECT: SURRENDER OF PART OF VANROOK PDH, I.E., STIRLING BLOCK FOR THE PURPOSE OF INCLUSION IN LOTUS VALE PH



DEPARTMENT  
OF LANDS

Vide notes of 27 June 1990 together with approval of 10 July 1990 in regard to the subject matter in that upon receipt of a formal application, consideration could be given to the inclusion of part of Vanrook PDH, i.e., Stirling block in Lotus Vale PH.

By letters of 12 July 1990 (Boulton, Cleary & Kern) and 13 July 1990 (Cannan & Peterson) Solicitors, acting on behalf of the vendor and purchaser respectively have lodged formal applications in regard to the subject matter.

Prior to instructing the Land Commissioner at Cairns to furnish the necessary rentals for the amended leases and whether or not any Special Conditions should be included or deleted in the amended leases, it will be necessary to determine if the Commission is agreeable to increase the present Lotus Vale PH from below a living area to approximately two (2) living areas.

Should the Stirling block be surrendered from Vanrook PDH, it will still have the potential of seven (7) living areas.

Overall, it is considered it would be more beneficial to the Crown if a holding consisted of two (2) living areas rather than below a living area.

As regard to the actual design of the Stirling block it is considered it should be restricted to the land south-west of the Gilbert River and within the boundary of Vanrook Holding, i.e., no fencing to be taken <sup>as</sup> on the boundary. However, this matter could be discussed by the Land Commissioner with the lessee of Lotus Vale PH.

At this stage it is considered approval in principle should be given to the proposal pending the report and recommendation by the Land Commissioner at Cairns and advice from the Carpentaria Shire Council that it has no objection to the proposal.

*Cloncurry*

*R Mee*

Mr R Mee  
Sub (1)

B/C FIELD SERVICES BRANCH

Release

Would you please furnish your comments on the proposal.

*I agree. The proposal appears to be one that should meet with approval. The details of design, etc will be tidied up with the LC's report.*

*J. G. Doude*

REGIONAL MANAGER (NORTHERN)  
VALUATIONS BRANCH  
DIVISION OF FIELD SERVICES

25 JUL 1990

*Land contracted to be sold is not part of Vanrook south west of the Gilbert River*

*Rp  
Mee  
11m  
25/7/90*

**SUBMITTED**

May approval in principle be given to the inclusion of the Stirling block being part of Vanrook Pastoral Holding in Lotus Vale Pastoral Holding under Section 13(2)(f).

Advise lessee accordingly and point out that a formal offer will be made following receipt of the appropriate conditions and ~~rents~~ from the Land Commissioner at Cloncurry.



ADMINISTRATION OFFICER, SUBDIVISIONS & ESTATE MANAGEMENT AND MAINTENANCE

25 JUL 1990

From file figures the carrying capacity of Lotus Vale Pastoral Holding would be about 9012 head if inclusion of the proposed area is allowed. (Lotus Vale 2745 plus 6267).

On a District Living Area Standard of 3900 to 5200 the proposed increased Lotus Vale would be around two living areas, possibly less, possibly more. Approval in principle should not be given unless the Department is quite prepared to increase Lotus Vale to two living areas. //

If there is any doubt the matter of how much of Vanrook may be included in Lotus Vale would have to be reported on by the Land Commissioner and a decision given after his investigation. I would presume that this would take some time bearing in mind the location in the Gulf.

Clause 30 of the Contract provides that it is conditional upon approval to subdivision substantially in accordance with the annexed plan and issue of a separate title within 4 months of the date of contract or such further time as the parties mutually agree.

The Department could not allow a separate Lease for the area proposed to be surrendered. Whilst it is in excess of a living area, Lotus Vale isn't. Consequently if approval is given it could only be on the basis of inclusion in Lotus Vale.

The parties should be made aware of this in any approval given.

Release

*R. Phillips*  
MANAGER - TMM

26.7.90

*Manager T.M.M*  
*on the face this note it would suggest a combined carrying capacity in the order of two living areas.*  
*to allow the matter of amalgamation to be fully investigated the Land Commissioner should be requested to inspect and report on a matter of urgency.*  
*J. Fisher*  
*26-7-1990*