



<u>Date</u>	<u>Item Type</u>	<u>Computer File Name / Description</u>	<u>Case Id</u>	<u>Int id</u>
26/03/2015	Document	000019 frm_Mareeba_SC_object_to_app_to_purchase_reserve	2014/006215	1249450
09/03/2015	Document	000020 to_DTMR_update_progress_on_sale_of_Rail_lands	2014/006215	
09/02/2015	Document	000021 frm_MSC_objects_to_relinquish_part_of_reserve	2014/006215	
03/02/2015	Document	000022 to_Girgenti_Law_amend_PRC__withdraw_apps__MSC_adv	2014/006215	1227878
28/01/2015	Document	000023 frm_DTMR_currently_negotiating_proposed_sale	2014/006214	
27/01/2015	Client Interaction	000024 Verbal__Outwards__Case__Telephone	2014/006215	1225273
20/01/2015	Client Interaction	000025 Written__Inwards__Case__Email	2014/006215	1223254
20/01/2015	Document	000026 fm_Council_request_info_on_options_for_reserve	2014/006215	1223254
06/01/2015	Client Interaction	000027 Written__Inwards__Case__Email	2014/006215	1218091
05/01/2015	Document	000028 frm_Girgenti_Law_change__withdraw_applic__info	2014/006216	1224965
05/01/2015	Document	000029 Em_fm_Girgenti_Request_fm_applicant__advice	2014/006215	1218091
10/12/2014	Document	000030 frm_DTMR_app_wants_valuation_to_purchase_rail_land	2014/006217	
29/09/2014	Document	000031 frm_DTMR_refer_application_to_DTMR__process	2014/006215	1188819
25/09/2014	Document	000032 to_Girgenti_post_lodgement_advice__options	2014/006210	1182987
08/09/2014	Document	000033 Title_search_for_L20_NR7137_Council_reserve	2014/006217	
08/09/2014	Document	000034 Title_searches_of_DTMR_railway_lands	2014/006210	
08/09/2014	Document	000035 DRAFT_Ltr_to_Girgenti_Law_post_lodgement_advice	2014/006215	
08/09/2014	Document	000036 Smartmap_showing_application_area__subject_Lots	2014/006215	
02/09/2014	Document	000037 frm_Girgenti_Law_TMR_to_assess_reserve_advice	2014/006215	
27/08/2014	Document	000038 ASIC_Company_Search_for_Reedloge__registered	2014/006216	
13/08/2014	Document	000039 Charles_ONeill_Dwg_no_5165__Rails_2__Revision_A	2014/006217	
08/08/2014	Client Interaction	000040 Written__Inwards__Case__Letter	2014/006215	1163927
08/08/2014	Document	000041 Application__details_of_proposed_use	2014/006215	1163927
08/08/2014	Client Interaction	000042 Written__Inwards__Case__Letter	2014/006215	1163920

<u>Date</u>	<u>Item Type</u>	<u>Computer File Name / Description</u>	<u>Case Id</u>	<u>Int id</u>
08/08/2014	Client Interaction	000043 Written__Inwards__Case__Letter	2014/006215	1163918
08/08/2014	Client Interaction	000044 Written__Inwards__Case__Letter	2014/006215	1163915
08/08/2014	Client Interaction	000045 Written__Inwards__Case__Letter	2014/006215	1163913
08/08/2014	Client Interaction	000046 Written__Inwards__Case__Letter	2014/006215	1163912
08/08/2014	Document	000047 Application__details_of_proposed_use	2014/006215	1163920
08/08/2014	Document	000048 Drawing__Sketch	2014/006215	1163918
08/08/2014	Document	000049 Drawing__Sketch	2014/006215	1163915
08/08/2014	Document	000050 Drawing__Sketch	2014/006215	1163913
08/08/2014	Document	000051 Application_Forms__Purchase_lease_state_land	2014/006215	1163912
08/08/2014	Document	000052 Application__Original_Receipt_2133539	2014/006210	1163790
08/08/2014	Document	000053 SLAM_LARIE_Spatial_Layers_for_78_SP152626	2014/006215	
08/08/2014	Document	000054 Current_Title_50479976__78_SP152626_	2014/006215	
08/08/2014	Document	000055 SLAM_LARIE_Spatial_Layers_for_20_NR7137	2014/006215	
08/08/2014	Document	000056 Current_Title_49001693__20_NR7137_	2014/006215	
08/08/2014	Document	000057 Application__Sketch_of_Proposed_Area__do_not_use_	2014/006214	1163736
08/08/2014	Document	000058 Application_letter_detailing_proposal	2014/006216	1163729
08/08/2014	Client Interaction	000059 Verbal__Outwards__Case__Telephone	2014/006215	1163877
08/08/2014	Document	000060 Acknowledgement_Email_With_Receipt	2014/006215	1163856

# eLVAS Client Interaction Report

## For Interaction id: 1285387

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Email  
Interaction date: 13-Jul-2015 1:32 PM  
Entered by: Lodge, Karen  
Reference:

Contact with: Girgenti Lawyers, Mareeba

### Documents

Document Type	Title	Received/Sent
Incoming email	from Girgenti no reply to statement of reasons	8-Jul-2015

### Interaction Record History

Service Centre: Innisfail  
Associated to Case: 2014/006215  
Revision No.: 0  
Updated by: Lodge, Karen  
Date: 13-Jul-2015  
Details: advise DNRM has not responded to their request for statement of reasons

### Assignment History

# eLVAS Client Interaction Report

## For Interaction id: 1285381

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Email  
Interaction date: 13-Jul-2015 1:25 PM  
Entered by: Lodge, Karen  
Reference:

Contact with: Girgenti Lawyers, Mareeba

### Documents

Document Type	Title	Received/Sent
Incoming email	from Girgenti Law request statement of reason	14-May-2015

### Interaction Record History

Service Centre: Innisfail  
Associated to Case: 2014/006215  
Revision No.: 0  
Updated by: Lodge, Karen  
Date: 13-Jul-2015  
Details: request written statement of reason in relation to the decision made to refuse application to purchase operational reserve

### Assignment History

# eLVAS Client Interaction Report

## For Interaction id: 1260024

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Outwards) Case  
Interaction method: Email  
Interaction date: 29-Apr-2015 9:58 AM  
Entered by: Lodge, Karen  
Reference:

Contact with: Mareeba Shire Council, Mareeba

### Documents

Document Type	Title	Received/Sent
Outgoing email	to Mareeba SC advise decision on application	29-Apr-2015

### Interaction Record History

Service Centre: Innisfail

Associated to Case: 2014/006215

Revision No.: 0  
Updated by: Lodge, Karen  
Date: 29-Apr-2015  
Details: advise decision made that insufficient grounds to revoke reserve

### Assignment History

# eLVAS Client Interaction Report

## For Interaction id: 1260016

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Outwards) Case  
Interaction method: Email  
Interaction date: 29-Apr-2015 9:50 AM  
Entered by: Lodge, Karen  
Reference:

Contact with: Department of Transport and Main, Roads, Rail and Ports

### Documents

Document Type	Title	Received/Sent
Outgoing email	to DTMR advise decision made on application	29-Apr-2015

### Interaction Record History

Service Centre: Innisfail

Associated to Case: 2014/006215

Revision No.: 0  
Updated by: Lodge, Karen  
Date: 29-Apr-2015  
Details: advise DTMR that DNRM has determined there are insufficient grounds to revoke part of the reserve - Lot 20 on NR7137 Reserve for local government - Aged Persons Home

### Assignment History

# eLVAS Client Interaction Report

## For Interaction id: 1259944

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Outwards) Case  
Interaction method: Generated Email  
Interaction date: 29-Apr-2015 9:03 AM  
Entered by: Lodge, Karen  
Reference:

Contact with: Girgenti Lawyers, Mareeba

### Generated Email Details

Email address: [pietro@girgentilawyers.com.au](mailto:pietro@girgentilawyers.com.au)  
Subject line: Proposed land development at Mareeba - Multi-tenure applications near Lot 78 on SP152626  
Email body: Dear Pietro, Please refer to attached letter advising the decision on your clients application to purchase part of Lot 20 on NR7137 being Operational Reserve for Local Government and Aged Persons Home. If you have any questions, please conatact this office on telephone no. 4048 3705 or email to [Townsville.SLAMS@dnrm.qld.gov.au](mailto:Townsville.SLAMS@dnrm.qld.gov.au). Please quote reference no's 2014/006215 & 2014/006210 in any future enquiries. Regards, Karen Lodge Land Officer, State Land Asset Management Department of Natural Resources & Mines Postal Address: PO Box 5318, Townsville Qld 4810 Telephone: 07 4048 3705 Email: [Townsville.SLAMS@dnrm.qld.gov.au](mailto:Townsville.SLAMS@dnrm.qld.gov.au) Website: [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)  
Attached Documents: to Girgenti Law decision on application(2829384)

### Documents

Document Type	Title	Received/Sent
Outgoing Letter/Document	to Girgenti Law decision on application	28-Apr-2015

### Interaction Record History

Service Centre: Innisfail  
Associated to Case: 2014/006215  
Revision No.: 0  
Updated by: Lodge, Karen  
Date: 29-Apr-2015  
Details: advise decision to refuse application to purchase part of Reserve - Lot 20 on NR7137 - Reedlodge Pty Ltd



## Assignment History

Released by EHP under the RTI Act 2009

**From:** LODGE Karen [Karen.Lodge@dnrm.qld.gov.au]  
**Sent:** Wednesday, 29 April 2015 9:49 AM  
**To:** 'Keira B Oliver'  
**CC:** 'Rebecca A Robson'  
**Subject:** RE: Rankin Street Road Closure - Girgenti

Hi Keira & Rebecca,

Reference is made to the application to purchase part of Lot 20 on NR7137 being Reserve for Local Government and after consideration of the advice from Mareeba Shire Council (as the Local Government and as Trustee of the Reserve) and provisions of section 33 of the *Land Act 1994*, DNRM has determined there are insufficient grounds to revoke part of the reserve and Girgenti Lawyers have been advised of this department's decision.

If you have any questions, please contact me on my details below and quote reference number 2014/006215.

Regards  
Karen Lodge  
Land Officer  
Department of Natural Resources and Mines  
Postal Address: PO Box 94, Innisfail Qld 4860  
Street Address: Rankin Street, Innisfail Qld 4860  
Telephone: 07-40483705  
Facsimile: 07-40614840  
Email: [Karen.lodge@dnrm.qld.gov.au](mailto:Karen.lodge@dnrm.qld.gov.au)

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**From:** LODGE Karen  
**Sent:** Monday, 9 March 2015 12:01 PM  
**To:** 'Keira B Oliver'  
**Cc:** Rebecca A Robson  
**Subject:** RE: Rankin Street Road Closure - Girgenti

Hi Keira, Is it possible to provide an update on the negotiations with the owner of Lot 78 on SP152626 in relation to the proposed sale of DTMR lands? Also, did you consult with Mareeba Shire Council as part of this process?

If you have any questions, please contact me on telephone no. 4048 3705 and quote reference numbers 2014/006210 & 2014/006215.

Regards,

Karen Lodge  
Land Officer  
Department of Natural Resources and Mines  
Postal Address: PO Box 94, Innisfail Qld 4860  
Street Address: Rankin Street, Innisfail Qld 4860  
Telephone: 07-40483705  
Facsimile: 07-40614840  
Email: [Karen.lodge@dnrm.qld.gov.au](mailto:Karen.lodge@dnrm.qld.gov.au)

---

**From:** Keira B Oliver [<mailto:Keira.B.Oliver@tmr.qld.gov.au>]  
**Sent:** Wednesday, 28 January 2015 11:00 AM  
**To:** LODGE Karen  
**Cc:** Rebecca A Robson  
**Subject:** RE: Rankin Street Road Closure - Girgenti

Hi Karen,

Thank you for your time to discuss the above matter. As per our discussion, this office is currently in negotiations with the owner of the adjoining lot, Lot 78 on SP152626, in relation to the proposed sale of the whole of Lot 79 on SP136292 and part of Lot 201 on SP129905 and Lot 231 on SP129908 as shown approximately on the attached colour plan. My understanding is that the plan was provided to us by the owner's solicitor and shows approximately the areas which the owner proposes to acquire.

Please contact me if there is anything you wish to clarify or further discuss.

Kind regards,

Keira Oliver

Principal Property Officer  
**Strategic Property** | Department of Transport and Main Roads

Floor 4| Terrica Place| 140 Creek Street Brisbane Qld 4000  
GPO Box 1412 | Brisbane Qld 4001  
P: (07) 3066 0852  
E: [keira.b.oliver@tmr.qld.gov.au](mailto:keira.b.oliver@tmr.qld.gov.au)  
W: [www.tmr.qld.gov.au](http://www.tmr.qld.gov.au)

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**From:** Rebecca A Robson  
**Sent:** Wednesday, 28 January 2015 9:53 AM  
**To:** LODGE Karen  
**Cc:** Keira B Oliver  
**Subject:** RE: Rankin Street Road Closure - Girgenti

Hi Karen

Keira Oliver is handling the negotiations and sale of the rail corridor land.

Keira, are you able to provide DNRM an update as to where the negotiations and contract of sale are at for their records??

Regards

**Rebecca Robson (B.Bus)**  
Principal Advisor (Rail Corridor Management) | Strategic Property Management  
**Portfolio Investment and Programming** | Department of Transport and Main Roads

Floor 4 | Terrica Place | 140 Creek Street | Brisbane Qld 4001  
GPO Box 1412 | Brisbane Qld 4001  
P: (07) 30667419 |  
E: [rebecca.a.robson@tmr.qld.gov.au](mailto:rebecca.a.robson@tmr.qld.gov.au)  
W: [www.tmr.qld.gov.au](http://www.tmr.qld.gov.au)

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**From:** LODGE Karen [<mailto:Karen.Lodge@dnrm.qld.gov.au>]

**Sent:** Wednesday, 28 January 2015 9:48 AM

**To:** Rebecca A Robson

**Subject:** RE: Rankin Street Road Closure - Girgenti

Hi Rebecca, Please let me know if any 'offer' has been made to the applicants in relation to the DTMR lands and is the 'offer' over the areas of DTMR lands they originally applied for.

Thanks

Karen Lodge  
Land Officer  
State Land Asset Management  
Service Delivery – North Region

Telephone: 07 4048 3705 Facsimile: 07 4447 9199

Email: [Townsville.SLAMS@dnrm.qld.gov.au](mailto:Townsville.SLAMS@dnrm.qld.gov.au)

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

Department of Natural Resources and Mines  
**Address:** 88 Rankin Street, Innisfail Qld 4860  
**Postal:** PO Box 5318, Townsville Qld 4810

---

**From:** Rebecca A Robson [<mailto:Rebecca.Robson@translink.com.au>]

**Sent:** Wednesday, 28 January 2015 9:42 AM

**To:** LODGE Karen

**Subject:** RE: Rankin Street Road Closure - Girgenti

Hi Karen

That's ok, we just wanted to check that DNRM had in fact requested that information from the client.

Thanks for confirming. We hope to have a response to the client regarding your queries shortly.

Regards

**Rebecca Robson (B.Bus)**

Principal Advisor (Rail Corridor Management) | Strategic Property Management

**Portfolio Investment and Programming** | Department of Transport and Main Roads

Floor 4 | Terrica Place | 140 Creek Street | Brisbane Qld 4001

GPO Box 1412 | Brisbane Qld 4001

P: (07) 30667419 |

E: [rebecca.a.robson@tmr.qld.gov.au](mailto:rebecca.a.robson@tmr.qld.gov.au)

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

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**From:** LODGE Karen [<mailto:Karen.Lodge@dnrm.qld.gov.au>]

**Sent:** Wednesday, 28 January 2015 9:40 AM

**To:** Rebecca A Robson

**Subject:** RE: Rankin Street Road Closure - Girgenti

Hi Rebecca,

I suggested to the applicant to contact DTMR to verify any interest in that part of Lot 20 on NR7137 as DTMR are adjoining owners and if there is any evidence of valid public works (please note that I have discussed Native Title requirements with Council, and hopefully they will provide the evidence for valid public works).

I realise that the applicants wish to purchase the DTMR land which adjoins, but I wish to cover all bases as these applications are dealing with multi-owners and multi-tenures.

Please refer to attached letter to the applicants Lawyer.

Regards

Karen Lodge  
Land Officer  
State Land Asset Management  
Service Delivery – North Region

Telephone: 07 4048 3705 Facsimile: 07 4447 9199  
Email: [Townsville.SLAMS@dnrm.qld.gov.au](mailto:Townsville.SLAMS@dnrm.qld.gov.au)  
Website: [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

Department of Natural Resources and Mines  
**Address:** 88 Rankin Street, Innisfail Qld 4860  
**Postal:** PO Box 5318, Townsville Qld 4810

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**From:** Rebecca A Robson [<mailto:Rebecca.Robson@translink.com.au>]  
**Sent:** Wednesday, 28 January 2015 9:30 AM  
**To:** LODGE Karen  
**Subject:** Rankin Street Road Closure - Girgenti

Hi Karen

Are you able to confirm if DNRM has requested the applicant to seek input from this department to the following questions:-

1. Does DTMR have any interests or claim to that part of Lot 20 on CP NR7137?
2. If not, does DTMR agree with the proposal for DNRM to further deal with the area to be amalgamated with Lot 78 on SP152626?; and
3. Has DTMR carried out any valid public works on Lot 20 on CP NR7137 as defined in the Native Title Act 1993 (Cth)? If so, please provide evidence to support same.

Regards

**Rebecca Robson (B.Bus)**  
Principal Advisor (Rail Corridor Management) | Strategic Property Management  
Portfolio Investment and Programming | Department of Transport and Main Roads

Floor 4 | Terrica Place | 140 Creek Street | Brisbane Qld 4001  
GPO Box 1412 | Brisbane Qld 4001  
P: (07) 30667419 |  
E: [rebecca.a.robson@tmr.qld.gov.au](mailto:rebecca.a.robson@tmr.qld.gov.au)  
W: [www.tmr.qld.gov.au](http://www.tmr.qld.gov.au)

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Released by EHP under the RTI Act 2009

**From:** LANGFORD Mark [Mark.Langford@dnrm.qld.gov.au]  
**Sent:** Wednesday, 29 April 2015 9:16 AM  
**To:** LODGE Karen  
**Subject:** FW: URGENT DLO REQUEST (DUE TODAY): Mareeba Retail Shopping Centre  
**Attachments:** Girgenti\_reedlodge\_proposal.pdf; DLO DNRM TEMPLATE\_MO or DLO Request.docx; GoogleEarth\_Image.jpg

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**From:** REID Terry  
**Sent:** Tuesday, 28 April 2015 4:52 PM  
**To:** HORROCKS Paul  
**Cc:** CUMMING Kate; SHADBOLT Kylie; LANGFORD Mark  
**Subject:** FW: URGENT DLO REQUEST (DUE TODAY): Mareeba Retail Shopping Centre

For approval.

Terry Reid  
Manager Land Services  
Service Delivery - North Region  
Department of Natural Resources and Mines  
**Telephone** 07 4222 5519 **Mobile** Rejection of the protection of an individuals right to privacy  
**E-mail** [terry.reid@dnrm.qld.gov.au](mailto:terry.reid@dnrm.qld.gov.au)  
5b Sheridan Street  
PO Box 937 Cairns QLD 4870

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**From:** LANGFORD Mark  
**Sent:** Tuesday, 28 April 2015 4:30 PM  
**To:** REID Terry  
**Subject:** RE: URGENT DLO REQUEST (DUE TODAY): Mareeba Retail Shopping Centre

For approval

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**From:** CUMMING Kate  
**Sent:** Tuesday, 28 April 2015 2:54 PM  
**To:** REID Terry; LANGFORD Mark  
**Cc:** HORROCKS Paul; SHADBOLT Kylie  
**Subject:** FW: URGENT DLO REQUEST (DUE TODAY): Mareeba Retail Shopping Centre  
**Importance:** High

Hi Terry and Mark

Can you please prepare response regarding below (using attached template), due COB today.

Kylie—can you please send be A/RM endorsed version. Thanks

Thank you

Kate Cumming  
Executive Officer  
Office of the Executive Director  
Service Delivery - North Region  
Telephone: 07 4222 5559

Rejection of the protection of an individuals right to privacy  
**Mobile:**  
**Facsimile:** 07 4222 5492

Email: [kate.cumming@dnrm.qld.gov.au](mailto:kate.cumming@dnrm.qld.gov.au)

Department of Natural Resources and Mines [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)  
5B Sheridan Street  
PO Box 937 Cairns, QLD 4870  
DNRM-Public-Service-Value\_blue\_V1



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**From:** COTTER Claire  
**Sent:** Tuesday, 28 April 2015 2:49 PM  
**To:** BUCKLEY Andrew; CUMMING Kate  
**Cc:** FREDRICK Claire; GRUNERT Dianne; VITANZI Pina  
**Subject:** URGENT DLO REQUEST (DUE TODAY): Mareeba Retail Shopping Centre  
**Importance:** High

Hi Andrew/Kate,

Please see below urgent request for information ahead of the Minister's trip to Mareeba tomorrow.

Can you please look into this matter and provide information back using the attached template. Note – a map has also been requested.

Can you please ensure that this is provide to me as soon as possible today. Once the request has been considered your end, can you give me an idea on timeframe.

I understand that some information is already available from a recent community cabinet meeting.

Thanks.

Regards,

Claire

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

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**From:** Simon Zanatta [<mailto:Simon.Zanatta@ministerial.qld.gov.au>]  
**Sent:** Tuesday, 28 April 2015 2:16 PM  
**To:** COTTER Claire  
**Cc:** Gillian Tyrrell  
**Subject:** URGENT INFORMATION REQUEST: Mareeba Retail Shopping Centre  
**Importance:** High



Hi Claire,

May I please request the following information urgently (**by COB today**) for the Minister's trip to Mareeba tomorrow.

- The land in question is over part of Lot 20 NR7137.
- The department has previously written to the applicants (Departmental Reference 2014/006215) regarding an application to purchase the land and have the parcel joined to a neighbouring lot to allow development.
- Parcel sits between 2 rail corridors. Seen as surplus to requirements and applicants wish to construct retail shopping centre
- It is understood that there is a lack of support from the local government
  
- May I please have information on all relevant information the Department holds on this particular matter.
- The history of the application process, future steps/applications required and associated timeframes
- Any objections received, and the rationale of the local government's position
- Any information on the applicants that the Department holds
- A map of the location of the particular parcel of land

Gillian, if I have missed anything of note or have made an error, please let myself and Claire know.

Regards,

Simon

Simon Zanatta

Acting Policy Advisor



**Office of the Hon. Dr Anthony Lynham MP**

Minister for State Development and Natural Resources and Mines

14-477-19-736-1111 The protection of an individuals right to privacy

QMEC Building, 61 Mary Street Brisbane QLD 4000

PO Box 15216 City East QLD 4002

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**DEPARTMENT OF NATURAL RESOURCES AND MINES**  
**RESPONSE TO MINISTER'S OFFICE/DEPARTMENTAL LIAISON OFFICER REQUEST**

<b>CTS No.</b>	
<b>DATE REQUESTED</b> <i>By DLO/Minister's Office</i>	28 April 2015
<b>NAME OF CONSTITUENT OR MEMBER OF PUBLIC</b> <i>If applicable</i>	Mr Pietro Girgenti
<b>ELECTORATE OFFICE</b> <i>If applicable</i>	
<b>RESPONDING OFFICER</b> <i>Author</i>	Name Mark Langford Title Senior Land Officer Contact Number 4222 5412
<b>FINAL APPROVAL</b> <i>DG/DDG/ED</i>	Name Andrew Buckley Position: Executive Director, Service Delivery North Region Contact Number: 4222 5561

**INFORMATION/ADVICE:**

- Reedlodge Pty Ltd owns freehold land described as Lot 78 on Plan SP136292 located in central Mareeba.
- The company intends to develop a retail shopping complex on the site, however more land is required in order to facilitate a larger shopping complex catering to a growing retail market in Mareeba.
- On 8 August 2014, the Department of Natural Resources and Mines (the department) received applications from Girgenti Lawyers on behalf of Reedlodge Pty Ltd proposing to simultaneously acquire part of four separate lots currently held by the Queensland Government.
- These four lots are:
  - Lot 79 on Plan SP136292, perpetual lease to Department of Transport and Main Roads (DTMR)
  - Lot 201 on SP129905, perpetual lease to DTMR
  - Lot 231 on SP129908, perpetual lease to DTMR
  - Lot 20 on NR7137, Reserve for Local Government and Aged Persons Home purposes with Mareeba Shire Council (the council) appointed as trustee.
- On 8 September 2014, Girgenti Lawyers was advised by the Department of Natural Resources and Mines (DNRM) that it would need to liaise directly with DTMR regarding acquisition of part of lots 79, 201 and 231.
- DNRM also advised Girgenti Lawyers to liaise with the council as trustee of lot 20 to gain its support for partial revocation of the reserve.
- Girgenti Lawyers advised that through its discussion with the council, an outcome in its favour is not expected and it was requested that the delegate of the Minister under the *Land Act 1994* (the Act) revoke the reserve as it is their position that the land is not needed for a community purpose.
- DNRM officers sought advice from the council on numerous occasions with the council confirming its decision to not relinquish part of the reserve as that land is still required for its dedicated purpose.
- DNRM recognises that trustees, especially local governments are best placed to make recommendations and decisions about the use of local community land, and whether trust land continues to be required for public purposes.
- The council is of the view that the land subject to the application, while vacant currently, could be utilised for its allocated purpose in the future. The council considers that the land has strategic planning value due to its proximity to important transport corridors.
- After consideration of the advice from the council as trustee and the provisions of section 33 of the Act, DNRM has determined there are insufficient grounds to revoke part of the reserve.
- Girgenti Lawyers will receive written advice of the decision made on 28 April 2015.



**Key to Proposed Realignment of Boundaries and Part Road to be Closed**

- 1- Lot 79 on SP 136292
- 2- Part of Lot 201 on SP 129905
- 3- Part of Lot 20 on NR 7137
- 4- Part of Lot 231 on SP 129908
- 5- Part of Rankin St, Mareeba adjoining Lot 78 on SP 152626

Released by EHP under the RTI Act 2009





20/NR7137 ( 1-5 FUELLING Street, MAREEBA)

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Google earth

Imagery Date: 6/24/2009 16°59'59.18" S 145°25'18.96" E elev 411 m eye alt 1.47 km

Page 21 of 96

2002

File A





Author Karen Lodge  
File / Ref number 2014/006215 & 2014/006210  
Directorate / Unit State Land Asset Management  
Phone (07)40483705  
Your Ref number PAG:142047 M

Department of  
**Natural Resources and Mines**

28 April 2015

Girgenti Lawyers  
PO Box 2086  
MAREEBA QLD 4880

sent via email: karri@girgentilawyers

Attention: Pietro Girgenti

Dear Pietro

**Proposed land development at Mareeba – Multi-tenure applications in the vicinity of Lot 78 on SP152626**

Reference is made to your clients applications as follows:

1. Application to purchase state land being part of Lot 20 on NR7137 being Operational Reserve for Local Government and Aged Persons Home purposes– DNRM reference 2014/006215
2. Application for permanent road closure of part of Rankin Street abutting Lot 78 on SP152626 – DNRM reference 2014/006210

In accordance with section 31A of the *Land Act 1994* (the Act), the Department may change the boundaries of a reserve by registering an adjustment notice or a plan of subdivision. In relation to your application a plan of subdivision registered in terms of section 31A of Act, would be on the basis that part of the reserve is revoked in terms of section 33 of the Act.

In reference to your written submission that the area, subject to your application, is no longer needed for its dedicated purpose is not supported by the current trustees of the reserve. The supporting information provided, does not diminish the trustees requirement to maintain their interest in the land for the purpose it was dedicated.

The information you have provided through the assessment of the application is noted. The department has written and consulted with the trustees regarding the partial revocation of that part of Lot 20 on NR7137. The trustees are firm in their position that the land is still needed for its dedicated purpose.

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Postal :  
DNRM  
PO Box 5318  
Townsville Qld 4810

Telephone : (07)40483705  
Email : [Townsville.SLAMS@dnrm.qld.gov.au](mailto:Townsville.SLAMS@dnrm.qld.gov.au)

The department recognises that trustees, especially local governments are best placed to advise the department about the use of local community land and nominate and retain land required for public purposes. After consideration of the advice from the trustees and the provisions of section 33 of the Act, there are insufficient grounds to revoke part of the reserve. The delegate of the Minister has decided not to revoke that part of the reserve to enable your client to purchase the application on the basis that, in the public interest, it is needed for its allocated purpose.

You are also advised that prior to lodging any future similar applications over the subject areas, the application will not be accepted unless it includes the written consent from the Trustee and Department of Transport and Main Roads supporting the application.

The abovementioned application for permanent road closure is part of the wholistic approach to your client's proposed development of Lot 78 on SP152626. Please provide advice in writing if your client would like to continue with your application for permanent road closure.

If you wish to discuss this matter please contact this office on telephone no. 4048 3705, quoting reference number 2014/006215 and 2014/006210.

All future correspondence relative to this matter is to be referred to the contact Officer at the mentioned address or by email to [Townsville.SLAMS@dnrm.qld.gov.au](mailto:Townsville.SLAMS@dnrm.qld.gov.au)

Yours sincerely

Karen Lodge  
Land Officer  
State Land Asset Management  
North Region

Author Karen Lodge  
File / Ref number 2014/006215 & 2014/006210  
Directorate / Unit State Land Asset Management  
Phone (07)40483705  
Your Ref number PAG:142047 M



Department of  
**Natural Resources and Mines**

?? April 2015

Girgenti Lawyers  
PO Box 2086  
MAREEBA QLD 4880

sent via email: karri@girgentilawyers

Attention: Pietro Girgenti

Dear Pietro

**Proposed land development at Mareeba – Multi-tenure applications in the vicinity of Lot 78 on SP152626**

Reference is made to your clients applications as follows:

1. Application to purchase state land being part of Lot 20 on NR7137 being Operational Reserve for Local Government and, Aged Persons Home purposes– DNRM reference 2014/006215
2. Application for permanent road closure of part of Rankin Street abutting Lot 78 on SP152626 – DNRM reference 2014/006210

The Department wishes to advise that investigations have been carried out into your clients application to purchase part of Lot 20 on NR7137 and it has been decided that the application be refused.

The reasons for refusal of the application are include:

- In accordance with sections 4, 16, 33 and 34I of the *Land Act 1994* investigations indicate the subject area of the Reserve is required for its public purpose as a Reserve for Aged Persons Home and also consider a Reserve is-to be the most appropriate tenure given its location and close proximity to transport corridor lands. The Trustee advised that at some future stage, the land could still be utilised for its intended purpose even while there are no immediate plans to develop the Reserve. Accordingly the Department is not satisfied the land is needed, in the public interest, for a different purpose.

You are also advised that prior to lodging any future similar applications over the subject areas, the application will not be accepted unless it includes the written consent from the Trustee and Department of Transport and Main Roads supporting the application.

Postal :  
DNRM  
PO Box 5318  
Townsville Qld 4810

Telephone : (07)40483705  
Email : [Townsville.SLAMS@dnrm.qld.gov.au](mailto:Townsville.SLAMS@dnrm.qld.gov.au)



The abovementioned application for permanent road closure is part of the wholistic approach to your clients proposed development of Lot 78 on SP152626, can you arrange to provide advice in writing, if they wish to proceed or not proceed with their application for permanent road closure.

If you wish to discuss this matter please contact this office on telephone no. 4048 3705, quoting reference number 2014/006215 and 2014/006210.

All future correspondence relative to this matter is to be referred to the contact Officer at the mentioned address or by email to [Townsville.SLAMS@dnrm.qld.gov.au](mailto:Townsville.SLAMS@dnrm.qld.gov.au)

Yours sincerely

Karen Lodge  
Land Officer  
State Land Asset Management  
North Region

Released by EHP under the RTI Act 2009

# eLVAS Submission Report

## For Case id: 2014/006215

### Submission Details

**Type:** Submission

**Title:** Submission Refuse application to purchase Reserve

**Created:** 24-Apr-2015

**Submitted:** 24-Apr-2015

**Submitted By:** Lodge, Karen

#### Actioning Officer's Recommendation:

Refer to attached submission document.

Recommendation:

In consideration of the above, may the following now be approved:

# advise Girgenti Lawyers that their client, Reedlodge Pty Ltd application has been refused in accordance with Section 4, 16, 33 and 34I of the Land Act 1994 as investigations indicate the subject area is required for its public purpose as a Reserve for Aged Persons Home.

# Advise that prior to lodging any future similar applications over the subject areas, the application will not be accepted unless it includes the written consent from the Trustee and Department of Transport and Main Roads supporting their application.

# Seek advice if their client would like to proceed or not proceed with their current application for permanent road closure over part of Rankin Street shown as Lot A on Drawing CNS15/004 which abuts Lot 78 on SP152626.

Please check attached letter titled 'Ltr to Girgenti Lawyers decision on application'.

#### Optional Recommendation Document:

Submission refuse application to purchase reserve

### Documents

Component	Document Type	Title	Received/Sent
	Incoming Letter	Application letter detailing proposal	8-Aug-2014
	Application	Application - Original Receipt 2133539	8-Aug-2014
	Application	Application Forms - Purchase/lease state land	8-Aug-2014
	Application	Drawing/ Sketch	8-Aug-2014
	Application	Drawing/ Sketch	8-Aug-2014
	Application	Drawing/ Sketch	8-Aug-2014
	Application	Application - details of proposed use	8-Aug-2014
	Application	Application - details of proposed use	8-Aug-2014
	Maps/Plans/Sketches	Charles O'Neill Dwg no. 5165 - Rails 2 -	13-Aug-2014

Incoming email	Revision A frm Girgenti Law TMR to assess, reserve advice	2-Sep-2014
Maps/Plans/Sketches	Smartmap showing application area & subject Lots	8-Sep-2014
Outgoing Letter/Document	to Girgenti post lodgement advice & options	25-Sep-2014
Incoming email	frm DTMR refer application to DTMR & process	29-Sep-2014
Incoming email	frm Girgenti Law change & withdraw applic & info	5-Jan-2015
Incoming email	frm Council request info on options for reserve	20-Jan-2015
Incoming email	frm DTMR currently negotiating proposed sale	28-Jan-2015
Outgoing Letter/Document	to Girgenti Law amend PRC, withdraw apps & MSC adv	3-Feb-2015
Incoming email	frm MSC objects to relinquish part of reserve	9-Feb-2015
Incoming email	frm Mareeba SC object to app to purchase reserve	26-Mar-2015
Internal Document/Report (Draft)	to Girgenti Law decision on application	24-Apr-2015
Internal Document/Report	Girgenti letter ML edits	28-Apr-2015
Internal Document/Report	revised letter v2	28-Apr-2015

## Case issues

No case issues

## Case notes

No case notes

## Applications

Application Id	Application Type	Status	Primary
1	Deed in Priority	Refused by MD	Y

---

Case: 2014/006215 Page: 2 of 3 Printed: 15-Jul-2015

**Decision:** Refused by MD

**Decision Date:** 28-Apr-2015

**Basis for Decision:**

**Additional Comments:**

Approved as per reasons in submission. Trustee do not support revocation of part of reserve and land is required for its allocated purpose.

Mark Langford

Senior Land Officer

**Declaration:**

I have considered the relevant legislation, policies and work instructions and have made my decision

Langford, Mark

Senior Land Officer

Department of Environment and Resource Management

In accordance with Land Act (1994)

**No Actions**

**Additional comments**

Letter: revised letter v2 approved to send to client.

Mark Langford

Senior Land Officer

Released by EHP under the RTI Act 2009

Author Karen Lodge  
File / Ref number 2014/006215 & 2014/006210  
Directorate / Unit State Land Asset Management  
Phone (07)40483705  
Your Ref number PAG:142047 M



Department of  
**Natural Resources and Mines**

?? April 2015

Girgenti Lawyers  
PO Box 2086  
MAREEBA QLD 4880

sent via email: karri@girgentilawyers

Attention: Pietro Girgenti

Dear Pietro

**Proposed land development at Mareeba – Multi-tenure applications in the vicinity of Lot 78 on SP152626**

Reference is made to your clients applications as follows:

1. Application to purchase state land being part of Lot 20 on NR7137 being Reserve for Local Government, Aged Persons Home – DNRM reference 2014/006215
2. Application for permanent road closure of part of Rankin Street abutting Lot 78 on SP152626 – DNRM reference 2014/006210

The Department wishes to advise that investigations have been carried out into your clients application to purchase part of Lot 20 on NR7137 and it has been decided that the application be refused.

The reasons for refusal of the application are:

- In accordance with sections 4, 16, 33 and 34I of the *Land Act 1994* investigations indicate the subject area of the Reserve is required for its public purpose as a Reserve for Aged Persons Home and also consider a Reserve is the most appropriate tenure given its location and close proximity to transport corridor lands. The Trustee advised that at some future stage, the land could still be utilised for its intended purpose even while there are no immediate plans to develop the Reserve.

You are also advised that prior to lodging any future similar applications over the subject areas, the application will not be accepted unless it includes the written consent from the Trustee and Department of Transport and Main Roads supporting the application.

---

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Telephone : (07)40483705  
Email : [Townsville.SLAMS@dnrm.qld.gov.au](mailto:Townsville.SLAMS@dnrm.qld.gov.au)

The abovementioned application for permanent road closure is part of the wholistic approach to your clients proposed development of Lot 78 on SP152626, can you arrange to provide advice in writing, if they wish to proceed or not proceed with their application for permanent road closure.

If you wish to discuss this matter please contact this office on telephone no. 4048 3705, quoting reference number 2014/006215 and 2014/006210.

All future correspondence relative to this matter is to be referred to the contact Officer at the mentioned address or by email to [Townsville.SLAMS@dnrm.qld.gov.au](mailto:Townsville.SLAMS@dnrm.qld.gov.au)

Yours sincerely

Karen Lodge  
Land Officer  
State Land Asset Management  
North Region

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## SLAM – Internal Document

# Submission

**Date:** 21 April 2015    **Application Type:** Application to purchase state land

**eLVAS Case Id:** 2014/006215

**Applicant & Fee:** Girgenti Lawyers c/- Reedlodge Pty Ltd, Application fee paid \$244.40, Receipt #2133539

**Description of Land:** part of Lot 20 on NR7137, Parish of Tinaroo, County of Nares

**Local Government:** Mareeba Shire Council

**Tenure:** Reserve for Local Government – Aged Persons Homes

**Proposed Action:** Refusal of application in terms of sections 4, 16, 33 of the *Land Act 1994*

**Noting database:** 15N227 – Application for PRC, 15N801 – Application to purchase

## Background:

- Lot 78 on SP152686 – freehold owned by Reedlodge Pty Ltd
- Lot 79 on SP136292 – PPL (Transport Infrastructure Title) and the lessee is DTMR – Cairns Railway
- Lot 201 on SP129905 – PPL (Transport Infrastructure Title) and the lessee is DTMR – Cairns Railway
- Lot 231 on SP129908 – PPL (Transport Infrastructure Title) and the lessee is DTMR and Sublease 713429425 over the whole of the land to Queensland Rail – Mungana Brach Railway
- Lot 20 on NR7137 – Reserve land and trustee is Mareeba Shire Council

08/08/2014 Received multiple applications from Girgenti Lawyers on behalf of Reedlodge Pty Ltd with a view to developing Lot 78 on SP152626 into a retail shopping complex. Lot 78 on SP152626 is freehold in the name of Reedlodge Pty Ltd.

Application submitted to DNRM as a wholistic approach to the proposed development to occur on Lot 78 on SP152626. The applications are for the following:

1. Application to purchase state land being part of Lot 20 on NR7137 being Reserve for Local Government – Aged Persons Home with Mareeba Shire Council as Trustee
2. Application for permanent road closure of part of Rankin Street abutting Lot 78 on SP152626, Lot 79 on SP136292 and Lot 201 on SP129905 – refer to eLVAS case id: 2014/006210
3. Application to purchase state land being Lot 79 on SP136292, part of Lot 201 on SP129905 and part of Lot 231 on SP129908 being DTMR lands – refer to eLVAS case id: 2014/006214, 2014/006216 and 2014/006217 – These applications have now been withdrawn as the applicant is required to negotiate the proposed purchase of these lands directly with DTMR.

## SLAM – Internal Document

# Submission

Further information provided by the applicant:

- In order to provide additional space required for the proposed development, Reedlodge propose to acquire four lots currently held by State Government located on the western side of Lot 78 on SP136292.
- Granted development approval for the complex in 2010 however this approval no longer remains on foot.
- Extensive discussions with DTMR and Qld Rail have established that they are both supportive of Reedlodge proposed development and its intention to acquire the DTMR/Qld Rail lands.
- Lot 20 on NR7137 is utilised for pensioner cottages with a portion remaining unused and unusable due to its awkward shape, drainage issues and close proximity to an active rail line.
- Reedlodge is in negotiations with Mareeba Shire Council to ascertain their support for the acquisition of the unused portion of this Reserve. Attachment C of their application then states that discussions with Council to date indicate they are not favourably disposed to yielding up even part of this Lot of the proposed development.
- Reedlodge Pty Ltd wants to consider alternatives to enable the department to permit Reedlodge to acquire the Lot 20 on NR7137 including:
  - The realignment of the boundaries in accordance with s31A of the Land Act 1994; or
  - The revocation of the dedication of part of the reserve in accordance with s33 of the Land Act 1994; or
  - The revocation of the dedication of part of the reserve as a result of an application by Reedlodge in accordance with s34 of the Land Act 1994.

25/09/2014 Post lodgement advice sent to Girgenti Lawyers. Refer to document in eLVAS case. This advice provided information on the multi-tenure applications.

05/01/2015 Girgenti Lawyers response for post lodgement advice letter:

- Withdraw that part of the PRC application so far as it relates to the land abutting the DTMR lands. The applicant wishes to proceed with the application over the area abutting Lot 78 on SP152626 and request to amend their application.
- Applicant withdraw applications in relation to DTMR lands.
- Requests the minister exercise his power pursuant to s33(2) of the Land Act 1994 in relation to part of Lot 20 on NR7137 and wishes to continue with its Application.
- Applicant will write to Mareeba Shire Council and DTMR to seek their input in relation to application to purchase Reserve and request DNRM to request same information from Council.

09/02/2015 Mareeba Shire Council provided a copy of their letter to Girgenti Lawyers that Council wishes to retain this area of land and as a consequence will not support its freeholding.

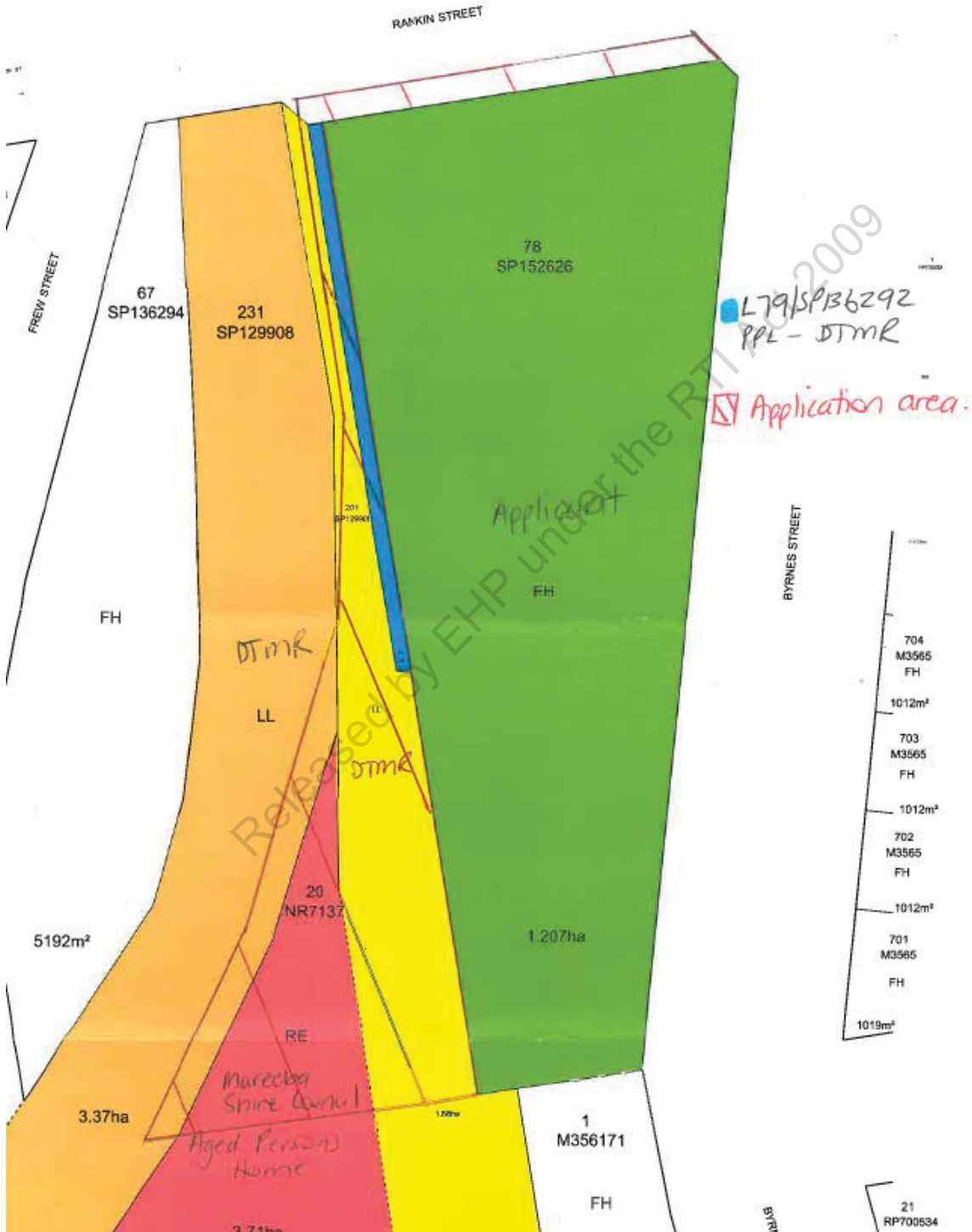
26/03/2015 Councils advised it is possible that at some future stage the land could be utilised for its intended purpose and while there is no immediate plans to construct further such housing on this land, Council is reluctant to surrender/dispose of this land given its location and immediate proximity to an important transport corridor through the centre of Mareeba, Council does not support the freeholding of land for which there is no dedicated (legal) access, Council does not support the encumbering of transport corridors which could significantly diminish future urban planning options for Mareeba.



SLAM – Internal Document

# Submission

The areas subject to the application shown below:



## SLAM – Internal Document

# Submission

**File check:** Not carried out at this point in time.

**eLVAS check:**

2011/005957 - A search of eLVAS cases indicates previous application to purchase over same area of Reserve (and rail corridor) dated 2011. The application to purchase the reserve was refused based on their application cannot be accepted from a private party to purchase an area of an operational reserve to which the local authority is the trustee in accordance with section 34I of the Land Act 1994. The applicants were advised that the Council should be applying to purchase the land and that Council then arranges for selling to the public.

2011/004055 – A search of eLVAS cases indicates a previous application for permanent road closure over the same area of Rankin Street, plus additional area of Rankin Street abutting Lot 78 on SP152626. The applicants requested to withdraw their application.

**Native Title:** not assessed at this point in time.

**Further investigations:**

The subject Reserve is an operational Reserve for Aged Person Homes and is being used for that purpose.

The applicant indicates the subject part of Reserve is not being used, nor be suitable for the construction of Aged Persons Homes and public vehicular access to the area cannot be constructed to that part.

Council who is the trustee, is of the view that it is possible, at some future stage, for the land to be utilised for its intended purpose and while there are no immediate plans to construct further such housing on this land, Council is reluctant to surrender that part of the reserve.

Girgenti Lawyers requested this department to consider:

- section 31A Changing boundaries of reserve.
- section 33(2) allows the Minister to revoke the dedication of a reserve without receiving an application under section 34.

Changing the boundary of a reserve will not relinquish any part of the reserve, therefore this action is unsuitable for this type of application.

Section 33(2) negates the need for an application to be received under section 34. Section 34 states 'A person may apply for the revocation of the dedication of all or part of a reserve'. However, prior to revoking the dedication of a Reserve the Minister has to consider section 33(1)(a)(b)(c)(d). Investigations indicate that the Reserve is required for its dedicated purpose and due to its location being in close proximity of an active railway line and a Reserve is considered to be the most appropriate tenure for which the land is used for.

Therefore, the application does not meet these requirements.

## SLAM – Internal Document

# Submission

Also, section 34I only allows the trustee of an operational reserve to apply for the issue of a deed of grant over the reserve if the trustee is a constructing authority. Council have been verbally advised of this option and to date have not indicated an interest in issuing a deed of grant over the subject reserve.

It is considered then that part of the Reserve is required for its public purpose and the application would also not satisfy section 122(1)(a) for a deed of grant of unallocated State land to be granted in priority. Public purpose means a purpose for which land may be taken under the Acquisition Act 1967; or a community purpose. Schedule 1 Part 4 of the Acquisition Act 1967 states purposes in relating to health services and lists aged care facilities as a public purpose.

Further, in regards to the application for PRC, I consider it appropriate to request confirmation from the applicant if they wish to proceed with this application, as the PRC was part of a holistic multi-application process and the applicant may no longer wish to proceed.

It is also suggested to advise the applicant that if they intend to make any future applications over the subject areas, it must include written confirmation from Council and DTMR that they are willing to support their application.

### **Departmental Policies And Relevant Legislation:**

#### *Land Act 1994*

- Section 4 Objects of the Act – Evaluation, Consultation, Administration
- Section 16 Deciding appropriate tenure
- Section 33 Revocation of reserves
- Section 34I Applying for a deed of grant – operational reserve
- Section 122(1)(a) Deeds of grant of unallocated State land

### **Natural Justice:**

I consider it appropriate not to afford Natural Justice to the applicant in accordance with SLAM Fact Sheet – Natural Justice page 8 which states criteria to process applications pursuant to the Land Act 194 without reference to Natural Justice – s.122(1).

### **Recommendation:**

In consideration of the above, may the following now be approved:

- advise Girgenti Lawyers that their client, Reedlodge Pty Ltd application has been refused in accordance with Section 4, 16, 33 and 34I of the *Land Act 1994* as investigations indicate the subject area is required for its public purpose as a Reserve for Aged Persons Home.
- Advise that prior to lodging any future similar applications over the subject areas, the application will not be accepted unless it includes the written consent from the Trustee and Department of Transport and Main Roads supporting their application.
- Seek advice if their client would like to proceed or not proceed with their current application for permanent road closure over part of Rankin Street shown as Lot A on Drawing CNS15/004 which abuts Lot 78 on SP152626.

# eLVAS Client Interaction Report

## For Interaction id: 1249450

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Email  
Interaction date: 26-Mar-2015 3:20 PM  
Entered by: Lodge, Karen  
Reference:

Contact with: Mareeba Shire Council, Mareeba

### Documents

Document Type	Title	Received/Sent
Incoming email	frm Mareeba SC object to app to purchase reserve	26-Mar-2015

### Interaction Record History

Service Centre: Innisfail  
Associated to Case: 2014/006215  
Revision No.: 0  
Updated by: Lodge, Karen  
Date: 26-Mar-2015  
Details: Council advise reasoning to object to application to purchase part of Reserve L20 NR7137

### Assignment History

INTERNAL CURRENT RESERVE SEARCH  
DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Search Date: 26/03/2015 11:05

Title Reference: 49001693  
Date GAZETTED: 21/06/1947  
PAGE: 2238-9

Opening Ref: RES 4162  
Purpose: LOCAL GOVERNMENT  
Sub-Purpose: AGED PERSONS HOMES  
Local Name:  
Address: LAWSON ST. MAREEBA  
County (R) No: R947 NARES  
File Ref: RES 4162 2

TRUSTEES

MAREEBA SHIRE COUNCIL GAZETTED ON 21/06/1947 PAGE 2238

LAND DESCRIPTION

LOT 20 CROWN PLAN NR7137 GAZETTED ON 22/06/1985 PAGE 1358  
County of NARES Parish of TINAROO  
Local Government: MAREEBA

Area: 3.710000 Ha. (ABOUT)

EASEMENTS AND ENCUMBRANCES

ADMINISTRATIVE ADVICES - NIL  
UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

\*\* End of Current Reserve Search \*\*

**From:** LODGE Karen [Karen.Lodge@dnrm.qld.gov.au]  
**Sent:** Monday, 9 March 2015 12:01 PM  
**To:** 'Keira B Oliver'  
**CC:** Rebecca A Robson  
**Subject:** RE: Rankin Street Road Closure - Girgenti

Hi Keira, Is it possible to provide an update on the negotiations with the owner of Lot 78 on SP152626 in relation to the proposed sale of DTMR lands? Also, did you consult with Mareeba Shire Council as part of this process?

If you have any questions, please contact me on telephone no. 4048 3705 and quote reference numbers 2014/006210 & 2014/006215.

Regards,

Karen Lodge  
Land Officer  
Department of Natural Resources and Mines  
Postal Address: PO Box 94, Innisfail Qld 4860  
Street Address: Rankin Street, Innisfail Qld 4860  
Telephone: 07-40483705  
Facsimile: 07-40614840  
Email: [Karen.lodge@dnrm.qld.gov.au](mailto:Karen.lodge@dnrm.qld.gov.au)

---

**From:** Keira B Oliver [mailto:Keira.B.Oliver@tmr.qld.gov.au]  
**Sent:** Wednesday, 28 January 2015 11:00 AM  
**To:** LODGE Karen  
**Cc:** Rebecca A Robson  
**Subject:** RE: Rankin Street Road Closure - Girgenti

Hi Karen,

Thank you for your time to discuss the above matter. As per our discussion, this office is currently in negotiations with the owner of the adjoining lot, Lot 78 on SP152626, in relation to the proposed sale of the whole of Lot 79 on SP136292 and part of Lot 201 on SP129905 and Lot 231 on SP129908 as shown approximately on the attached colour plan. My understanding is that the plan was provided to us by the owner's solicitor and shows approximately the areas which the owner proposes to acquire.

Please contact me if there is anything you wish to clarify or further discuss.

Kind regards,

Keira Oliver

Principal Property Officer  
**Strategic Property** | Department of Transport and Main Roads

Floor 4| Terrica Place| 140 Creek Street Brisbane Qld 4000  
GPO Box 1412 | Brisbane Qld 4001  
P: (07) 3066 0852  
E: [keira.b.oliver@tmr.qld.gov.au](mailto:keira.b.oliver@tmr.qld.gov.au)  
W: [www.tmr.qld.gov.au](http://www.tmr.qld.gov.au)

**From:** Rebecca A Robson  
**Sent:** Wednesday, 28 January 2015 9:53 AM  
**To:** LODGE Karen  
**Cc:** Keira B Oliver  
**Subject:** RE: Rankin Street Road Closure - Girgenti

Hi Karen

Keira Oliver is handling the negotiations and sale of the rail corridor land.

Keira, are you able to provide DNRM an update as to where the negotiations and contract of sale are at for their records??

Regards

**Rebecca Robson (B.Bus)**  
Principal Advisor (Rail Corridor Management) | Strategic Property Management  
**Portfolio Investment and Programming** | Department of Transport and Main Roads

Floor 4 | Terrica Place | 140 Creek Street | Brisbane Qld 4001  
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P: (07) 30667419 |  
E: [rebecca.a.robson@tmr.qld.gov.au](mailto:rebecca.a.robson@tmr.qld.gov.au)  
W: [www.tmr.qld.gov.au](http://www.tmr.qld.gov.au)

---

**From:** LODGE Karen [<mailto:Karen.Lodge@dnrm.qld.gov.au>]  
**Sent:** Wednesday, 28 January 2015 9:48 AM  
**To:** Rebecca A Robson  
**Subject:** RE: Rankin Street Road Closure - Girgenti

Hi Rebecca, Please let me know if any 'offer' has been made to the applicants in relation to the DTMR lands and is the 'offer' over the areas of DTMR lands they originally applied for.

Thanks

Karen Lodge  
Land Officer  
State Land Asset Management  
Service Delivery – North Region

Telephone: 07 4048 3705 Facsimile: 07 4447 9199  
Email: [Townsville.SLAMS@dnrm.qld.gov.au](mailto:Townsville.SLAMS@dnrm.qld.gov.au)  
Website: [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

Department of Natural Resources and Mines  
**Address:** 88 Rankin Street, Innisfail Qld 4860  
**Postal:** PO Box 5318, Townsville Qld 4810

---

**From:** Rebecca A Robson [<mailto:Rebecca.Robson@translink.com.au>]  
**Sent:** Wednesday, 28 January 2015 9:42 AM  
**To:** LODGE Karen  
**Subject:** RE: Rankin Street Road Closure - Girgenti



Hi Karen

That's ok, we just wanted to check that DNRM had in fact requested that information from the client.

Thanks for confirming. We hope to have a response to the client regarding your queries shortly.

Regards

**Rebecca Robson (B.Bus)**

Principal Advisor (Rail Corridor Management) | Strategic Property Management  
Portfolio Investment and Programming | Department of Transport and Main Roads

Floor 4 | Terrica Place | 140 Creek Street | Brisbane Qld 4001

GPO Box 1412 | Brisbane Qld 4001

P: (07) 30667419 |

E: [rebecca.a.robson@tmr.qld.gov.au](mailto:rebecca.a.robson@tmr.qld.gov.au)

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

---

**From:** LODGE Karen [<mailto:Karen.Lodge@dnrm.qld.gov.au>]

**Sent:** Wednesday, 28 January 2015 9:40 AM

**To:** Rebecca A Robson

**Subject:** RE: Rankin Street Road Closure - Girgenti

Hi Rebecca,

I suggested to the applicant to contact DTMR to verify any interest in that part of Lot 20 on NR7137 as DTMR are adjoining owners and if there is any evidence of valid public works (please note that I have discussed Native Title requirements with Council, and hopefully they will provide the evidence for valid public works).

I realise that the applicants wish to purchase the DTMR land which adjoins, but I wish to cover all bases as these applications are dealing with multi-owners and multi-tenures.

Please refer to attached letter to the applicants Lawyer.

Regards

Karen Lodge  
Land Officer  
State Land Asset Management  
Service Delivery – North Region

Telephone: 07 4048 3705 Facsimile: 07 4447 9199

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Department of Natural Resources and Mines

**Address:** 88 Rankin Street, Innisfail Qld 4860

**Postal:** PO Box 5318, Townsville Qld 4810

---

**From:** Rebecca A Robson [<mailto:Rebecca.Robson@translink.com.au>]

**Sent:** Wednesday, 28 January 2015 9:30 AM

**To:** LODGE Karen



**Subject:** Rankin Street Road Closure - Girgenti

Hi Karen

Are you able to confirm if DNRM has requested the applicant to seek input from this department to the following questions:-

1. Does DTMR have any interests or claim to that part of Lot 20 on CP NR7137?
2. If not, does DTMR agree with the proposal for DNRM to further deal with the area to be amalgamated with Lot 78 on SP152626?; and
3. Has DTMR carried out any valid public works on Lot 20 on CP NR7137 as defined in the Native Title Act 1993 (Cth)? If so, please provide evidence to support same.

Regards

**Rebecca Robson (B.Bus)**  
Principal Advisor (Rail Corridor Management) | Strategic Property Management  
Portfolio Investment and Programming | Department of Transport and Main Roads

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**From:** Keira B Oliver [Keira.B.Oliver@tmr.qld.gov.au]  
**Sent:** Wednesday, 28 January 2015 10:59 AM  
**To:** LODGE Karen  
**CC:** Rebecca A Robson  
**Subject:** RE: Rankin Street Road Closure - Girgenti  
**Attachments:** Colour plan.pdf

Hi Karen,

Thank you for your time to discuss the above matter. As per our discussion, this office is currently in negotiations with the owner of the adjoining lot, Lot 78 on SP152626, in relation to the proposed sale of the whole of Lot 79 on SP136292 and part of Lot 201 on SP129905 and Lot 231 on SP129908 as shown approximately on the attached colour plan. My understanding is that the plan was provided to us by the owner's solicitor and shows approximately the areas which the owner proposes to acquire.

Please contact me if there is anything you wish to clarify or further discuss.

Kind regards,

Keira Oliver

Principal Property Officer  
Strategic Property | Department of Transport and Main Roads

Floor 4| Terrica Place| 140 Creek Street Brisbane Qld 4000  
GPO Box 1412 | Brisbane Qld 4001  
P: (07) 3066 0852  
E: [keira.b.oliver@tmr.qld.gov.au](mailto:keira.b.oliver@tmr.qld.gov.au)  
W: [www.tmr.qld.gov.au](http://www.tmr.qld.gov.au)

---

**From:** Rebecca A Robson  
**Sent:** Wednesday, 28 January 2015 9:53 AM  
**To:** LODGE Karen  
**Cc:** Keira B Oliver  
**Subject:** RE: Rankin Street Road Closure - Girgenti

Hi Karen

Keira Oliver is handling the negotiations and sale of the rail corridor land.

Keira, are you able to provide DNRM an update as to where the negotiations and contract of sale are at for their records??

Regards

**Rebecca Robson (B.Bus)**  
Principal Advisor (Rail Corridor Management) | Strategic Property Management  
Portfolio Investment and Programming | Department of Transport and Main Roads

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

---

**From:** LODGE Karen [<mailto:Karen.Lodge@dnrm.qld.gov.au>]  
**Sent:** Wednesday, 28 January 2015 9:48 AM  
**To:** Rebecca A Robson  
**Subject:** RE: Rankin Street Road Closure - Girgenti

Hi Rebecca, Please let me know if any 'offer' has been made to the applicants in relation to the DTMR lands and is the 'offer' over the areas of DTMR lands they originally applied for.

Thanks

Karen Lodge  
Land Officer  
State Land Asset Management  
Service Delivery – North Region

Telephone: 07 4048 3705 Facsimile: 07 4447 9199  
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Department of Natural Resources and Mines  
**Address:** 88 Rankin Street, Innisfail Qld 4860  
**Postal:** PO Box 5318, Townsville Qld 4810

---

**From:** Rebecca A Robson [<mailto:Rebecca.Robson@translink.com.au>]  
**Sent:** Wednesday, 28 January 2015 9:42 AM  
**To:** LODGE Karen  
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Hi Karen

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Thanks for confirming. We hope to have a response to the client regarding your queries shortly.

Regards

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Principal Advisor (Rail Corridor Management) | Strategic Property Management  
**Portfolio Investment and Programming** | Department of Transport and Main Roads

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Please refer to attached letter to the applicants Lawyer.

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Karen Lodge  
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**Rebecca Robson (B.Bus)**  
Principal Advisor (Rail Corridor Management) | Strategic Property Management  
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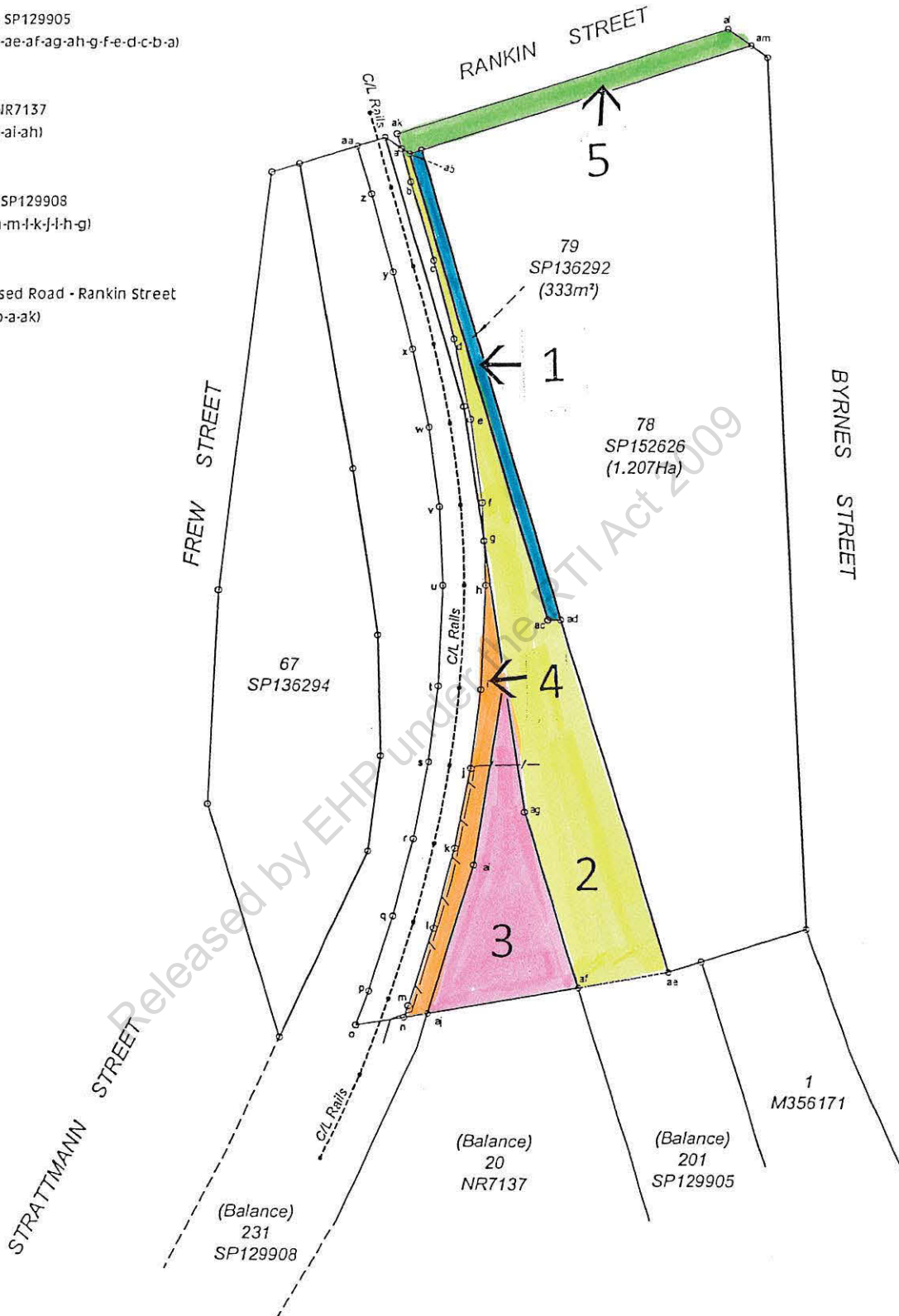
AREA OF PART OF:

Lot 201 on SP129905  
 (a-ab-ac-ad-ae-af-ag-ah-g-f-e-d-c-b-a)  
 2291m<sup>2</sup>

Lot 20 on NR7137  
 (ah-ag-af-aj-ai-ah)  
 1128m<sup>2</sup>

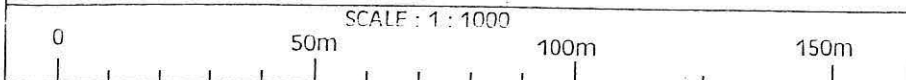
Lot 231 on SP129908  
 (g-ah-ai-aj-n-m-l-k-j-l-h-g)  
 464m<sup>2</sup>

Area of Closed Road - Rankin Street  
 (ak-al-am-ab-a-ak)  
 451m<sup>2</sup>



NOTE

Stns a - z & aa are  
 offset 5.0 metres to C/L Rails



AMENDMENTS
A - ORIGINAL

LOCAL GOVERNMENT: MSC  
 LOCALITY: MAREEBA  
 SITUATED AT:  
 BYRNES STREET &  
 RANKIN STREET

PROPOSED REALIGNMENT  
 OF BOUNDARIES AND  
 ROAD TO BE CLOSED

DWG NO. 5165 - RAILS 2 24.4.2014 REV A

**TWINE SURVEYS** PTY LTD  
 36 Mabel St, Atherton 4883  
 PO Box 146, Atherton 4883  
 P 07 40911303  
 E info@twinesurveys.com.au

## Key to Proposed Realignment of Boundaries and Part Road to be Closed

- 1- Lot 79 on SP 136292
- 2- Part of Lot 201 on SP 129905
- 3- Part of Lot 20 on NR 7137
- 4- Part of Lot 231 on SP 129908
- 5- Part of Rankin St, Mareeba adjoining Lot 78 on SP 152626

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# eLVAS Client Interaction Report

## For Interaction id: 1225273

### Contact Details

Business unit: State Land Asset Management  
Business context: Verbal (Outwards) Case  
Interaction method: Telephone  
Interaction date: 27-Jan-2015 3:27 PM  
Entered by: Lodge, Karen  
Reference:

Contact with: Mareeba Shire Council, Mareeba

### Documents

Document Type	Title	Received/Sent
---------------	-------	---------------

### Interaction Record History

Service Centre: Innisfail

Associated to Case: 2014/006215

Revision No.: 0

Updated by: Lodge, Karen

Date: 27-Jan-2015

Details:

Spoke with Craig Batchelor, MSC, regarding his email dated 20/01/15 and discussed preferred option for MSC to apply for a DOG over operation reserve & discussed requirements being payment of market value & assoc costs, survey, address NT & Council & upon issue of DOG will received 50% rebate of purchase price. Then they can deal direct with Reedlodge to sell the portion of L20. Other option to relinquish part of Reserve & then becomes USL and then DNRM will deal with Reedlodge to onsell the USL.MSC will not receive any consideration in this option. He will do up a report for a council workshop prior to going to Council meeting.

### Assignment History

# eLVAS Client Interaction Report

## For Interaction id: 1223254

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Email  
Interaction date: 20-Jan-2015 12:46 PM  
Entered by: Cairns, Carla  
Reference:

Contact with: Mareeba Shire Council, Mareeba

### Documents

Document Type	Title	Received/Sent
Incoming email	fm Council request info on options for reserve	20-Jan-2015

### Interaction Record History

Service Centre: Townsville  
Associated to Case: 2014/006215  
Revision No.: 0  
Updated by: Cairns, Carla  
Date: 20-Jan-2015  
Details:

### Assignment History

**Date assigned:** 20-Jan-2015  
**Assigned to:** Lodge, Karen  
**Date required:**  
**Action required:** Interaction for Case Id 2014/006215

The following document has been added to the case. Id:2740297 Type: Incoming email Title: Em fm Council- Request for Information

**Date actioned:** 2-Feb-2015  
**Action taken:** responded

# eLVAS Client Interaction Report

## For Interaction id: 1218091

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Email  
Interaction date: 6-Jan-2015 8:38 AM  
Entered by: Cairns, Carla  
Reference:

Contact with: Girgenti Lawyers, Mareeba

### Documents

Document Type	Title	Received/Sent
Incoming email	Em fm Girgenti- Request fm applicant + advice	5-Jan-2015

### Interaction Record History

Service Centre: Townsville  
Associated to Case: 2014/006215  
Revision No.: 0  
Updated by: Cairns, Carla  
Date: 6-Jan-2015  
Details:

### Assignment History

**Date assigned:** 6-Jan-2015  
**Assigned to:** Lodge, Karen  
**Date required:**  
**Action required:** Interaction for Case Id 2014/006215

The following document has been added to the case. Id:2728491 Type: Incoming email Title: Em fm Girgenti- Request fm applicant + advice  
**Date actioned:** 2-Feb-2015  
**Action taken:** noted.

**From:** Karri Holmes [karri@girgentilawyers.com.au]  
**Sent:** Monday, 5 January 2015 4:24 PM  
**To:** LODGE Karen  
**Subject:** Reedlodge - Advice 142047M  
**Attachments:** Email to Other Side.pdf; Satellite.pdf; Colour survey plan.pdf

Dear Karen,

We refer to the above matter.

Please find **attached** correspondence for your attention. Should you have any queries or require any further information please contact our office.

Regards,

**Karri Holmes** | Legal Secretary | Accounts  
Direct line 0740923555



**Phone: 1800 123 LAW | 1800 123 529**

**Fax: (07) 40 51 4533**

**Brisbane**

622 Wickham Street  
PO Box 342  
Fortitude Valley, QLD 4006

**Cairns**

14B Aplin Street  
PO Box 6995  
Cairns, QLD 4870

**Mareeba**

222 Byrnes Street  
PO Box 2086  
Mareeba, QLD 4880

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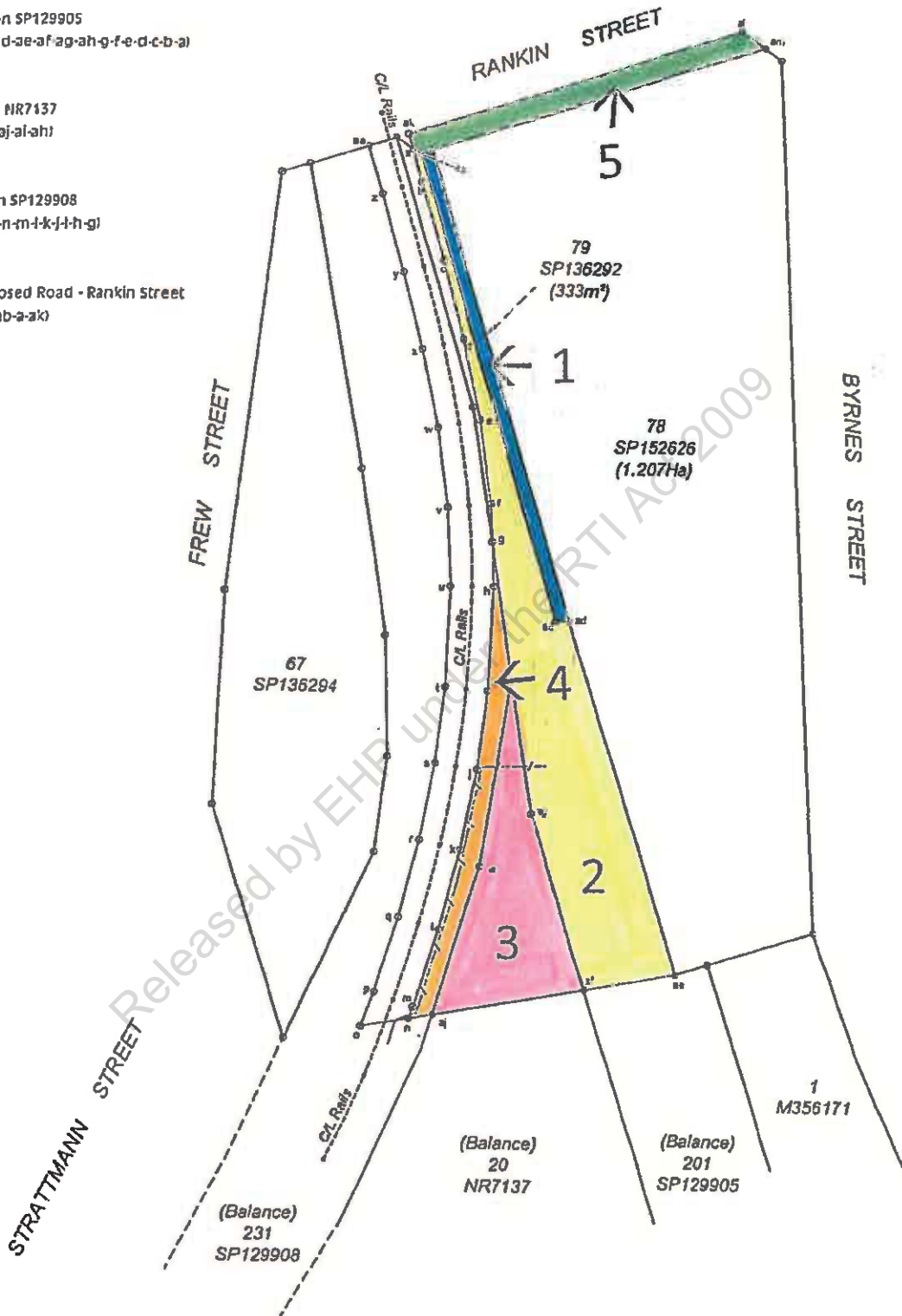
AREA OF PART OF:

Lot 201 on SP129905  
 (a-ab-ac-ad-ae-af-ag-ah-g-f-e-d-c-b-a)  
 2291m<sup>2</sup>

Lot 20 on NR7137  
 (ah-ag-af-aj-al-ah)  
 1128m<sup>2</sup>

Lot 231 on SP129908  
 (g-ah-ai-aj-n-m-l-k-j-l-h-g)  
 464m<sup>2</sup>

Area of Closed Road - Rankin Street  
 (ak-al-am-ab-a-ak)  
 451m<sup>2</sup>



NOTE

Stns a - z & aa are  
 offset 5.0 metres to C/L Rails

SCALE : 1 : 1000 0      50m      100m      150m	
AMENDMENTS A - ORIGINAL	LOCAL GOVERNMENT: MSC LOCALITY: MAREEBA SITUATED AT: BYRNES STREET & RANKIN STREET
PROPOSED REALIGNMENT OF BOUNDARIES AND ROAD TO BE CLOSED	
DWG NO. 5165 - RAILS 2    24.4.2014    REV A	



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 PO Box 146, Atherton 4883  
 P 07 40911303  
 E Info@twinesurveys.com.au

**Key to Proposed Realignment of Boundaries and Part Road to be Closed**

-  Lot 79 on SP 136292
-  2- Part of Lot 201 on SP 129905
-  3- Part of Lot 20 on NR 7137
-  4- Part of Lot 231 on SP 129908
-  5- Part of Rankin St, Mareeba adjoining Lot 78 on SP 152626

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Our Ref: PAG:142047 M  
Your Ref: 2014/006210

freecall: 1800 123 LAW  
w [www.girgentilawyers.com.au](http://www.girgentilawyers.com.au)  
abn 52 128 247 736

5 January 2015

Department of Natural Resources and Mines  
Level 9 Verde Tower  
445 Flinders Street  
TOWNSVILLE QLD 4810

By Email: [Karen.Lodge@dnrm.qld.gov.au](mailto:Karen.Lodge@dnrm.qld.gov.au)

Dear Karen

**PROPOSED LAND DEVELOPMENT AT MAREEBA – MULTI-TENURE  
APPLICATIONS IN THE VICINITY OF LOT 78 ON SP152626**

We refer to the above matter, your letter of 25 September 2014 and our recent telephone conversation.

We thank you for your continued patience in this matter and advise that we are instructed as follows in relation to the points raised in your aforementioned correspondence.

**Application for permanent road closure of part of Rankin Street abutting Lot 78 on SP152626, Lot 79 on SP136292 and Lot 201 on SP129905 – DNRM reference 2014/006210**

The applicant agrees to abandon that part of the Road Closure Application for the area that abuts Lot 79 on SP136292 and Lot 201 on SP129905.

The applicant wishes to proceed with the application so far as it relates to the area abutting Lot 78 on SP152626 and therefore amends its application by way of this letter (or otherwise if so advised by your office).

**Application to purchase Lot 79 on SP136292, part of Lot 201 on SP129905 and part of Lot 231 on SP129908 – DTMR properties – DNRM reference 2014/006214, 2014/006216 and 2014/006217**

You have correctly identified that these parcels relate to lands controlled by the Department of Transport and Main Roads. The applicant has engaged in negotiations directly with that Department in relation to these parcels.

Brisbane Central Office  
622 Wickham Street | PO Box 342  
Fortitude Valley, Qld 4006  
P 1800 123 529 | f 07 4051 4533

Cairns Office  
14B Aplin Street | PO Box 6995  
Cairns, Qld 4870  
P 07 4051 3833 | f 07 4051 4533

Mareeba Office  
222 Byrnes Street | PO Box 2086  
Mareeba, Qld 4880  
P 07 4092 3555 | f 07 4092 3455

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In the interests of transparency, we advise that the applicant has now received a “without prejudice” initial offer from the Department to acquire these parcels, subject to conditions.

To that end, the applicant withdraws its applications in relation to these parcels.

**Application to purchase part of Lot 20 on NR7137 – Reserve for Local Government, Aged Persons Homes – DNRM reference 2014/006215**

While we appreciate your preference that the applicant liaise with Council in relation to this application, the applicant is of the view that this will not be advantageous and will only result in further delays.

For reasons which have been articulated verbally on a without prejudice basis, we confirm that it is extremely unlikely that the Council will engage in genuine discussions with the applicant in relation to this area.

Therefore, the applicant submits that the appropriate course of action is that the ministerial powers under s33 of the Land Act 1994 be exercised.

Your aforementioned correspondence suggests that the Department should consider s33(1)(b) and (c) as grounds for the minister exercising his power under the section. It is the applicant’s submission that s33(1)(a) is most relevant in these circumstances, specifically, that part of the reserve to which the application relates is no longer needed for a community purpose.

Please find **enclosed** publicly available satellite imagery of Lot 20; in the interests of convenient identification only the area the subject of the application is roughly marked (please note the markings are not intended to show exact or proposed boundaries).

The triangular part of Lot 20 to which the application relates is bordered to the east and west by DTMR rail and former rail corridor land. As previously advised, the applicant has been made a “without prejudice” offer to purchase those parts of the rail and former rail corridor land which about the area the subject of this application.

Please find **enclosed** a colour survey plan noting the area the subject of this application as “3” and the surrounding DTMR lands as “4” and “2”.

It is noted that the roadways and houses within Lot 20 have been constructed in a manner which land locks and isolates that part of Lot 20 to which the application relates. Public vehicular access to the area cannot be constructed to that part of the lot, nor would that part of the lot be suitable for the construction of Aged Person Homes, as designated by the grant. To that end, that part of the reserve is not suitable for the designated or any other community purpose, and therefore is no longer needed for a community purpose.

Your aforementioned correspondence requests that that applicant liaise with DTMR and the Council to provide their input as adjoining land owners. Whilst the applicant is pleased to write to both to obtain their views, in the interests of expediting this matter the applicant requests that simultaneously with their corresponding seeking such input, your Department also write to the Council seeking the same information.



## Summary

In summation we confirm as follows:

1. The applicant withdraws that part of the Road Closure Application so far as it relates to the land abutting Lot 79 on SP136292 and Lot 201 on SP129905;
2. The applicant amends its Road Closure Application to that area that abuts Lot 78 on SP152626;
3. The applicant withdraws its applications in relation to Lot 79 on SP136292, part of Lot 201 on SP129905 and part of Lot 231 on SP129908;
4. The applicant requests the minister exercise his power pursuant to s33(2) of the *Land Act 1994* in relation to part of Lot 20 on NR7137;
5. The applicant wishes to continue with its Application over part of Lot 20 on NR7137; and
6. The applicant will write to the Mareeba Shire Council and the Department of Transport and Main Roads to seek their input as requested in your aforementioned correspondence and the Department will simultaneous request the same information from Council.

We thank you for your continued assistance in this matter. Should you require anything further to assist and expediting this matter, please don't hesitate to contact the writer.

Yours faithfully

**Girgenti Lawyers**

*Girgenti Lawyers*

**Pietro Girgenti** | Legal Practitioner Director  
 pietro@girgentilawyers.com.au



Released by EHP under the RTI Act 2009

**From:** Karri Holmes [karri@girgentilawyers.com.au]

**Sent:** Monday, 5 January 2015 5:44 PM

**To:** Townsville SLAMS

**Subject:** Reedlodge - Advice 142047M

**Attachments:** Email to Other Side.pdf; Colour survey plan.pdf; Satellite.pdf; Email Coversheet to Other Side.pdf

Dear Colleagues,

We refer to the above matter. Please find attached correspondence for your attention.

Regards,

**Karri Holmes | Legal Secretary | Accounts**

Direct line 0740923555



**Phone: 1800 123 LAW | 1800 123 529**

**Fax: (07) 40 51 4533**

**Brisbane**

622 Wickham Street  
PO Box 342  
Fortitude Valley, QLD 4006

**Cairns**

14B Aplin Street  
PO Box 6995  
Cairns, QLD 4870

**Mareeba**

222 Byrnes Street  
PO Box 2086  
Mareeba, QLD 4880

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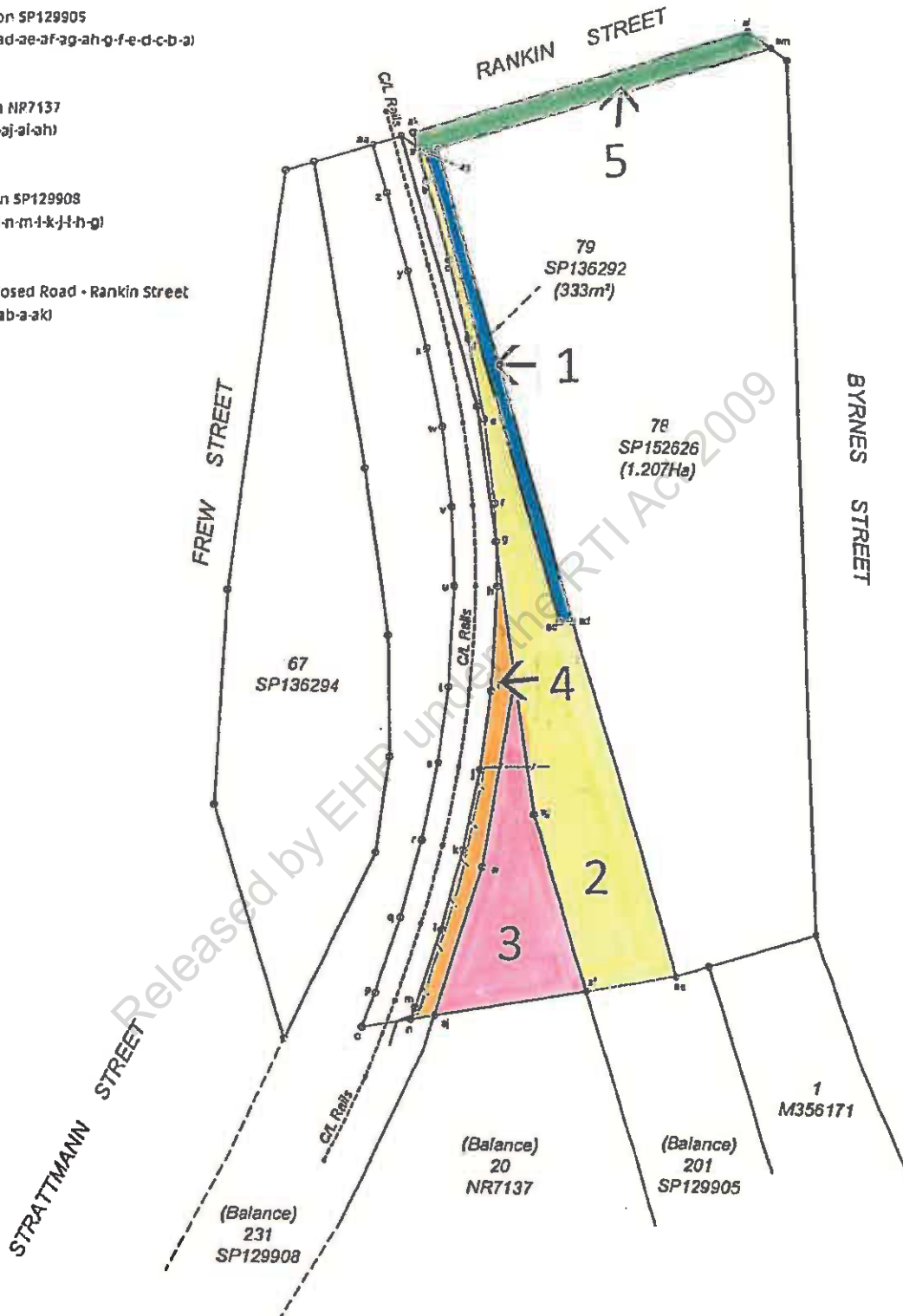
AREA OF PART OF:

Lot 201 on SP129905  
(a-ab-ac-ad-ae-af-ag-ah-g-f-e-d-c-b-a)  
2291m<sup>2</sup>

Lot 20 on NR7137  
(ah-ag-af-aj-ai-ah)  
1128m<sup>2</sup>

Lot 231 on SP129908  
(g-ah-ai-aj-n-m-i-k-j-i-h-g)  
464m<sup>2</sup>

Area of Closed Road - Rankin Street  
(ak-ai-am-ab-a-ak)  
451m<sup>2</sup>



NOTE

Stns a - 7 & aa are  
offset 5.0 metres to C/L Rails

<p>SCALE - 1 : 1000</p> <p>0 50m 100m 150m</p>	
<p>AMENDMENTS</p> <p>A - ORIGINAL</p>	<p>LOCAL GOVERNMENT: MSC</p> <p>LOCALITY: MAREEBA</p> <p>SITUATED AT :</p> <p>BYRNES STREET &amp;</p> <p>RANKIN STREET</p>
<p>PROPOSED REALIGNMENT</p> <p>OF BOUNDARIES AND</p> <p>ROAD TO BE CLOSED</p>	
<p>DWG NO. 5165 - RAILS 2 24.4.2014 REV A</p>	

**TWINE SURVEYS PTY LTD**

36 Mabel St, Atherton 4883  
PO Box 146, Atherton 4883  
P 07 40911303  
E info@twinesurveys.com.au

**TWINE SURVEYS**



**Key to Proposed Realignment of Boundaries and Part Road to be Closed**

-  Lot 79 on SP 136292
-  2- Part of Lot 201 on SP 129905
-  3- Part of Lot 20 on NR 7137
-  4- Part of Lot 231 on SP 129908
-  5- Part of Rankin St, Mareeba adjoining Lot 78 on SP 152626

Released by EHP under the RTI Act 2009

**From:** Karri Holmes  
**Sent:** Monday, 5 January 2015 4:23 PM  
**To:** 'Karen.Lodge@dnrm.qld.gov.au'  
**Subject:** Reedlodge - Advice 142047M  
**Attachments:** Email to Other Side.pdf; Satellite.pdf; Colour survey plan.pdf

Dear Karen,

We refer to the above matter.

Please find **attached** correspondence for your attention. Should you have any queries or require any further information please contact our office.

Regards,

Karri Holmes | Legal Secretary | Accounts  
Direct line 0740923555



Phone: 1800 123 LAW | 1800 123 529

Fax: (07) 40 51 4533

**Brisbane**

622 Wickham Street  
PO Box 342  
Fortitude Valley, QLD 4006

**Cairns**

14B Aplin Street  
PO Box 6995  
Cairns, QLD 4870

**Mareeba**

222 Byrnes Street  
PO Box 2086  
Mareeba, QLD 4880

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Our Ref: PAG:142047 M  
Your Ref: 2014/006210

freecall: 1800 123 LAW  
w [www.girgentilawyers.com.au](http://www.girgentilawyers.com.au)  
abn 52 128 247 736

5 January 2015

Department of Natural Resources and Mines  
Level 9 Verde Tower  
445 Flinders Street  
TOWNSVILLE QLD 4810

By Email: [Karen.Lodge@dnrm.qld.gov.au](mailto:Karen.Lodge@dnrm.qld.gov.au)

Dear Karen

**PROPOSED LAND DEVELOPMENT AT MAREEBA – MULTI-TENURE  
APPLICATIONS IN THE VICINITY OF LOT 78 ON SP152626**

We refer to the above matter, your letter of 25 September 2014 and our recent telephone conversation.

We thank you for your continued patience in this matter and advise that we are instructed as follows in relation to the points raised in your aforementioned correspondence.

**Application for permanent road closure of part of Rankin Street abutting Lot 78 on SP152626, Lot 79 on SP136292 and Lot 201 on SP129905 – DNRM reference 2014/006210**

The applicant agrees to abandon that part of the Road Closure Application for the area that abuts Lot 79 on SP136292 and Lot 201 on SP129905.

The applicant wishes to proceed with the application so far as it relates to the area abutting Lot 78 on SP152626 and therefore amends its application by way of this letter (or otherwise if so advised by your office).

**Application to purchase Lot 79 on SP136292, part of Lot 201 on SP129905 and part of Lot 231 on SP129908 – DTMR properties – DNRM reference 2014/006214, 2014/006216 and 2014/006217**

You have correctly identified that these parcels relate to lands controlled by the Department of Transport and Main Roads. The applicant has engaged in negotiations directly with that Department in relation to these parcels.

Brisbane Central Office  
622 Wickham Street | PO Box 342  
Fortitude Valley, Qld 4006  
P 1800 123 529 | f 07 4051 4533

Cairns Office  
14B Aplin Street | PO Box 6995  
Cairns, Qld 4870  
P 07 4051 3833 | f 07 4051 4533

Mareeba Office  
222 Byrnes Street | PO Box 2086  
Mareeba, Qld 4880  
P 07 4092 3555 | f 07 4092 3455

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In the interests of transparency, we advise that the applicant has now received a “without prejudice” initial offer from the Department to acquire these parcels, subject to conditions.

To that end, the applicant withdraws its applications in relation to these parcels.

**Application to purchase part of Lot 20 on NR7137 – Reserve for Local Government, Aged Persons Homes – DNRM reference 2014/006215**

While we appreciate your preference that the applicant liaise with Council in relation to this application, the applicant is of the view that this will not be advantageous and will only result in further delays.

For reasons which have been articulated verbally on a without prejudice basis, we confirm that it is extremely unlikely that the Council will engage in genuine discussions with the applicant in relation to this area.

Therefore, the applicant submits that the appropriate course of action is that the ministerial powers under s33 of the Land Act 1994 be exercised.

Your aforementioned correspondence suggests that the Department should consider s33(1)(b) and (c) as grounds for the minister exercising his power under the section. It is the applicant's submission that s33(1)(a) is most relevant in these circumstances, specifically, that part of the reserve to which the application relates is no longer needed for a community purpose.

Please find **enclosed** publicly available satellite imagery of Lot 20; in the interests of convenient identification only the area the subject of the application is roughly marked (please note the markings are not intended to show exact or proposed boundaries).

The triangular part of Lot 20 to which the application relates is bordered to the east and west by DTMR rail and former rail corridor land. As previously advised, the applicant has been made a “without prejudice” offer to purchase those parts of the rail and former rail corridor land which about the area the subject of this application.

Please find **enclosed** a colour survey plan noting the area the subject of this application as “3” and the surrounding DTMR lands as “4” and “2”.

It is noted that the roadways and houses within Lot 20 have been constructed in a manner which land locks and isolates that part of Lot 20 to which the application relates. Public vehicular access to the area cannot be constructed to that part of the lot, nor would that part of the lot be suitable for the construction of Aged Person Homes, as designated by the grant. To that end, that part of the reserve is not suitable for the designated or any other community purpose, and therefore is no longer needed for a community purpose.

Your aforementioned correspondence requests that that applicant liaise with DTMR and the Council to provide their input as adjoining land owners. Whilst the applicant is pleased to write to both to obtain their views, in the interests of expediting this matter the applicant requests that simultaneously with their corresponding seeking such input, your Department also write to the Council seeking the same information.

## Summary

In summation we confirm as follows:

1. The applicant withdraws that part of the Road Closure Application so far as it relates to the land abutting Lot 79 on SP136292 and Lot 201 on SP129905;
2. The applicant amends its Road Closure Application to that area that abuts Lot 78 on SP152626;
3. The applicant withdraws its applications in relation to Lot 79 on SP136292, part of Lot 201 on SP129905 and part of Lot 231 on SP129908;
4. The applicant requests the minister exercise his power pursuant to s33(2) of the *Land Act 1994* in relation to part of Lot 20 on NR7137;
5. The applicant wishes to continue with its Application over part of Lot 20 on NR7137; and
6. The applicant will write to the Mareeba Shire Council and the Department of Transport and Main Roads to seek their input as requested in your aforementioned correspondence and the Department will simultaneously request the same information from Council.

We thank you for your continued assistance in this matter. Should you require anything further to assist and expediting this matter, please don't hesitate to contact the writer.

Yours faithfully

**Girgenti Lawyers**

*Girgenti Lawyers*

**Pietro Girgenti** | Legal Practitioner Director  
 pietro@girgentilawyers.com.au





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**From:** Rebecca A Robson [Rebecca.Robson@translink.com.au]  
**Sent:** Wednesday, 10 December 2014 4:22 PM  
**To:** LODGE Karen  
**Subject:** RE: Rankin Street Application

Hi Karen

I just heard one of our valuers discussing this project and from what I heard it seems the applicant is pressing TMR for a valuation of the purchase of the rail corridor. That's all I know of at this stage but will follow up with the valuer in the morning to find out more details. I was just wondering if the applicant had formerly responded to DNRM regarding the road application and whether or not he managed to get council on board with the sale of the reserve land.

Regards

**Rebecca Robson (B.Bus)**  
Principal Advisor (Rail Corridor Management) | Strategic Property Management  
Portfolio Investment and Programming | Department of Transport and Main Roads

Floor 4 | Terrica Place | 140 Creek Street | Brisbane Qld 4001  
GPO Box 1412 | Brisbane Qld 4001  
P: (07) 30667419 |  
E: [rebecca.a.robson@tmr.qld.gov.au](mailto:rebecca.a.robson@tmr.qld.gov.au)  
W: [www.tmr.qld.gov.au](http://www.tmr.qld.gov.au)

---

**From:** LODGE Karen [mailto:Karen.Lodge@dnrm.qld.gov.au]  
**Sent:** Wednesday, 10 December 2014 3:29 PM  
**To:** Rebecca A Robson  
**Subject:** RE: Rankin Street Application

Hi Rebecca, No response received from applicant. I was thinking to give them a call to follow up, but haven't as yet. Where are they at with the DTMR land?

Thanks

Karen Lodge  
Land Officer  
State Land Asset Management  
Service Delivery – North Region

Telephone: 07 4048 3705 Facsimile: 07 4799 7533  
Email: [Townsville.SLAMS@dnrm.qld.gov.au](mailto:Townsville.SLAMS@dnrm.qld.gov.au)  
Website: [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)

Department of Natural Resources and Mines  
**Address:** 88 Rankin Street, Innisfail Qld 4860  
**Postal:** PO Box 5318, Townsville Qld 4810

---

**From:** Rebecca A Robson [mailto:Rebecca.Robson@translink.com.au]  
**Sent:** Wednesday, 10 December 2014 3:22 PM  
**To:** LODGE Karen  
**Subject:** Rankin Street Application

Hi Karen

Did the applicant respond by the due date regarding the road closure and purchase of the reserve land located at Mareeba??  
? Is the applicant proceeding?

Regards

**Rebecca Robson (B.Bus)**  
Principal Advisor (Rail Corridor Management) | Strategic Property Management  
Portfolio Investment and Programming | Department of Transport and Main Roads

Floor 4 | Terrica Place | 140 Creek Street | Brisbane Qld 4001  
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W: [www.tmr.qld.gov.au](http://www.tmr.qld.gov.au)

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INTERNAL CURRENT RESERVE SEARCH  
DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Search Date: 08/09/2014 13:08

Title Reference: 49001693  
Date GAZETTED: 21/06/1947  
PAGE: 2238-9

Opening Ref: RES 4162  
Purpose: LOCAL GOVERNMENT  
Sub-Purpose: AGED PERSONS HOMES  
Local Name:  
Address: LAWSON ST. MAREEBA  
County (R) No: R947 NARES  
File Ref: RES 4162 2

TRUSTEES

MAREEBA SHIRE COUNCIL GAZETTED ON 21/06/1947 PAGE 2238

LAND DESCRIPTION

LOT 20 CROWN PLAN NR7137 GAZETTED ON 22/06/1985 PAGE 1358  
County of NARES Parish of TINAROO  
Local Government: MAREEBA

Area: 3.710000 Ha. (ABOUT)

EASEMENTS AND ENCUMBRANCES

ADMINISTRATIVE ADVICES - NIL  
UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED No

\*\* End of Current Reserve Search \*\*

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

Search Date: 27/08/2014 11:50

Title Reference: 48006928  
Date Created: 15/03/2010

Previous Title: 40008706

LAND DESCRIPTION

Estate in PERPETUITY

LOT 79      SURVEY PLAN 136292  
            County of NARES                      Parish of TINAROO  
            Local Government: MAREEBA

REGISTERED LESSEE

Dealing No: 713116799    15/03/2010

THE STATE OF QUEENSLAND  
(REPRESENTED BY DEPARTMENT OF TRANSPORT AND MAIN ROADS)

PERPETUAL TENURE INFORMATION

For Conditions, Primary Tenure information including Purpose  
and Term of Tenure, refer to title reference 40008706

ENCUMBRANCES, EASEMENTS AND INTERESTS

ADMINISTRATIVE ADVICES - NIL  
UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED = No

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

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



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

Search Date: 27/08/2014 11:51

Title Reference: 48004082  
Date Created: 27/02/2010

Previous Title: 40008706

LAND DESCRIPTION

Estate in PERPETUITY

LOT 231 SURVEY PLAN 129908  
County of NARES Parish of TINAROO  
Local Government: MAREEBA

REGISTERED LESSEE

Dealing No: 712575658 07/07/2009

THE STATE OF QUEENSLAND  
(REPRESENTED BY DEPARTMENT OF TRANSPORT AND MAIN ROADS)

PERPETUAL TENURE INFORMATION

For Conditions, Primary Tenure information including Purpose  
and Term of Tenure, refer to title reference 40008706

ENCUMBRANCES, EASEMENTS AND INTERESTS

1. SUB LEASE No 713429425 26/08/2010 at 11:17  
QUEENSLAND RAIL LIMITED A.C.N. 132 181 090  
OF THE WHOLE OF THE LAND  
TERM: 30/06/2010 TO 30/06/2110 OPTION AS THEREIN STATED  
Lodged at 11:17 on 26/08/2010 Recorded at 14:31 on 26/08/2010

ADMINISTRATIVE ADVICES - NIL  
UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

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)

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

Search Date: 27/08/2014 11:50

Title Reference: 48004107  
Date Created: 27/02/2010

Previous Title: 40008706

LAND DESCRIPTION

Estate in PERPETUITY

LOT 201 SURVEY PLAN 129905  
County of NARES Parish of TINAROO  
Local Government: MAREEBA

REGISTERED LESSEE

Dealing No: 712575658 07/07/2009

THE STATE OF QUEENSLAND

(REPRESENTED BY DEPARTMENT OF TRANSPORT AND MAIN ROADS)

PERPETUAL TENURE INFORMATION

For Conditions, Primary Tenure information including Purpose  
and Term of Tenure, refer to title reference 40008706

ENCUMBRANCES, EASEMENTS AND INTERESTS

ADMINISTRATIVE ADVICES = NIL  
UNREGISTERED DEALINGS = NIL

CERTIFICATE OF TITLE ISSUED - No

Corrections have occurred - Refer to Historical Search

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

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

Girgenti Lawyers

PO Box 2086

Mareeba Qld 4880

Sent via email: [Yvette@girgentilawyers.com.au](mailto:Yvette@girgentilawyers.com.au)

**Proposed Land Development at Mareeba – Multi-tenure applications in the vicinity of Lot 78 on SP152626**

Reference is made to your correspondence dated 2 September 2014 and my recent telephone conversation with Mrs Ruppin.

**Application for permanent road closure of part of Rankin Street abutting Lot 78 on SP152626, Lot 79 on SP136292 and Lot 201 on SP129905 – DNRM reference 2014/006210**

Initial assessment of your clients' permanent road closure application indicates that part of the area to be closed abuts Lot 79 on SP136292 and Lot 201 on SP129905 which are not held in the ownership of your client. In accordance with Section 99(1) of the *Land Act 1994* an entity may apply for the permanent road closure of a road if the entity is (a) a public utility provider; or (b) an adjoining owner for the road.

It is noted that your client has made application to purchase Lot 79 on SP136292 and part of Lot 201 on SP129905 that abuts the subject road closure area and that the registered owners, being the Department of Transport and Main Roads (DTMR) will be taking over assessment of your client's application to purchase these properties.

In relation to the permanent road closure application, the options are:

- (1) your client amends their application area to be over the road that abuts Lot 78 on SP152626 only;
- (2) withdraw current application and await outcome of negotiations with DTMR in relation to the purchase of Lot 79 on SP136292 and part of Lot 201 on SP129905.

When your client obtains the ownership of the properties that abuts the entire road closure area, then a new application for permanent road closure can be submitted to this Department.

**Lot 79 on SP136292, part of Lot 201 on SP129905 and part of Lot 231 on SP129908 – DTMR properties – DNRM reference 2014/006214, 2014/006216 and 2014/006217**

These parcels of land are allocated to DTMR and Queensland Rail has a registered interest over the whole of Lot 231 on SP129908.

At this point in time, this department is unable to further consider your clients applications to purchase the DTMR properties as your correspondence indicates that your clients are awaiting

assessment by DTMR. It is preferred if your client withdraws their applications to purchase the DTMR properties.

It is suggested to liaise with DTMR having regard to your clients' interest in the subject properties and also to consult with DTMR regarding the assessment of native title under the provisions of the *Native Title Act 1993* (Cth). Initial investigations reveal that native title may continue to exist over the DTMR properties.

**Lot 20 on NR7137 – Reserve for Local Government, Aged Persons Homes – DNRM reference 2014/006215**

My advice to Mrs Ruppin in relation to this Reserve that it is preferred that Mareeba Shire Council (the Council), being the trustee of the operational reserve to apply for the issue of a Deed of Grant over the whole of the reserve in accordance with section 34I of the *Land Act 1994* and then your client could liaise direct with the Council to purchase the area your clients have an interest in.

As mentioned in your correspondence, an option is to revoke the dedication of part of a Reserve in accordance section 33 of the *Land Act 1994* without receiving an application under section 33(2) of the *Land Act 1994*. However, to enable the Department to consider section 33(1)(b) or (c) of the *Land Act 1994* input and advice is required from the Council and DTMR (as an adjoining owner of the land).

It is suggested that your client liaise with the Council and DTMR to obtain their written advice on the partial revocation of the Reserve and ascertain if they have any interest in the subject area and if not, if they concur with the proposal to further deal with this area to be included in the proposed development of Lot 78 on SP152626. It would be appreciated if you could provide a copy of their advices.

Initial investigations reveal no prior exclusive tenures existed over Lot 20 on NR7137 and it is suggested for your client to liaise with the Council and DTMR to determine if any valid public works previously existed over the Reserve and obtain the required evidence to support the valid public works under the provisions of the *Native Title Act 1993* (Cth).

In relation of your client intending to apply for Administrative Review of this department's decision that the *Land Act 1994* does not authorise the department to deal with the land as suggested in your application, you are advised at this point in time, that a decision has not been made and the department is now providing your client with the post-lodgement advice on their applications.

It would be appreciated if the information, as mentioned above, is provided by close of business on ??????????. If no response is received and no alternate arrangements made, it will be deemed that your client does not wish to proceed with their applications and the cases will be closed.

If you wish to discuss this matter please contact this department on telephone no. 40483705.

All future correspondence relative to these matters is to be referred to the contact Officer at the mentioned address or by email to [Townsville.SLAMS@dnrm.qld.gov.au](mailto:Townsville.SLAMS@dnrm.qld.gov.au). Please quote the abovementioned reference numbers in any future correspondence.

Yours sincerely

Karen Lodge

Land Officer

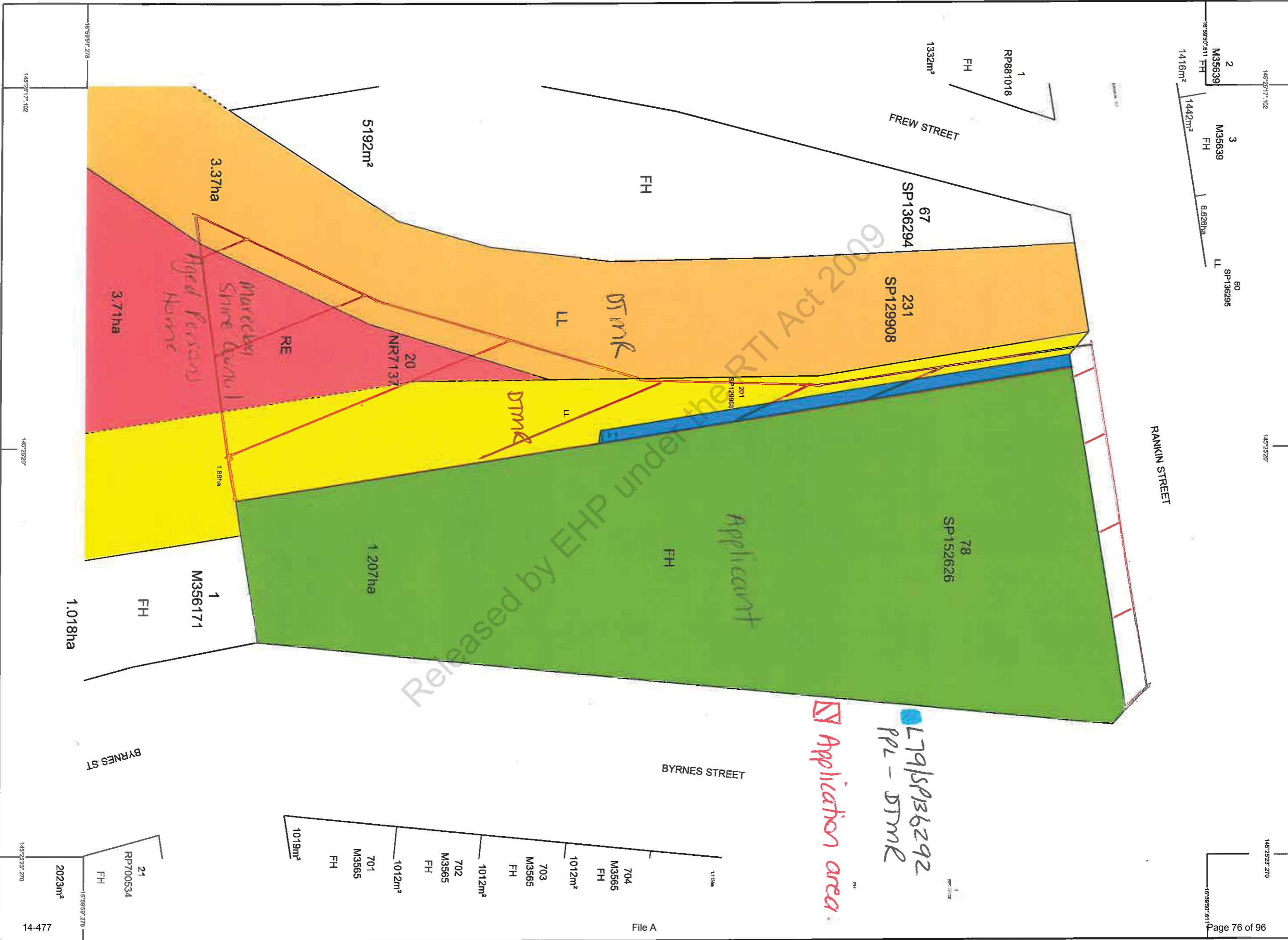
State Land Asset Management

North Region – Service Delivery

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Application area  
 L79/SP136292  
 PPL - DTMK



For additional information regarding this SmartMap see page 2.  
 Standing Rules have been applied.  
 PRINTED (dd/mm/yyyy) 08/09/2014  
 An External Product of  
 SmartMap Information Services

HORIZONTAL DATUM: GDA94 ZONES: 55  
 SCALE: 1:800

GDA



S

Within:

For:

- Search company and other registers
- Search business names register
- Search SMSF auditor register
- Check Name Availability
- Professional Registers
- Information Brokers

**View Details**

▼ REEDLODGE PTY, LTD. ACN 089 077 403

▼ Company Summary ?

**Name:** REEDLODGE PTY, LTD.

**ACN:** 089 077 403

**ABN:** [67 089 077 403](#)

**Registration date:** 13/08/1999

**Next review date:** 13/08/2015

**Status:** Registered

**Type:** Australian Proprietary Company, Limited By Shares

**Locality of registered office:** MAREEBA QLD 4880

**Regulator:** Australian Securities & Investments Commission

▼ Information for purchase ?

Purchased information is delivered online unless specified. Payment by credit card only. ?

[Example of paid information](#)

▼ Company extract ?

Current company information

Current and historical company information

▼ Satisfied charges ?

Satisfied charges

▼ Roles & relationships ?

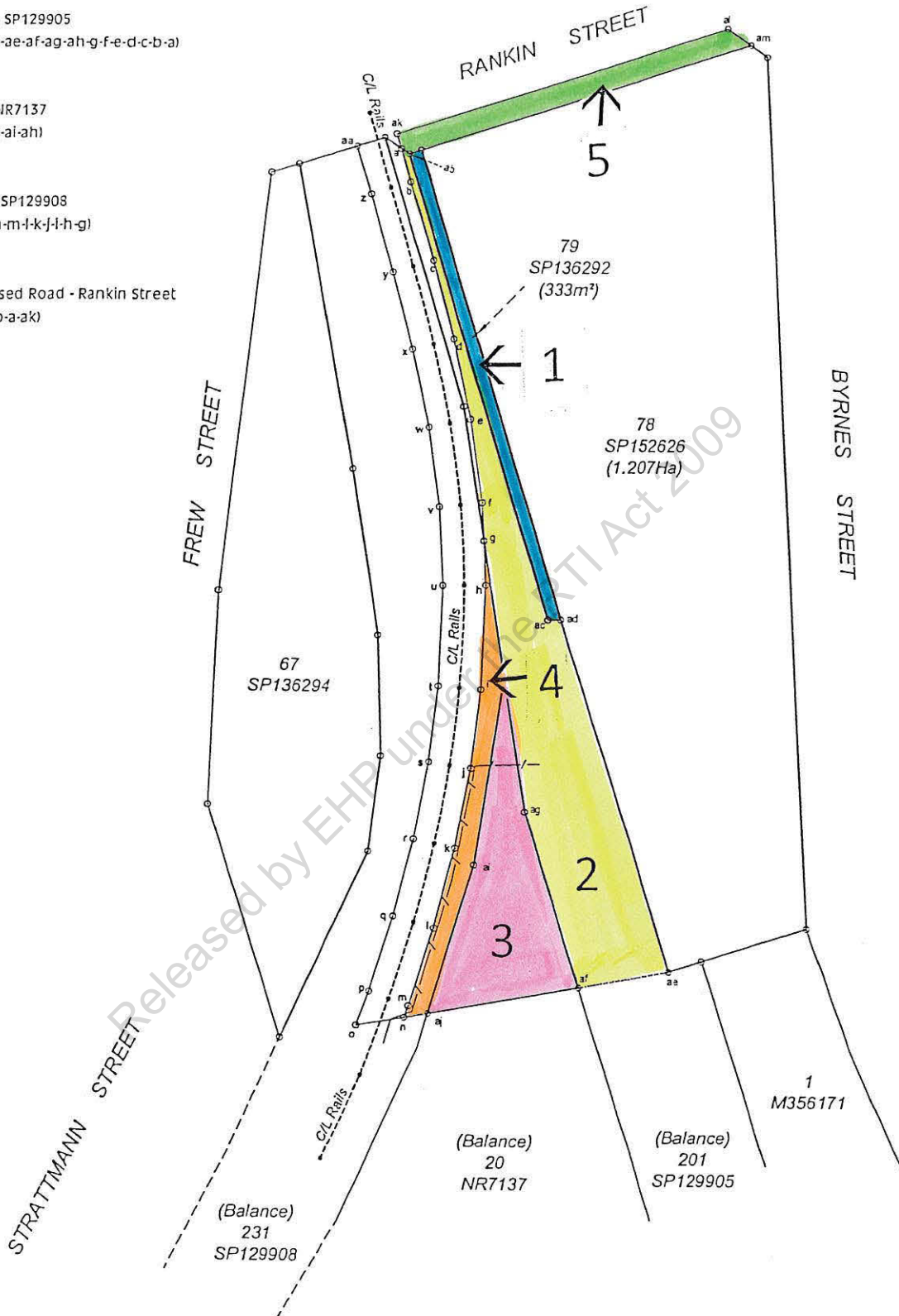
AREA OF PART OF:

Lot 201 on SP129905  
 (a-ab-ac-ad-ae-af-ag-ah-g-f-e-d-c-b-a)  
 2291m<sup>2</sup>

Lot 20 on NR7137  
 (ah-ag-af-aj-ai-ah)  
 1128m<sup>2</sup>

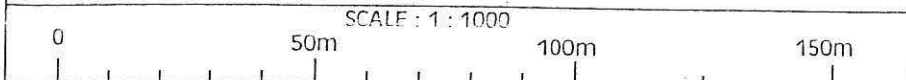
Lot 231 on SP129908  
 (g-ah-ai-aj-n-m-l-k-j-l-h-g)  
 464m<sup>2</sup>

Area of Closed Road - Rankin Street  
 (ak-al-am-ab-a-ak)  
 451m<sup>2</sup>



NOTE

Stns a - z & aa are  
 offset 5.0 metres to C/L Rails



AMENDMENTS
A - ORIGINAL

LOCAL GOVERNMENT: MSC  
 LOCALITY: MAREEBA  
 SITUATED AT:  
 BYRNES STREET &  
 RANKIN STREET

PROPOSED REALIGNMENT  
 OF BOUNDARIES AND  
 ROAD TO BE CLOSED

DWG NO. 5165 - RAILS 2 24.4.2014 REV A

**TWINE SURVEYS** PTY LTD  
 36 Mabel St, Atherton 4883  
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## Key to Proposed Realignment of Boundaries and Part Road to be Closed

- 1- Lot 79 on SP 136292
- 2- Part of Lot 201 on SP 129905
- 3- Part of Lot 20 on NR 7137
- 4- Part of Lot 231 on SP 129908
- 5- Part of Rankin St, Mareeba adjoining Lot 78 on SP 152626

Released by EHP under the RTI Act 2009

# eLVAS Client Interaction Report

## For Interaction id: 1163927

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Letter  
Interaction date: 8-Aug-2014 2:40 PM  
Entered by: Miller, Carla  
Reference:

Contact with: Girgenti Lawyers, Mareeba

### Documents

Document Type	Title	Received/Sent
Application	Application - details of proposed use	7-Aug-2014

### Interaction Record History

Service Centre: Townsville  
Associated to Case: 2014/006215  
Revision No.: 0  
Updated by: Miller, Carla  
Date: 8-Aug-2014  
Details: Scanned document received from Girgenti Lawyers

### Assignment History



## Application for Purchase State Land

### Attachment B

#### Item 15: Details of the proposed use

The Applicant, Reedlodge Pty Ltd (Reedlodge) purchased Lot 78 on SP 136292, also known as 232 Byrnes Street Mareeba (the Site) in the early 2000's, with a view to developing the Site into a retail shopping complex.

The initial development approval, (obtained from the former Mareeba Shire Council) for the Site was challenged by a commercial competitor and the approval was overturned on appeal on technical grounds. Since then, Reedlodge has negotiated with the former Tablelands Regional Council (TRC) and major retailers regarding the Site. In late 2010 Reedlodge was granted development approval for the complex. This approval no longer remains on foot.

The township of Mareeba has continued to grow considerably since Reedlodge commenced the process to gain development approval for the Site. Following further negotiations with major retailers, it has been identified that the needs of the proposed shopping complex have outgrown the capabilities of the existing Site. The interested retailers now require a larger complex than the Site can accommodate, both for retail space and to provide adequate parking facilities for customers.

In order to provide the additional space required for the proposed development, Reedlodge now proposes to simultaneously acquire four (4) lots currently held by the State Government located on the western side of Lot 78 on SP 136292.

Reedlodge has committed significantly to this Site and to the construction of a new retail shopping complex to service the Mareeba and surrounding districts. The interested retailers and speciality stores also desire the construction of a new shopping complex as soon as practically possible. As time is the greatest hurdle for commercial projects of this nature, we request that you give these matters your urgent consideration.

#### Item 16: Provide details to support your application

The Applicant, Reedlodge Pty Ltd (Reedlodge) is the registered title holder of Lot 78 on SP 136292, also known as 232 Byrnes Street Mareeba (the Site). Adjacent to this Site are three (3) parcels of land designated as rail corridors, namely Lot 79 on SP 136292, part of Lot 201 on SP 129905 including the decommissioned Cairns Railway line, and part of Lot 231 on SP 129908 which forms part of the active Mungana Branch Railway. A fourth parcel of land, part of Lot 20 NR 7137 is currently reserved for Aged Care Homes. There is also a Road Reserve located adjacent and to the north of the Site.

Given the additional land area required for the proposed shopping complex development (detailed above), Reedlodge has identified the abovementioned Queensland Rail and State owned land as the logical sites for expansion of their development and is actively exploring the possibility of acquiring each of these parcels of land.

Extensive discussions with the Department of Transport and Main Roads and Queensland Rail have established that they are both supportive of Reedlodge's proposed development and its intention to acquire the abovementioned parcels. Further, discussions with the former Tablelands Regional Council (TRC) also indicated they were amenable to the development.



#### **Lot 79 on SP 136292**

This land is leased to the Department of Transport and Main Roads (DTMR) and sub-leased to Queensland Rail (QR), although an application to surrender part of the sub-lease was lodged by QR on 27 March 2014. This land quite small and adjoins Reedlodge's Site. This parcel was formerly part of Reedlodge's land but was swapped with QR in the early 2000's when the Cairns Railway was still in use. This swap was effected to ensure an adequate setback from the rail line. Since that time, the Cairns Railway line has been decommissioned. The line was derelict, the rail infrastructure has now been removed and use of the rail reserve from this point to the town of Atherton has been granted to the former TRC for use as a cycleway/walking track. Reedlodge's Site is the termination point for this cycleway/walking track.

Reedlodge proposes that Lot 79 be freeholded and sold to Reedlodge as QR no longer maintains or uses this as part of their services. Discussions with DTMR and QR indicate they are favourable to this proposal.

#### **Part of Lot 201 on SP 129905**

This Lot is leased to DTMR and sub-leased to QR, although an application to surrender part of the sub-lease was lodged by QR on 27 March 2014. The land is currently designated as a rail corridor for the now decommissioned Cairns Railway line. It is understood that part of the land was granted by DTMR to the former TRC as a cycleway/walking track and that the newly formed Mareeba Shire Council intends to continue development of this cycleway/walking track project. We are uncertain of the exact tenure and how, or even if this agreement has been formalised. Nevertheless, the southern boundary of Reedlodge's Site is the logical termination point for this cycleway/walking track. To continue the track further to the northern boundary of the Site could jeopardise the safety of track users (both walkers and cyclists) who would come in too close a proximity to an active rail line. Reedlodge has been in negotiations with QR regarding acquisition of this Lot as it appears the land is surplus to QR's needs. QR is thus favourable towards this proposal.

Reedlodge proposes that part of Lot 201 be freeholded and that Reedlodge be permitted to purchase that part of the Lot commencing at the southern boundary of Reedlodge's Site. If this proposal is granted, Reedlodge will take the cycleway/walking track into account in its design for the retail shopping centre planned and allow access to the main street and shopping centre from the southern side of the development.

#### **Part of Lot 231 on SP 129908**

This Lot is leased by DTMR and under a sub-lease to QR. No surrender of this sub-lease has been lodged by the State, is designated as a rail corridor for the active Mungana Branch line. This rail line caters for one or two (1-2) train movements each week for the Savannahlander's return trip from Cairns to Forsyth.

Reedlodge proposes that the portion of the Lot being the part five (5) metres from the eastern side of the centreline of the railway tracks, commencing in line with the southern boundary of their Site, and extending northwards to intersect with the boundary of Lot 201 SP 129905, be freeholded and that Reedlodge be permitted to purchase this parcel.

Reedlodge proposes that this area will be used as car parking facilities and it would construct a barrier fence and an unsignalled pedestrian crossing at the northern boundary to allow access to the shopping complex on the adjoining Site.

#### **Part of Lot 20 NR 7137**

This land is currently under the control of Mareeba Shire Council and reserved for the purpose of aged persons housing. Part of the Lot is utilised for pensioner cottages, with a portion remaining unused and unusable due to its awkward shape, drainage issues and close proximity to an active rail line.

Reedlodge had entered into only agreement with the former TRC to acquire that portion of the Lot commencing in line with the southern boundary of the Site, forming a triangle between the Mungana Branch and the decommissioned Cairns Railway lines.

As the land is controlled by Council, Reedlodge is currently in negotiations with the new Mareeba Shire Council to ascertain their support for the acquisition of the unused portion of this Lot.

The above information is provided for your reference to demonstrate Reedlodge's commitment to this proposal and is commercial in confidence.

# eLVAS Client Interaction Report

## For Interaction id: 1163920

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Letter  
Interaction date: 8-Aug-2014 2:33 PM  
Entered by: Miller, Carla  
Reference:

Contact with: Girgenti Lawyers, Mareeba

### Documents

Document Type	Title	Received/Sent
Application	Application - details of proposed use	7-Aug-2014

### Interaction Record History

Service Centre: Townsville  
Associated to Case: 2014/006215  
Revision No.: 0  
Updated by: Miller, Carla  
Date: 8-Aug-2014  
Details: Scanned document received from Girgenti Lawyers

### Assignment History

# eLVAS Client Interaction Report

## For Interaction id: 1163918

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Letter  
Interaction date: 8-Aug-2014 2:33 PM  
Entered by: Miller, Carla  
Reference:

Contact with: Girgenti Lawyers, Mareeba

### Documents

Document Type	Title	Received/Sent
Application	Drawing/ Sketch	7-Aug-2014

### Interaction Record History

Service Centre: Townsville  
Associated to Case: 2014/006215  
Revision No.: 0  
Updated by: Miller, Carla  
Date: 8-Aug-2014  
Details: Scanned document received from Girgenti Lawyers

### Assignment History



# eLVAS Client Interaction Report

## For Interaction id: 1163915

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Letter  
Interaction date: 8-Aug-2014 2:33 PM  
Entered by: Miller, Carla  
Reference:

Contact with: Girgenti Lawyers, Mareeba

### Documents

Document Type	Title	Received/Sent
Application	Drawing/ Sketch	7-Aug-2014

### Interaction Record History

Service Centre: Townsville  
Associated to Case: 2014/006215  
Revision No.: 0  
Updated by: Miller, Carla  
Date: 8-Aug-2014  
Details: Scanned document received from Girgenti Lawyers

### Assignment History

# eLVAS Client Interaction Report

## For Interaction id: 1163913

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Letter  
Interaction date: 8-Aug-2014 2:33 PM  
Entered by: Miller, Carla  
Reference:

Contact with: Girgenti Lawyers, Mareeba

### Documents

Document Type	Title	Received/Sent
Application	Drawing/ Sketch	7-Aug-2014

### Interaction Record History

Service Centre: Townsville  
Associated to Case: 2014/006215  
Revision No.: 0  
Updated by: Miller, Carla  
Date: 8-Aug-2014  
Details: Scanned document received from Girgenti Lawyers

### Assignment History



# eLVAS Client Interaction Report

## For Interaction id: 1163912

### Contact Details

Business unit: State Land Asset Management  
Business context: Written (Inwards) Case  
Interaction method: Letter  
Interaction date: 8-Aug-2014 2:33 PM  
Entered by: Miller, Carla  
Reference:

Contact with: Girgenti Lawyers, Mareeba

### Documents

Document Type	Title	Received/Sent
Application	Application Forms - Purchase/lease state land	7-Aug-2014

### Interaction Record History

Service Centre: Townsville  
Associated to Case: 2014/006215  
Revision No.: 0  
Updated by: Miller, Carla  
Date: 8-Aug-2014  
Details: Scanned document received from Girgenti Lawyers

### Assignment History

## Application for Purchase State Land

### Attachment B

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Extensive discussions with the Department of Transport and Main Roads and Queensland Rail have established that they are both supportive of Reedlodge's proposed development and its intention to acquire the abovementioned parcels. Further, discussions with the former Tablelands Regional Council (TRC) also indicated they were amenable to the development.



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Reedlodge proposes that Lot 79 be freeholded and sold to Reedlodge as QR no longer maintains or uses this as part of their services. Discussions with DTMR and QR indicate they are favourable to this proposal.

#### **Part of Lot 201 on SP 129905**

This Lot is leased to DTMR and sub-leased to QR, although an application to surrender part of the sub-lease was lodged by QR on 27 March 2014. The land is currently designated as a rail corridor for the now decommissioned Cairns Railway line. It is understood that part of the land was granted by DTMR to the former TRC as a cycleway/walking track and that the newly formed Mareeba Shire Council intends to continue development of this cycleway/walking track project. We are uncertain of the exact tenure and how, or even if this agreement has been formalised. Nevertheless, the southern boundary of Reedlodge's Site is the logical termination point for this cycleway/walking track. To continue the track further to the northern boundary of the Site could jeopardise the safety of track users (both walkers and cyclists) who would come in too close a proximity to an active rail line. Reedlodge has been in negotiations with QR regarding acquisition of this Lot as it appears the land is surplus to QR's needs. QR is thus favourable towards this proposal.

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#### **Part of Lot 231 on SP 129908**

This Lot is leased by DTMR and under a sub-lease to QR. No surrender of this sub-lease has been lodged by the State, is designated as a rail corridor for the active Mungana Branch line. This rail line caters for one or two (1-2) train movements each week for the Savannahlander's return trip from Cairns to Forsayth.

Reedlodge proposes that the portion of the Lot being the part five (5) metres from the eastern side of the centreline of the railway tracks, commencing in line with the southern boundary of their Site, and extending northwards to intersect with the boundary of Lot 201 SP 129905, be freeholded and that Reedlodge be permitted to purchase this parcel.

Reedlodge proposes that this area will be used as car parking facilities and it would construct a barrier fence and an unsignalled pedestrian crossing at the northern boundary to allow access to the shopping complex on the adjoining Site.

#### **Part of Lot 20 NR 7137**

This land is currently under the control of Mareeba Shire Council and reserved for the purpose of aged persons housing. Part of the Lot is utilised for pensioner cottages, with a portion remaining unused and unusable due to its awkward shape, drainage issues and close proximity to an active rail line.

Reedlodge had entered into only agreement with the former TRC to acquire that portion of the Lot commencing in line with the southern boundary of the Site, forming a triangle between the Mungana Branch and the decommissioned Cairns Railway lines.

As the land is controlled by Council, Reedlodge is currently in negotiations with the new Mareeba Shire Council to ascertain their support for the acquisition of the unused portion of this Lot.

The above information is provided for your reference to demonstrate Reedlodge's commitment to this proposal and is commercial in confidence.

Released by EHP under the RTI Act 2009



## Attachment C

Q17 Additional information regarding the acquisition of part of Lot 20 NR7137.

The Applicant's previous application to acquire this parcel of land (Ref No 2011/005957) was unable to be processed as:

*"only the trustee of an operational reserve may apply for the issue of a deed of grant over part or the whole of the reserve in accordance with section 34I of the Land Act 1994.*

*If the Tablelands Regional Council wish to purchase this land and arrange to sell to the public they will need to make application with the Department."*

It is believed the current Mareeba Shire Council would be unlikely to make such an application, as discussions with Council to date indicate they are not favourably disposed to yielding up even part of this Lot of the proposed development.

There may however be a number of alternative options to enable the Department to permit Reedlodge to acquire the abovementioned parcel of land, including:

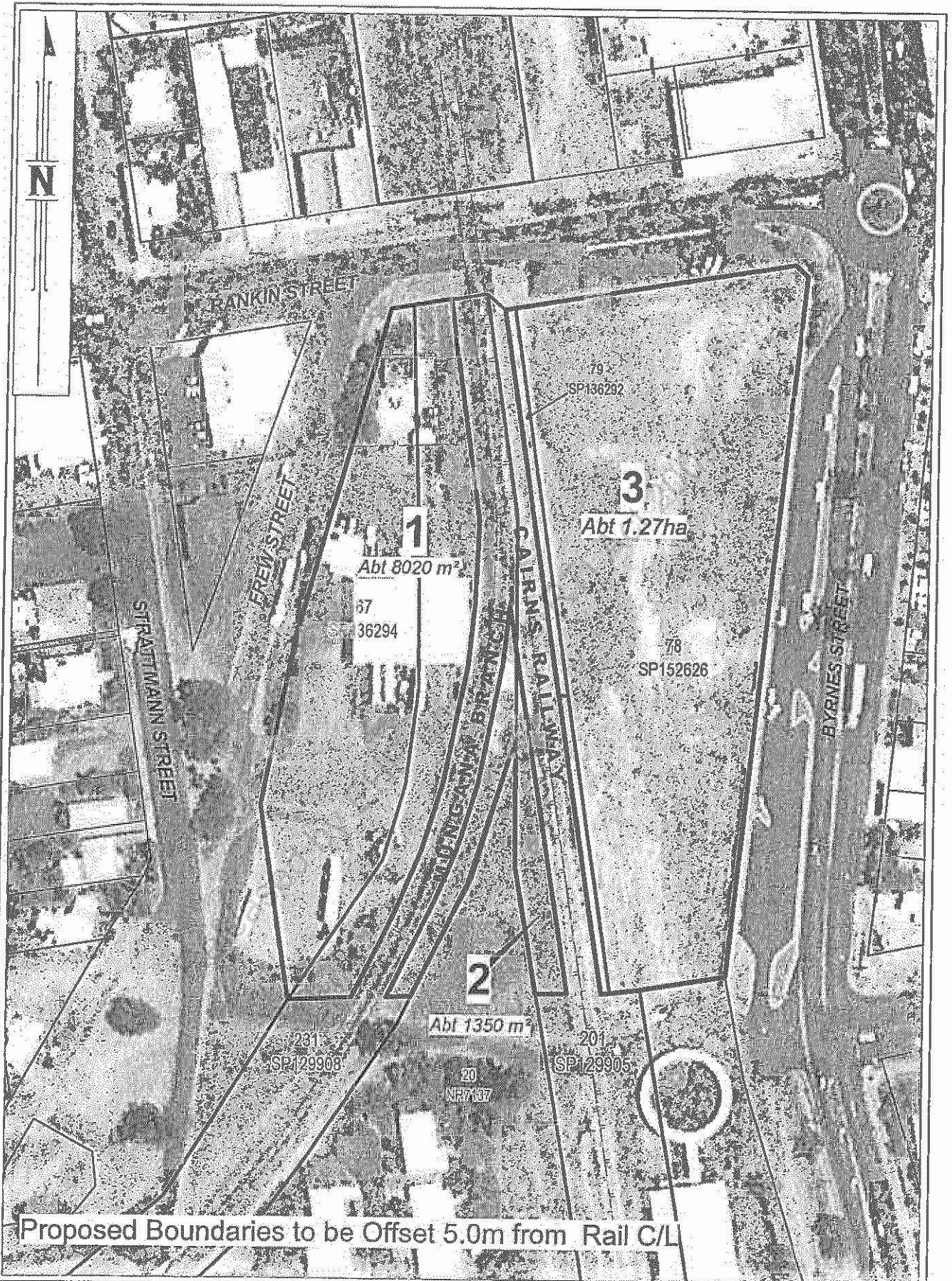
1. the realignment of the boundaries of the Lot by the Minister, in accordance with s31A of the *Land Act 1994* (Qld);
2. the revocation of the dedication of part of the reserve by the Minister, in accordance with s33 of the *Land Act 1994* (Qld); or
3. the revocation of the dedication of part of the reserve as a result of an application by Reedlodge, in accordance with s34 of the *Land Act 1994* (Qld);

In the event of the realignment of the boundaries of the Lot, that part of the Lot which has been excised from the Reserve would effectively become unallocated State land for which an application to acquire the land may be made.



In the event of revocation, in accordance with s34F of the *Land Act 1994* (Qld), that part of the land that is no longer deemed to be a reserve reverts to unallocated State land for which an application to acquire the land may be made.

We also note our previous enquiry to Grace Wyatt of the former Department of Environment and Resource Management on 2 September 2011 in relation to whether an Applicant is required to seek revocation of part of the reserve in accordance with s34 of the *Land Act 1994* (Qld), prior to lodging an application to purchase state land and confirm the Department's advice was that this is not required.





Proposed Boundaries to be Offset 5.0m from Rail C/L

Prepared by <b>QUEENSLAND RAIL</b> PROPERTY DIVISION		 Proposed Lots	<b>Possible Lot Reconfiguration</b> Lot 231 on SP129908, Lot 67 on SP136294, Lot 79 on SP136292, Lot 201 on SP129905 and Lot 78 on SP152626	
Google Earth Imagery	SCALE 1:1500			
Meridian :- DCDB	Land Categorization:- Rail Corridor/ QR Land		LGA:- Tablelands RC	Locality:- Mareeba
<small>NOTE: "This plan is for the exclusive use of the persons to whom it was originally distributed and is not to be disseminated, copied or distributed by any other party"          Data represented on this plan is NOT survey accurate and should be used as a guide only.</small>				Aug 2011 Version 1



AREA OF PART OF:

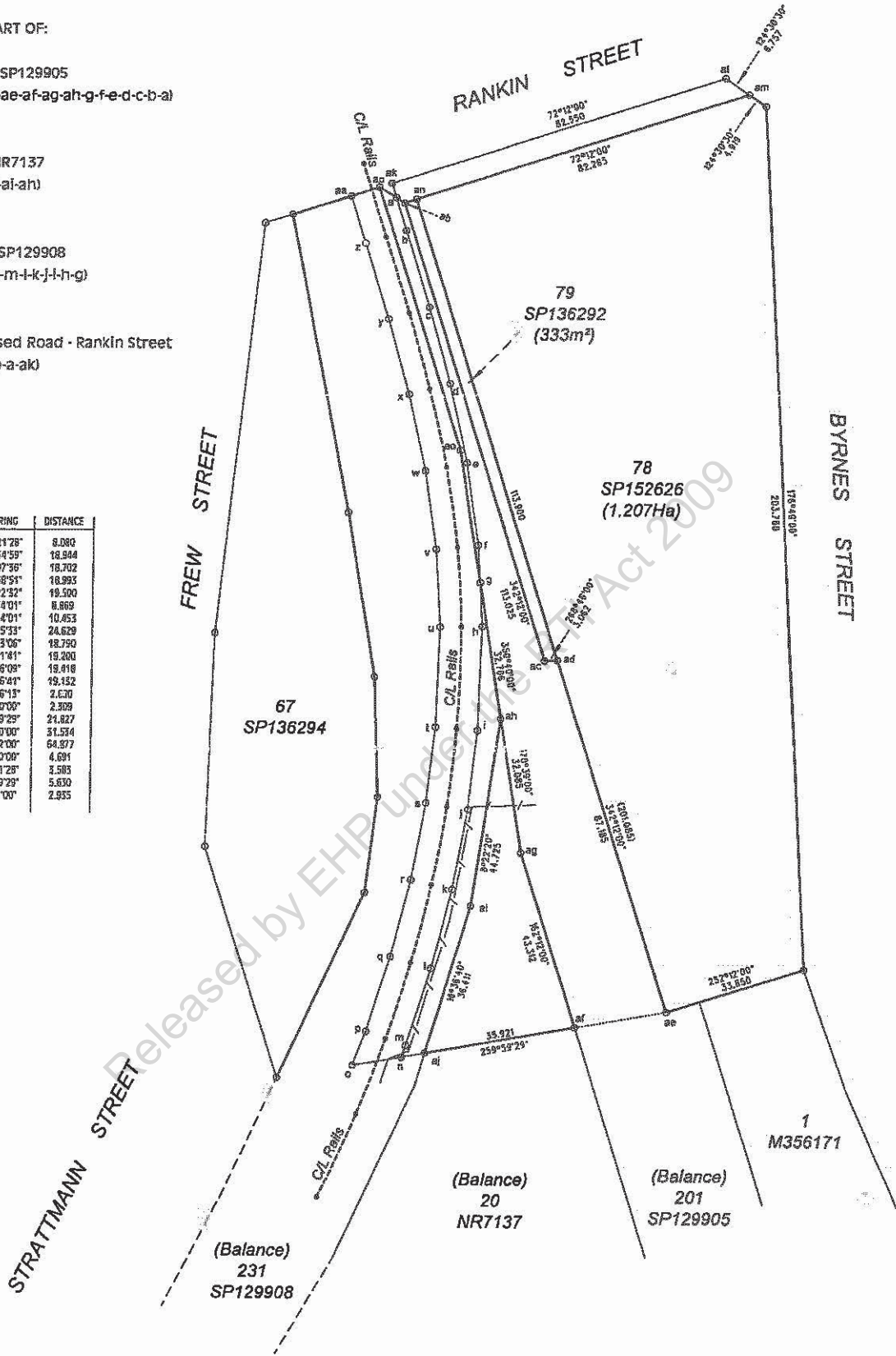
Lot 201 on SP129905  
(a-ab-ac-ad-ae-af-ag-ah-g-f-e-d-c-b-a)  
2291m<sup>2</sup>

Lot 20 on NR7137  
(ah-ag-af-aj-ai-ah)  
1128m<sup>2</sup>

Lot 231 on SP129908  
(g-ah-ai-aj-n-m-l-k-j-l-h-g)  
464m<sup>2</sup>

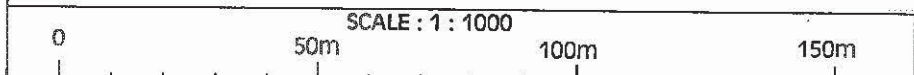
Area of Closed Road - Rankin Street  
(ak-al-am-ab-a-ak)  
451m<sup>2</sup>

LINE	BEARING	DISTANCE
a-b	162°21'28"	8.080
b-c	162°34'59"	16.984
c-d	164°07'36"	16.702
d-e	168°58'54"	16.995
e-f	171°22'52"	19.500
f-g	176°54'01"	8.669
g-h	176°34'01"	10.453
h-i	181°45'13"	24.629
i-j	185°23'00"	12.753
j-k	180°21'41"	19.200
k-l	184°08'08"	19.416
l-m	187°26'41"	19.152
m-n	200°46'13"	2.620
n-ab	122°00'00"	2.308
ae-af	259°59'29"	24.627
g-ao	350°40'00"	31.534
ao-ap	342°12'00"	64.977
ap-a	122°00'00"	4.091
a-ak	342°21'28"	3.583
aj-n	259°59'29"	5.830
ab-an	72°12'00"	2.935



NOTE

Stns a - z & aa are  
offset 5.0 metres to C/L Rails



AMENDMENTS
A - ORIGINAL
B - Additional B&D

LOCAL GOVERNMENT: MSC  
LOCALITY: MAREEBA  
SITUATED AT:  
BYRNES STREET &  
RANKIN STREET

PROPOSED REALIGNMENT  
OF BOUNDARIES AND  
ROAD TO BE CLOSED  
DWG NO. 5165 - RAILS 2 1.5.2014 REV A



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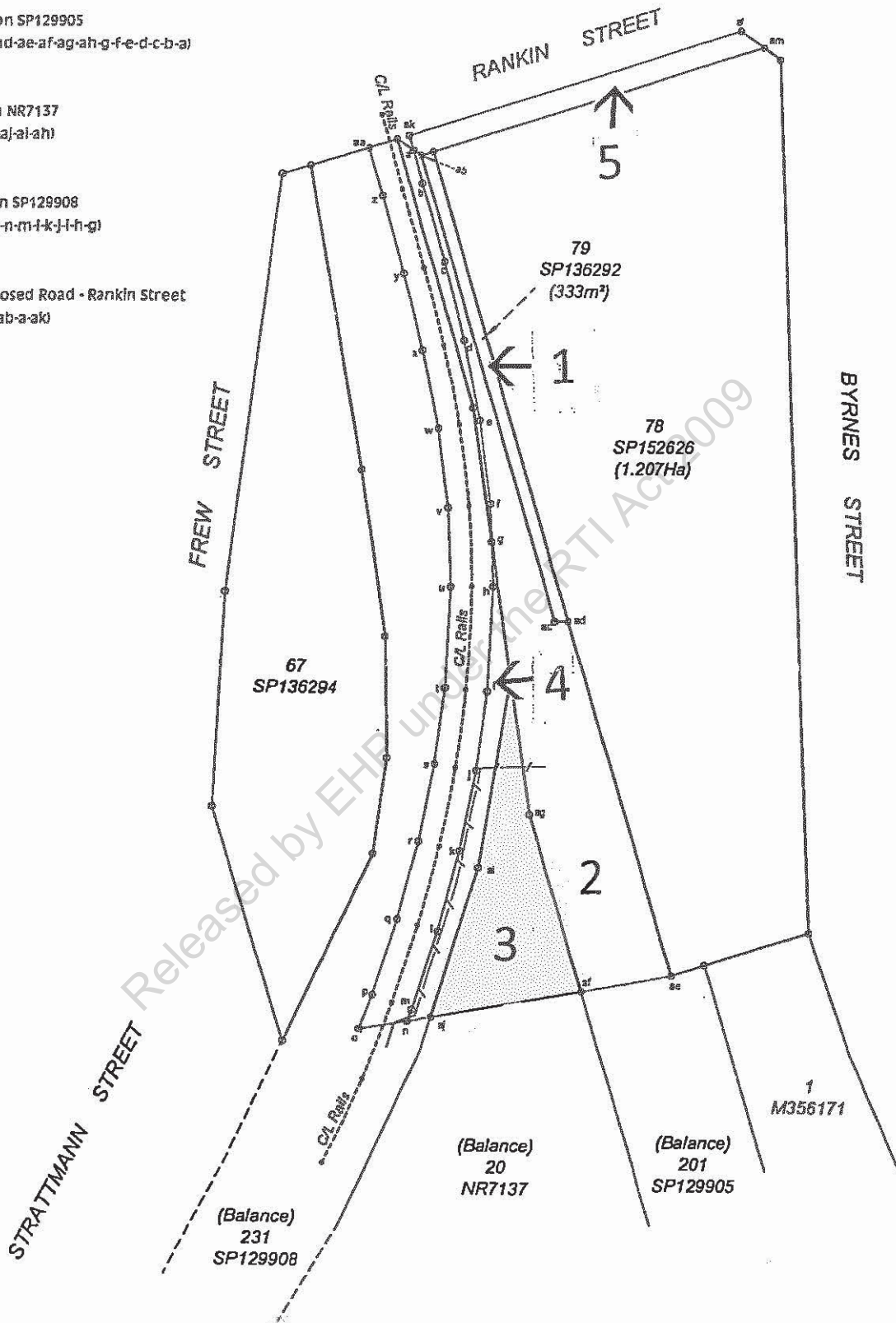
AREA OF PART OF:

Lot 201 on SP129905  
 (a-ab-ac-ad-ae-af-ag-ah-g-f-e-d-c-b-a)  
 2291m<sup>2</sup>

Lot 20 on NR7137  
 (ah-ag-af-aj-al-ah)  
 1128m<sup>2</sup>

Lot 231 on SP129908  
 (g-ah-al-aj-n-m-l-k-j-l-h-g)  
 464m<sup>2</sup>

Area of Closed Road - Rankin Street  
 (ak-al-am-ab-a-ak)  
 451m<sup>2</sup>



NOTE

Stns a - z & aa are  
 offset 5.0 metres to C/L Rails

SCALE : 1 : 1000 0      50m      100m      150m	
AMENDMENTS A - ORIGINAL   14-477	LOCAL GOVERNMENT: MSC LOCALITY: MAREEBA SITUATED AT : BYRNES STREET & RANKIN STREET
PROPOSED REALIGNMENT OF BOUNDARIES AND ROAD TO BE CLOSED File A	
DWG NO. 5165 - RAILS 2    24.4.2014    REV A	



TWINE SURVEYS PTY LTD  
 36 Mabel St, Atherton 4883  
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 Page 9 of 9  
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**Key to Proposed Realignment of Boundaries and Part Road to be Closed**

- 1- Lot 79 on SP 136292
- 2- Part of Lot 201 on SP 129905
- 3- Part of Lot 20 on NR 7137
- 4- Part of Lot 231 on SP 129908
- 5- Part of Rankin St, Mareeba adjoining Lot 78 on SP 152626

Released by EHP under the RTI Act 2009