CTS No. 06566/13

Chief of Staff OK
Dated 23/04/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 23/04/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Proposed revocation from Tewantin National Park and Yurol Forest Reserve for the Bruce Highway – Cooroy Connection Road (Elm Street) Upgrade**

RECOMMENDATION

It is recommended that the Minister:

- **approve** in-principle the revocation of about 2.1931 hectares from Tewantin National Park.
- **approve** in-principle the revocation of about 0.4831 hectares from Yurol Forest Reserve.
- **note** that in-principle approval for revocation of part of Yurol State Forest is currently being sought from the Minister for National Parks, Recreation, Sport and Racing.

BACKGROUND

- Negotiations between the Department of Environment and Heritage Protection (EHP), the Department of National Parks, Recreation, Sport and Racing (NPRSR) and the Department of Transport and Main Roads (TMR) to upgrade the Bruce Highway – Cooroy Connection Road (Elm Street) commenced in April 2011.
- The proposed works are for improved road safety and alignment purposes (green and yellow on Attachment A).
- The proposal has received in-principle support from the Assistant Director-General, Queensland National Parks and Wildlife Service, NPRSR.

CURRENT ISSUES

- In exchange for lands revoked from Tewantin National Park and Yurol Forest Reserve, TMR has agreed to meet EHP's revocation requirements including:
  - undertaking all required survey and plan works;
  - payment of all costs incurred by EHP to complete the proposal; and
  - providing financial compensation in accordance with current revocation policy.
- Under the Administrative Arrangements Orders, Minister Powell is responsible for approving in-principle proposed revocations from national parks and forest reserves under the *Nature Conservation Act 1992*. Support for the proposed revocation of part of Yurol State Forest to facilitate the completion of the project is currently being sought from the Honourable Steven Dickson, Minister for National Parks, Recreation, Sport and Racing as the Minister responsible for state forests under the *Forestry Act 1959*.

CONSIDERATIONS

- *Budget*: TMR has agreed to pay all costs incurred by EHP for completing the revocation.
- *Consultation:* NPRSR supports this revocation.
- *Legislation:* Sections 32 (Revocation of protected area) and 70E (Revocation of forest reserves) of the *Nature Conservation Act 1992* provide for the revocation, in whole or in part, of the protected area estate.

Rec'd - ODG
18 APR 2013

Author	Cleared by	Endorsed by	Recommended:
Name: Steve Christie Position: A/Program Coordinator, TCU Tel No: 3330 5333 Date: 02 April 2013	Name: Ash Williams Position: Manager, TCU Tel No: 3330 5337 Date: 16 April 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 17 April 2013	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 18.4.13 Endorsed by DG via email.
	Cleared by Name: Allan Williams Position: Director, TCU Tel No: 3330 5392 Date: 16 April 2013	Endorsed by Name: Tamara OShea Position: A/DDG, CSS Tel No: 3330 6240 Date: 18.04.13	

For Public Release

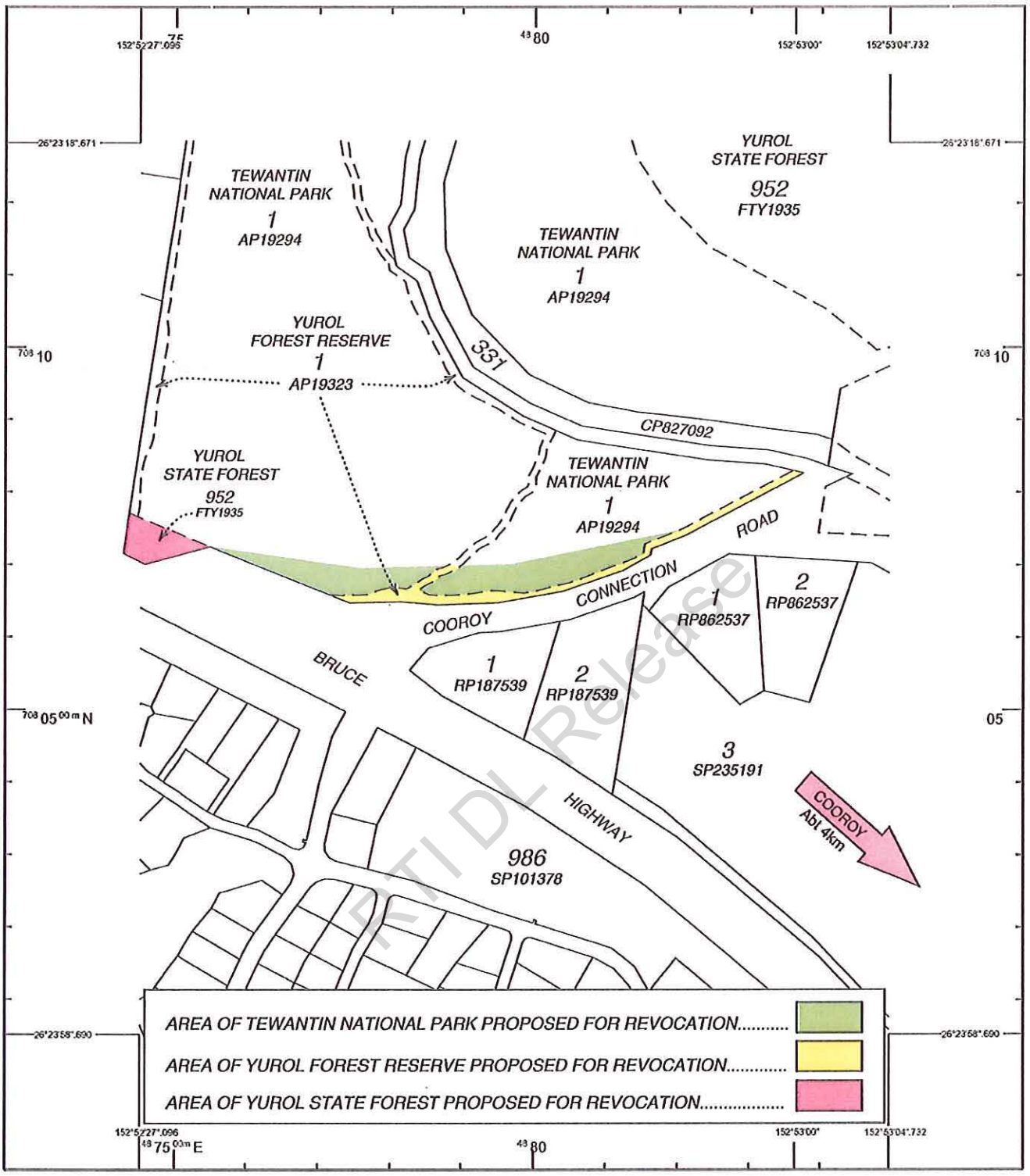
MINISTER'S COMMENTS

RTI DL Release

ATTACHMENTS

- Attachment A - Sketch of proposed works

Author	Cleared by	Endorsed by	Recommended:
Name: Steve Christie Position: A/Program Coordinator, TCU Tel No: 3330 5333 Date: 02 April 2013	Name: Ash Williams Position: Manager, TCU Tel No: 3330 5337 Date: 16 April 2013	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:
	Cleared by Name: Allan Williams Position: Director, TCU Tel No: 3330 5392 Date: 16 April 2013	Endorsed by Name: Tamara OShea Position: A/DDG, CSS Tel No: 3330 6240 Date:	



RTI DL Release

STANDARD MAP NUMBER
9445-22443

0 150 300 450 600 750 m

HORIZONTAL DATUM:GDA94 ZONE:56 SCALE 1 : 7500

MAP WINDOW POSITION & NEAREST LOCATION

152°52'45".914
26°23'35".680
BLACK MOUNTAIN
2.43 KM

GDA

SUBJECT PARCEL DESCRIPTION

DCDB

Lot/Plan	No Lot/Plan Selected.
Area/Volume	No Lot/Plan Selected.
Tenure	No Lot/Plan Selected.
Local Government	No Lot/Plan Selected.
Locality	No Lot/Plan Selected.
Parish	No Lot/Plan Selected.
County	No Lot/Plan Selected.
Segment/Parcel	No Lot/Plan Selected.

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 05/04/2013

DCDB 04/04/2013

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SmartMap
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Based upon an extraction from the Digital Cadastral Data Base

Queensland Government

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CTS No. 18091/12

Chief of Staff	e protection of an inc OK
Dated	9/12/12
Approved / Not Approved / Noted	
Further information required	
Minister	
Dated	12/12/12

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Proposed revocation of part of Nicoll Scrub National Park**

RECOMMENDATION

It is recommended that the Minister:

- **approve** in-principle the revocation of approximately 85m^2 from the national park (red in Attachment 1).
- **approve** in-principle the land offered for exchange (approximately 170m^2) as compensation for addition to the national park (blue in Attachment 1).

sch3(2)(1)(a) Cabinet matter - For consideration by Cabinet

BACKGROUND

- In or about 1987, he protection of an indi 2) Disclosu constructed a driveway through part of the then Tomewin Environmental Park to access his freehold property (described as Lot 4 on RP149677). At the time the driveway was constructed, Albert Shire Council, now the Gold Coast City Council (GCCC) was Trustee of the environmental park. The land was subsequently dedicated as part of Nicoll Scrub National Park in 1994.
- The driveway encroachment was brought to the attention of the former Environmental Protection Agency in December 2006 and since this time, the now Department of National Parks, Recreation, Sport and Racing (NPRSR) and the Department of Environment and Heritage Protection (EHP) have endeavoured to resolve the issue.
- In discussions with rotection of an the Queensland Government advised that it would consider revocation of part of the national park in exchange for rotection of an providing compensatory land to the state (on a minimum of a 2-for-1 basis), contingent on the land offered joining the national park, being uncleared and of suitable conservation value.

CURRENT ISSUES

- The government and rotection of an have been in ongoing discussions to resolve this issue.
- Following a mediation meeting in February 2012, the state and rotection of an reached agreement on an appropriate compensation outcome for the proposed revocation.
- rotection of an will incur costs for preparing required survey documentation and payment of all costs associated with finalisation of the proposal. As part of the mediation agreement, rotection of an will seek recompense for these costs from GCCC through a separate action.
- While current revocation policy requires that compensation is payable at a 5-to-1 ratio, the government agreed to honour its original offer of a 2-to-1 ratio.
- Ministerial in-principle approval is required to progress the proposed revocation of approximately 85m^2 from Nicoll Scrub National Park and ensuing acceptance and dedication of approximately 170m^2 to the national park.
-

sch3(2)(1)(a) Cabinet matter - For consideration by Cabinet

Rec'd - ODG
10 DEC 2012

Author Name: Steve Christie Position: A/Program Coordinator, Tenures & Covenants Unit Tel No: 3330 5333 Date: 22 November 2012	**Cleared by** Name: Ash Williams Position: A/Manager, T&CU Tel No: 3330 5337 Date: 30 November 2012	**Cleared by** Name: Wade Oestreich Position: A/Executive Director, Nature Conservation Services Tel No: 3330 5393 Date: 3 December 2012	**Recommended:** Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 10.12.12 DG endorsed via email.
Cleared by Name: Luke Navie Position: A/Project Manager, T&CU Tel No: 3330 5341 Date: 27 November 2012	**Cleared by** Name: Allan Williams Position: Director, T&CU Tel No: 3330 5392 Date: 3 December 2012	**Cleared by** Name: Geoff Clar protection of an i Position: A/DDG, Conservation & Sustainability Services Tel No: 3330 5390 Date:	

PTI DL Release

- NPRSR endorse this proposal.

CONSIDERATIONS

- *Consultation:* NPRSR;he protection of an indi Gold Coast City Council.
- *Legislation:* Sections 29 and 32 of the *Nature Conservation Act 1992*. Section 32 allows the Governor-in-Council to revoke the dedication of a protected area in whole or part by regulation subject to the Legislative Assembly resolving to support the revocation action. Section 29 allows the Governor-in-Council to dedicate state land as national park by regulation.

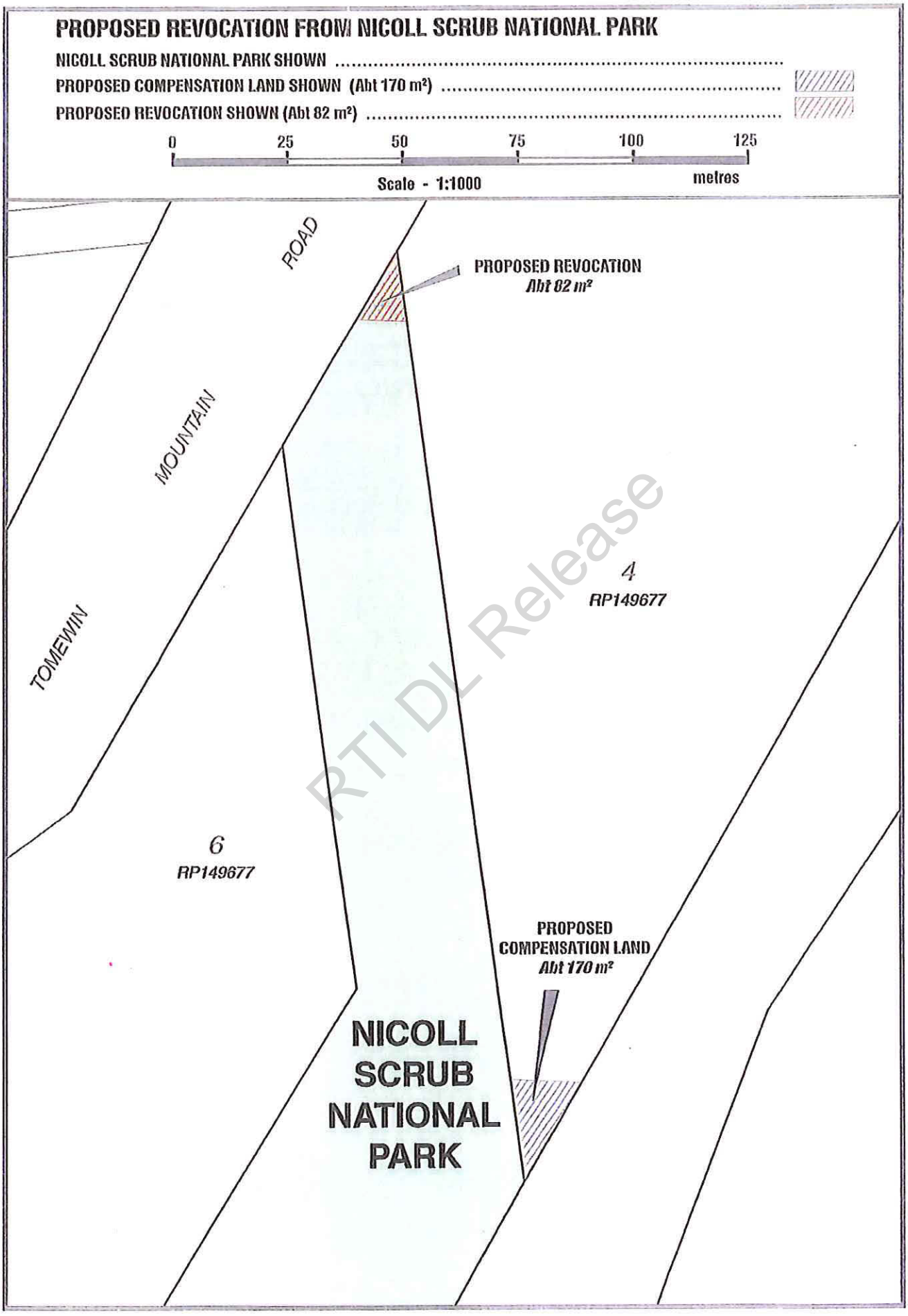
MINISTER'S COMMENTS

RTI DL Release

ATTACHMENTS

- Attachment 1 - Proposed revocation from Nicoll Scrub National Park.

Author Name: Steve Christie Position: A/Program Coordinator, Tenures & Covenants Unit Tel No: 3330 5333 Date: 22 November 2012	**Cleared by** Name: Ash Williams Position: A/Manager, T&CU Tel No: 3330 5337 Date: 30 November 2012	**Cleared by** Name: Wade Oestreich Position: A/Executive Director, Nature Conservation Services Tel No: 3330 5393 Date: 3 December 2012	**Recommended:** Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:
Cleared by Name: Luke Navie Position: A/Project Manager, T&CU Tel No: 3330 5341 Date: 27 November 2012	**Cleared by** Name: Allan Williams Position: Director, T&CU Tel No: 3330 5392 Date: 3 December 2012	**Cleared by** Name: Geoff Clare Position: A/DDG, Conservation & Sustainability Services Tel No: 3330 5390 Date:	



RTI DL Release

CTS No. 04518/13

Chief of Staff ... protection of an in... OK
Dated 31/03/13
Approved / Not Approved Noted
Further information required
Minister.....
Dated 02/04/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: Revocation from Kelvin Forest Reserve for augmentation of the existing Connors Range (Goonyella System) rail corridor

RECOMMENDATION

It is recommended that the Minister:

- **approve** in-principle the revocation of about four hectares from Kelvin Forest Reserve.
- **approve** in-principle the land offered for exchange (approximately 26 hectares) as compensation for addition to the protected area estate (Attachment 1).
- **note** that Ministerial in-principle approval has been previously given for the revocation of approximately 69 hectares from the adjoining Kelvin State Forest for the Connors Range (Goonyella System) rail corridor augmentation project.

BACKGROUND

- The Connors Range (Goonyella System) rail corridor adjoins Kelvin Forest Reserve and is used to support transport of coal to Hay Point and Dalrymple Bay coal terminals. The purpose of the proposed revocation is to augment the existing corridor's capacity to support the freighting of increased coal tonnage to Hay Point and Dalrymple Bay Coal Terminals.
- Negotiations between the Department of Environment and Heritage Protection (EHP) and Aurizon (previously QR National) to facilitate the corridor's augmentation commenced in May 2009, with original discussions to revoke about 69 hectares from the adjoining Kelvin State Forest previously receiving Ministerial in-principle approval.

CURRENT ISSUES

- In addition to the 69 hectares proposed to be revoked from Kelvin State Forest, Aurizon has identified a further four hectares of Kelvin Forest Reserve as being required to complete the Connors Range (Goonyella System) rail corridor's augmentation.
- In exchange for lands revoked from Kelvin Forest Reserve, Aurizon has agreed to provide approximately 26 hectares adjoining the forest reserve as compensation.

CONSIDERATIONS

- *Budget*: Aurizon has agreed to pay all costs incurred by the Department of Environment and Heritage Protection for completing the revocation.
- *Consultation:* The Department of National Parks, Recreation, Sport and Racing supports this revocation.
- *Legislation:* Section 70E of the *Nature Conservation Act 1992* provides for the revocation of part of a forest reserve.

Rec'd - ODG
26 MAR 2013

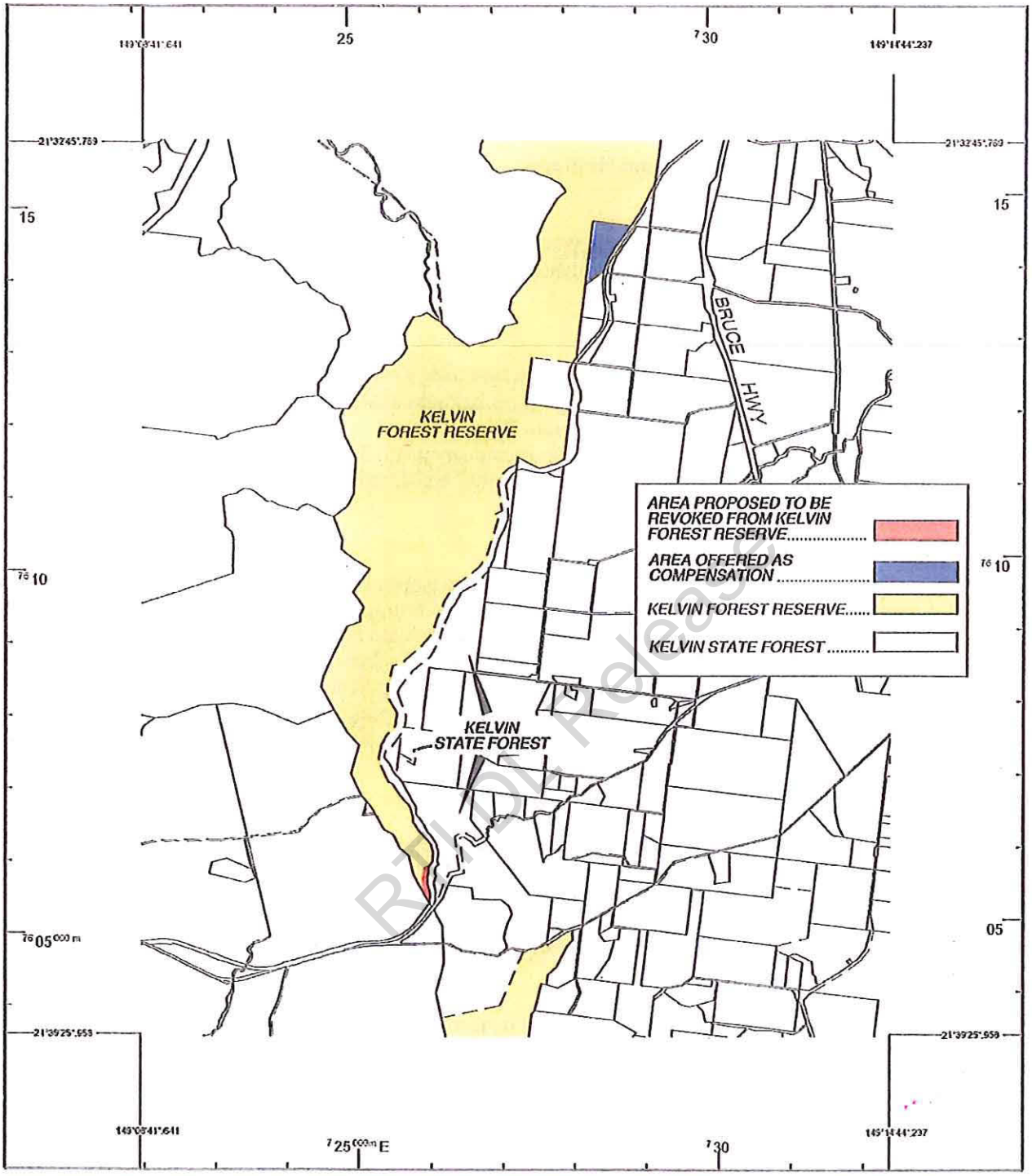
MINISTER'S COMMENTS

ATTACHMENTS

- Attachment 1 - 130314 Kelvin FR revocation sketch

Author	Cleared by	Endorsed by	Recommended:
Name: Steve Christie Position: A/Program Coordinator, TCU Tel No: 3330 5333 Date: 14 March 2013	Name: Ash Williams Position: Manager, TCU Tel No: 3330 5337 Date: 14 March 2013	Name: Wade Oestreich Position: A/ED, NCS Tel No: 3330 5390 Date: 20 March 2013	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 26.3.13
	Name: Allan Williams Position: Director, TCU Tel No: 3330 5392 Date: 19 March 2013	Name: Tamara OShea Position: A/DDG, CSS Tel No: 3330 6240 ction o Date: 26.03.13	

RTI DL Release



Restricted Release

STANDARD MAP NUMBER
8754-41132

0 15 30 45 60 75 km

HORIZONTAL DATUM GDA94 ZONE:55 SCALE 1:75000

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

MAP WINDOW POSITION & NEAREST LOCATION

SUBJECT PARCEL DESCRIPTION

DCDB

Lot/Plan	7/RP741163
Area/Volume	26.316ha
Tenure	FREEHOLD
Local Government	MACKAY REGIONAL
Locality	KOUMALA
Parish	KELVIN
County	CARLISLE
Segment/Parcel	3924597

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 14/03/2013

DCDB 13/03/2013 (Lots with an area less than 4.000ha are not shown)

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GDA

Queensland Government

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lea

CTS No. 14892/12

Chief of S the protection of an indiv. OK
Dated 30/10/12
Approved Not Approved Noted
Further Information required
Minister.....
Dated 31/10/12

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Proposed revocation of part of Eungella National Park for road purposes – Dalrymple Road**

RECOMMENDATION

It is recommended that the Minister:

- **approve** in-principle the proposed revocation of an area of approximately 4.1 hectares from Eungella National Park for road purposes.
- **approve** the land offered as compensation for addition to the national park (approximately 4.4 hectares).
-

sch3(2)(1)(a) Cabinet matter - For consideration by Cabinet

BACKGROUND

- Through a road upgrade program the Mackay Regional Council has identified a section of Dalrymple Road that has been constructed outside of the gazetted road reserve alignment, impacting on Eungella National Park.
- Eungella National Park is located inland of Mackay.

CURRENT ISSUES

- Dalrymple Road runs along the boundary of Eungella National Park and crosses into the national park outside of a gazetted road reserve at a number of locations.
- The Mackay Regional Council has proposed a realignment of a portion of the road reserve to align with the constructed road. This will require the revocation of approximately 4.1 hectares (see orange-coloured sections shown on attached sketch) from Eungella National Park. In exchange, the current road reserve, approximately 4.4 hectares, is proposed for incorporation into the national park.
- The current road reserve is intact bushland consisting of the following regional ecosystems:
  - 8.12.1a - Complex notophyll (feather palm) vine forest often with Acmena resa and Syzygium wesa, of wet uplands on Mesozoic to Proterozoic igneous rocks (Least Concern)
  - 8.12.2 - Notophyll to complex notophyll vine forest often with Argyrodendron actinophyllum subsp. diversifolium +/- A. polyandrum, on drier uplands and coastal ranges on Mesozoic to Proterozoic igneous rocks (Least Concern).

  These regional ecosystems are consistent with those lost as a result of the construction of the existing road.
- The Mackay Regional Council has resolved native title issues and provided a survey plan to be registered as a simultaneous road closure/road opening.
- Alternative options have been considered by the Council, including:
  - *Constructing a new road within the existing road reserve and closing the existing road.*
    - This proposal would require the removal of additional vegetation, resulting in greater disturbance to the national park and a poor environmental outcome.
  - *Taking no action.*
    - This would present some risk to the State in terms of liability for that section of road actually being located on national park. The State could also be responsible for maintaining the road infrastructure located within the national park.
- The preferred option is to correct the alignment of the road reserve so that it accurately reflects the true location of the constructed road. The existing gazetted road reserve – that actually comprises

Author	Cleared by	Cleared by	Recommended:
Name: Luke Navie Position: Project Manager, TCU Tel No: 3330 5341 Date: 3 October 2012	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 24 October 2012 **Cleared by** Name: Ash Williams Position: A/Manager Tel No: 3330 5337 Date: 23 October 2012	Name: Tamara OShea Position: A/DDG, CSS Tel No: 3330 6240 Date: protection of an i 24.10.12	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 26 OCT 2012

File Ref: BNE36867/1

For Public Release

intact bushland vegetation – would be incorporated into the existing national park. NPRSR supports this proposal as it will have little, if any, impact on existing conservation values of the national park.

- sch3(3) Executive Council information

- sch3(2)(1)(a) Cabinet matter - For consideration by Cabinet

DPC has previously supported this approach for revocations which are deemed to be low profile and in the public interest.

CONSIDERATIONS

- *Consultation*: Department of National Parks, Recreation, Sport and Racing; Mackay Regional Council.
- *Legislation:* Section 32 of the *Nature Conservation Act 1992*, allows the Governor-in-Council to revoke the dedication of a protected area in whole or part by regulation subject to the Legislative Assembly resolving to support the revocation action.

MINISTER'S COMMENTS

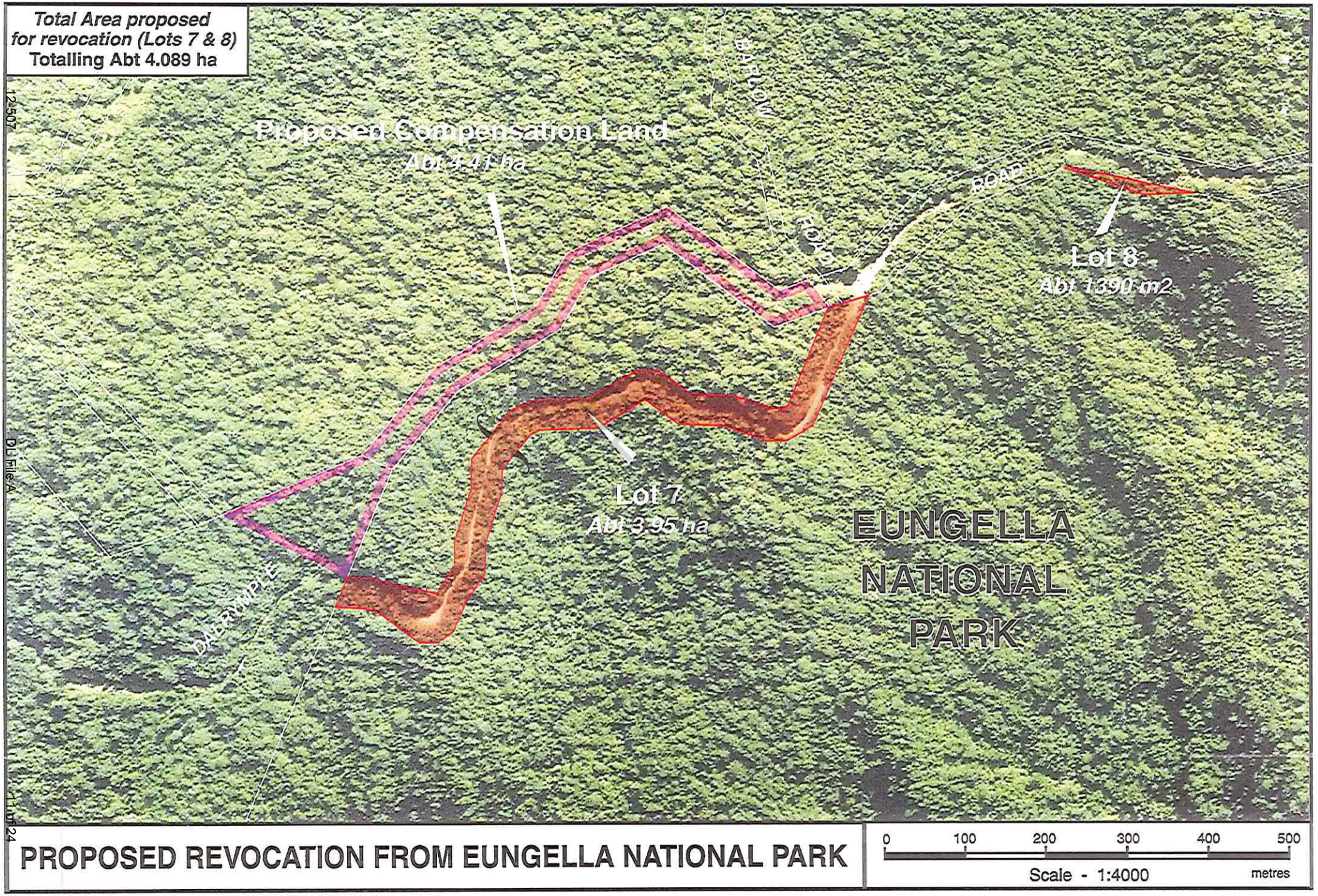
sch3(2)(1)(a) Cabinet matter - For consideration by Cabinet

RTI DL Release

ATTACHMENTS

- Attachment 1 – Sketch showing compensation land and current road alignment to be revoked

Author	Cleared by	Cleared by	Recommended:
Name: Luke Navie Position: Project Manager, TCU Tel No: 3330 5341 Date: 3 October 2012	Name: Geoff Clare Position: ED, NCS Tel No: 3330 5390 Date: 24 October 2012 **Cleared by** Name: Ash Williams Position: A/Manager Tel No: 3330 5337 Date: 23 October 2012	Name: Tamara OShea Position: A/DDG, CSS Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:


Total Area proposed
for revocation (Lots 7 & 8)
Totalling Abt 4.089 ha
12507
Proposed Compensation Land
Abt 3.41 ha
BARLOW
ROAD
Lot 8
Abt 1390 m2
Lot 7
Abt 3.95 ha
EUNGELLA
NATIONAL
PARK
DALRYMPLE
DL File A
11 of 24
PROPOSED REVOCATION FROM EUNGELLA NATIONAL PARK
0
100
200
300
400
500
Scale - 1:4000
metres

CTS No. 16140/12

Chief of Staff	OK
Dated 9/11/12	
Approved Not Approved Noted	
Further information required	
Minister	
Dated 12/11/12	

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Proposed revocation of part of Tamborine National Park to facilitate a boundary realignment**

RECOMMENDATION

It is recommended that the Minister:

- approve in-principle the proposed revocation of two areas totalling approximately 308m^2 from Tamborine National Park to rectify a historic error in the dedication of the national park.
- sch3(2)(1)(a) Cabinet matter - For consideration by Cabinet

BACKGROUND

- In 1924, he protection of an indi transferred land (for a nominal fee) to the State for addition to the national park estate (now Tamborine National Park). Survey work was undertaken at this time to accurately define the portion of rotection of an property that would be included in the transfer.
- Due to errors that occurred in the preparation of this survey work, rotection of an was effectively denied legal access to a parcel of land he owned shown as Lot 2 on RP101452 on the map (Attachment 1), that adjoined the national park donation area. In lieu of a formal revocation to restore rotection of an access rights, the State has to date informally allowed otection of ar s.78B(2) Disclosure log otection of ar protection of an ii, as the current owner of Lot 2) to utilise the intended access points located on the national park.
- Negotiations between the State and the landowner have continued since 2005 to provide permanent legal access to the property via the two previously agreed access points.

CURRENT ISSUES

- Agreement has been reached to revoke the two access points from the national park, shown in blue and orange on the map (Attachment 1). The area coloured orange (approx. 103 m^2) is proposed to be incorporated into rotection of an property (i.e. Lot 2), while the other access point (coloured blue – approx. 205 m^2) adjoining the corner of Eagle Heights Road and Palm Grove Avenue is proposed to be declared as road reserve under the control of the Scenic Rim Regional Council.
- The Department of National Parks, Recreation, Sport and Racing (NPRSR) has been involved in negotiations with protection of an ii (representing otection of ar regarding permanent access to the property and is supportive of the proposed revocation action. Scenic Rim Regional Council also supports the proposed inclusion of the 205m^2 access point within council's road infrastructure responsibilities.
- A permanent resolution of the matter is in the state's interest to correct the historic error in the gazettal of the national park boundary.
- sch3(3) Executive Council information
- sch3(2)(1)(a) Cabinet matter - For consideration by Cabinet

t matter - For cor DPC has previously supported this approach for revocations which are deemed to be

Author	Cleared by	Cleared by	Recommended:
Name: Luke Navie Position: Program Coordinator, Tenures and Covenants Unit Tel No: 3330 5341 Date: 5 November 2012	Name: Linda Lee Position: A/Director, Tenures and Covenants Unit Tel No: 3330 5392 Date: 5 November 2012	Name: Tamara OShea Position: A/DDG, Conservation and Sustainability Services Tel No: 3330 6240 Date: 7.11.12 tection of a	Name: Andrew Chesterman DG, DEHP Tel No: 3330 5628 Date: 7.11.12
	Cleared by Name: Geoff Clare Position: ED, Nature Conservation Services Tel No: 3330 5390 Date: 7 November 2012		

File Ref: Page 1

12-507 DL File A 12 of 24

low profile and in the public interest.

CONSIDERATIONS

- *Consultation:* The proposed road opening is within the Scenic Rim Regional Council local government area. Council has been consulted and do not object to the road opening.
- *Legislation:* Section 32 of the *Nature Conservation Act 1992*, allows the Governor-in-Council to revoke the dedication of a protected area in whole or part by regulation subject to the Legislative Assembly resolving to support the revocation action.
- *Key Communication Messages:* Access to otection of ar land has been the subject of an ongoing dispute involving protection of an i tection of a tection of a udice the protection of an individual and otection of a protection of an Right-to-Information requests have been lodged by both parties in the matter, with NPRSR officers becoming involved due to the access points being state-owned land. Formalising access to rotection of an property through the revocation process will ensure that the dispute can more appropriately be resolved at a local level through council involvement.

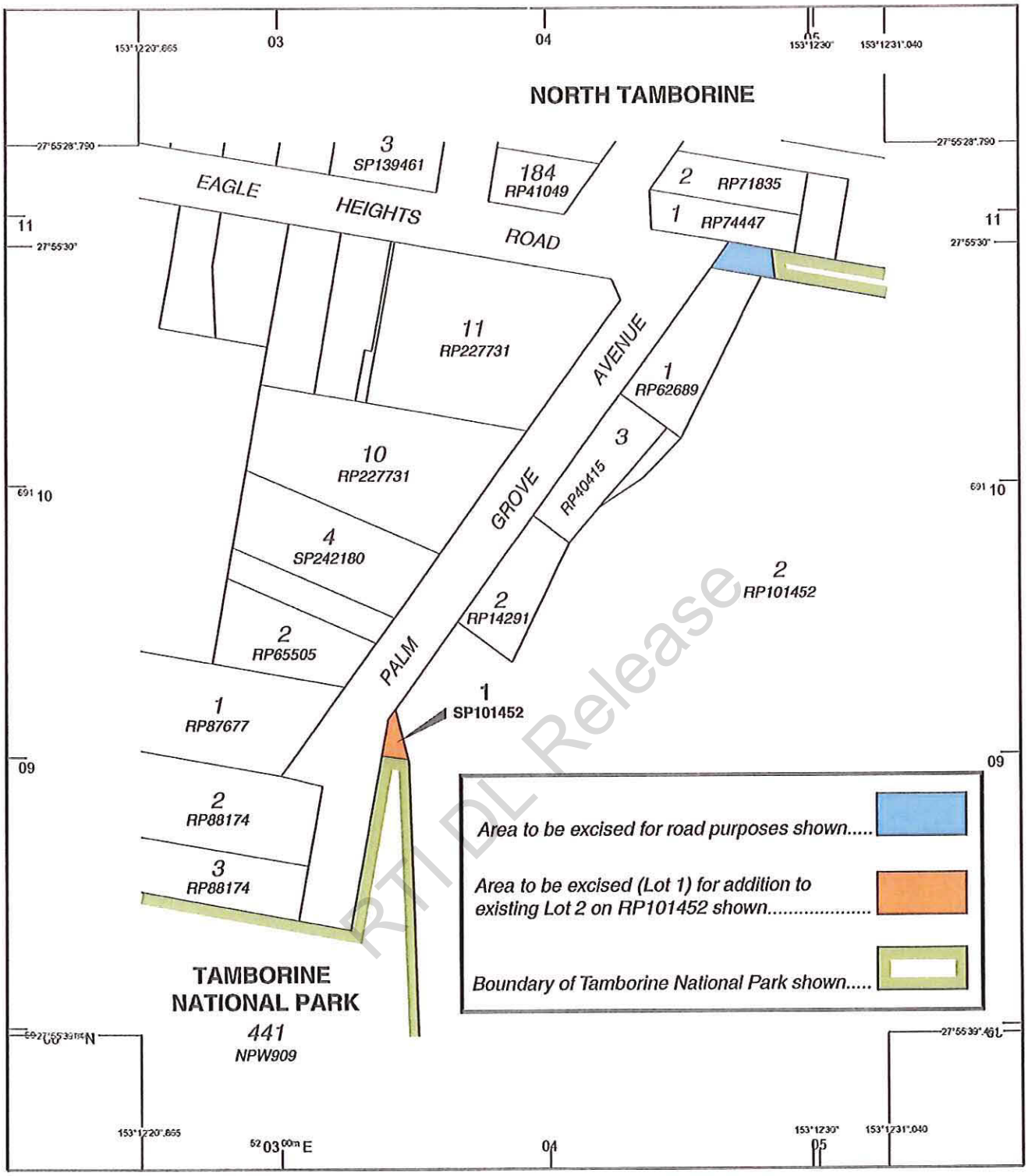
MINISTER'S COMMENTS

RTI DL Release

ATTACHMENTS

- Attachment 1 – Sketch of revocation proposal (showing Lot 1 and road opening).

Author Name: Luke Navie Position: Program Coordinator, Tenures and Covenants Unit Tel No: 3330 5341 Date: 5 November 2012	Cleared by Name: Linda Lee Position: A/Director, Tenures and Covenants Unit Tel No: 3330 5392 Date: 5 November 2012	Cleared by Name: Tamara OShea Position: A/DDG, Conservation and Sustainability Services Tel No: 3330 6240 Date:	Recommended: Name: Andrew Chesterman DG, DEHP Tel No: 3330 5628 Date:
	Cleared by Name: Geoff Clare Position: ED, Nature Conservation Services Tel No: 3330 5390 Date: 7 November 2012		



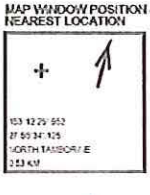
RTI DL Release

STANDARD MAP NUMBER
9542-32132

0 40 80 120 160 200 m

HORIZONTAL DATUM:GDA94 ZONE:56 SCALE 1 : 2000

MAP WINDOW POSITION & NEAREST LOCATION



GDA

SUBJECT PARCEL DESCRIPTION

DCDB

Lot/Plan	2/RP14291
Area/Volume	1012m²
Tenure	FREEHOLD
Local Government	SCENIC RIM REGIONAL
Locality	TAMBORINE MOUNTAIN
Parish	CEDAR
County	WARD
Segment/Parcel	36320/22

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 19/09/2012

DCDB 18/09/2012

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

Queensland Government

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Chief of Staff ..... OK
Dated 10/1/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 10/1/13

CTS No. 16127/12

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Proposed revocation of Glastonbury Forest Reserve to exclude an area currently leased for grazing purposes**

RECOMMENDATION

It is recommended that the Minister:

- **approve** in-principle the proposed revocation of Glastonbury Forest Reserve, involving an area of approximately 55.9 hectares that is subject to a term lease for grazing; and
-

sch3(2)(1)(a) Cabinet matter - For consideration by Cabinet

BACKGROUND

- In 1999, part of Glastonbury State Forest was converted to forest reserve status under the South East Queensland Forest Agreement (SEQFA) process. Part of the newly created Glastonbury Forest Reserve was subsequently dedicated as national park in 2006, with a small area retained as forest reserve due to it being subject to a term lease for grazing.
- The term lease was identified as a crucial part of an existing grazing enterprise through the SEQFA grazing hardship program and in 2008, the state committed to revoking the area to make it available for future dealings under the *Land Act 1994*.

why the delay...

CURRENT ISSUES

- In 2008, the then Minister approved in-principle that 43 hectares be revoked from the forest reserve and 1 hectare from the national park. However, the revocation did not proceed at this time due to issues with locating and describing the boundary of the term lease and forest reserve.
- In 2010, the area of the term lease was recalculated based on more accurate survey data, identifying the lease area to be approximately 55.9 hectares. This data was also used to re-describe the boundary of Glastonbury Forest Reserve under the *Nature Conservation Act 1992*.
- As the area of the forest reserve and the term lease has now been aligned, the revocation can proceed by revoking the entire Glastonbury Forest Reserve (See Attachment 1).
- The forest reserve is predominantly cleared, improved pasture and does not have natural values suitable for conservation as a protected area tenure. If revoked, the area will revert to Unallocated State Land (USL) and the Department of Natural Resources and Mines will assess its suitability for issuance of a long-term lease under the *Land Act 1994*.
- The proposed revocation is in accordance with the recent forest reserve tenure review led by the Department of National Parks, Recreation, Sport and Racing and is supported by it and the Department of Agriculture, Fisheries and Forestry.

Rec'd - ODG - 7 JAN 2013

sch3(3) Executive Council information

- As this proposal is considered to be low profile and in the public interest, Cabinet matter - For considerati

sch3(2)(1)(a) Cabinet matter - For consideration by Cabinet

Author Name: Luke Navie Position: Project Manager, Tenure and Acquisitions Unit Tel No: 3330 5341 Date: 3 January 2013	**Cleared by** Name: Allan Williams Position: Director, Tenures and Covenants Tel No: 3330 5392 Date: 3 January 2013	**Cleared by** Name: Tamara OShea Position: A/DDG, Conservation and Sustainability Services Tel No: 3330 6240 Date: 04.01.13	**Recommended:** Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:
Cleared by Name: Ashley Williams Position: Manager, Tenures and Covenants Tel No: 3330 5337 Date: 3 January 2013	**Cleared by** Name: Geoff Clare Position: ED, Nature Conservation Services Tel No: 3330 5390 Date: 3 January 2013		7.1.13

File Ref: BNE36869/1

Page 1

Public Release

CONSIDERATIONS

- *Consultation:* Department of Natural Resources and Mines' State Land Asset Management Unit; Department of National Parks, Recreation, Sport and Racing; protection of an in(current lessee).
- *Legislation:* Section 32 of the *Nature Conservation Act 1992*, allows the Governor-in-Council to revoke the dedication of a protected area in whole or part by regulation subject to the Legislative Assembly resolving to support the revocation action.

MINISTER'S COMMENTS

Ok.

Pls prepare a letter to local MP to notify ~~[illegible]~~ AFTER the

s.78B(2) Disclosure log

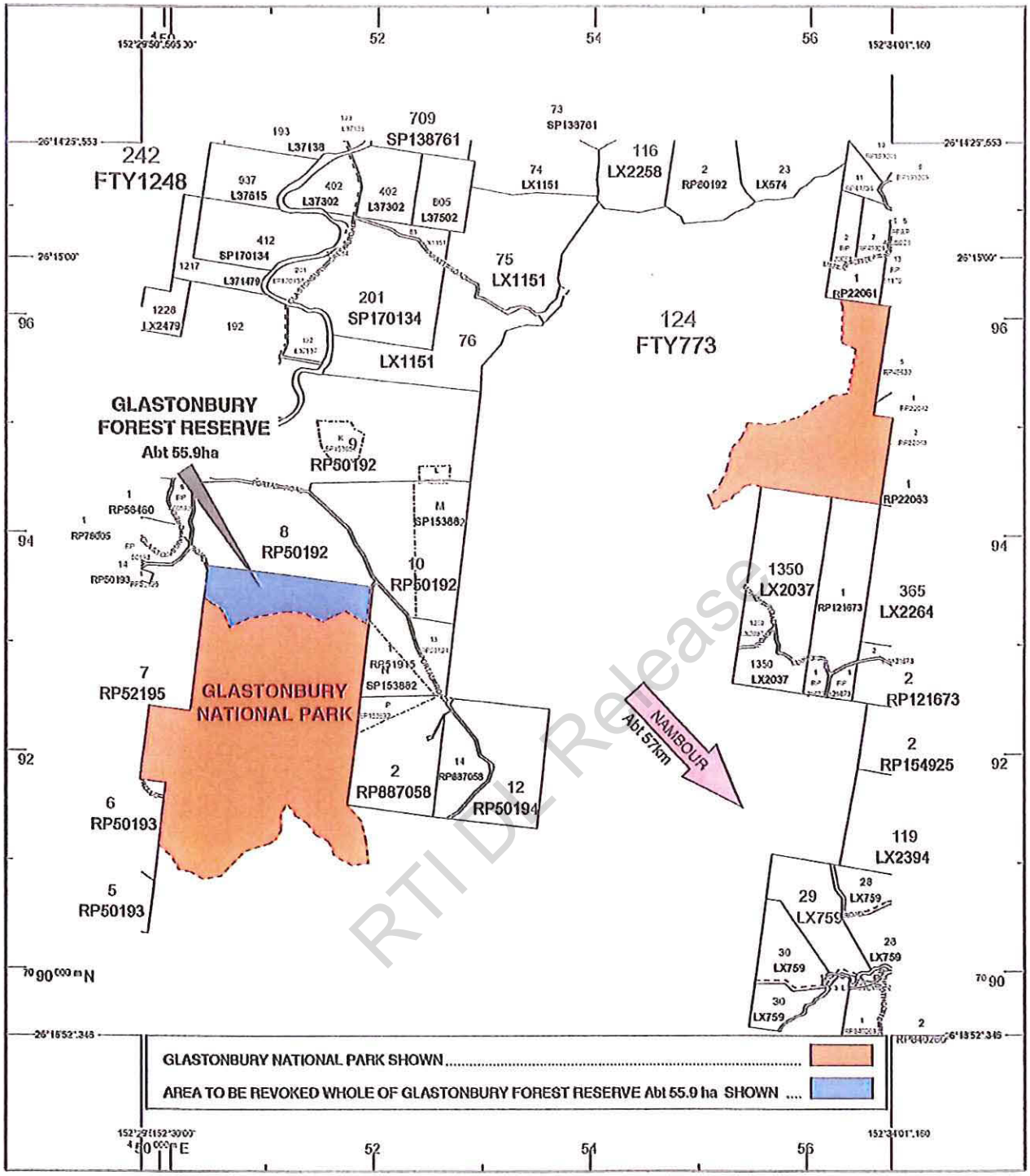
To

ATTACHMENTS

- **Attachment 1** – Sketch outlining scope of proposed revocation.

RTI DL Release

Author	Cleared by	Cleared by	Recommended:
Name: Luke Navie Position: Project Manager, Tenure and Acquisitions Unit Tel No: 3330 5341 Date: 3 January 2013	Name: Allan Williams Position: Director, Tenures and Covenants Tel No: 3330 5392 Date: 3 January 2013	Name: Tamara OShea Position: A/DDG, Conservation and Sustainability Services Tel No: 3330 6240 Date:	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:
Cleared by Name: Ashley Williams Position: Manager, Tenures and Covenants Tel No: 3330 5337 Date: 3 January 2013	**Cleared by** Name: Geoff Clare Position: ED, Nature Conservation Services Tel No: 3330 5390 Date: 3 January 2013		



RTI DL Release

STANDARD MAP NUMBER
9445-34413

0 10 20 30 40 50 km

HORIZONTAL DATUM:GDA94 ZONE:56 SCALE 1 : 50000

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

MAP WINDOW POSITION & NEAREST LOCATION

SUBJECT PARCEL DESCRIPTION

DCDB

Lot/Plan	21/MPW709
Area/Volume	531.3ha
Tenure	NATIONAL PARK
Local Government	GYMPIE REGIONAL
Locality	UPPER GLASTONBURY
Parish	GLASTONBURY
County	LENNOX
Segment/Parcel	45269/508

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 13/10/2010
For additional information regarding this SmartMap see page 2
Shading Rules have been applied

DCDB 12/10/2010 (Lots with an area less than 1.000ha are not shown)

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Queensland Government
(c) The State of Queensland, (Department of Environment and Resource Management) 2010.

GDA

judice the protection of an individuals

CTS No. 16895/12

Chief of Staff ..... OK
Dated 4/1/13
Approved Not Approved Noted
Further information required
Minister.....
Dated 14/01/13

Department of Environment and Heritage Protection
MINISTERIAL BRIEFING NOTE

TO: **Minister for Environment and Heritage Protection**

SUBJECT: **Provision of Restricted Area Data to Department of Natural Resources and Mines**

RECOMMENDATION

It is recommended that the Minister:

- **sign** the attached letter (Attachment 1) to the Honourable Andrew Cripps MP, Minister for Natural Resources and Mines, enclosing a list of properties (Attachments 2 and 2a) proposed to become a gazetted Restricted Area under the *Mineral Resources Act 1989* (MRA) consistent with recent correspondence to Minister Cripps; and
- **note** the land use relationship between protected areas under the *Nature Conservation Act 1992* ('the Act') and mining and exploration interests.

BACKGROUND

- Minister Powell committed to providing Minister Cripps with a list of properties proposed to become Restricted Areas under the MRA.
- For the purpose of protected area dedications, mining activities in Queensland can be defined as either 'exploration interests' or 'mining interests'. While the Act specifies that mining interests (such as mining leases and claims, geothermal and greenhouse gas tenures and petroleum leases) prevent the dedication of land as a protected area, exploration interests (which allow permit holders to explore the existence, quality and quantity of minerals in a prescribed area) provide no such barrier.
- As shown on the attached sketch (see Attachment 3), mining interests currently cover only a small portion of the state (approximately 6.3%). This figure includes areas subject to applications for mining interests as well as granted interests.
- Exploration interests cover a much larger area (approximately 73%). This illustrates that unless a position is established that recognises the capacity to dedicate protected areas over land recognised as having low or no resource potential (including land covered by exploration interests), the ability to dedicate protected areas in Queensland will be quite limited.

CURRENT ISSUES

- The properties included in the list amount to about 2.3 million hectares (approximately 1.3% of the state) and are either:
  - already purchased by the state for dedication as a protected area under the Act;
  - under negotiation to be purchased and dedicated as a protected area under the Act, as per your previous direction; or
  - very high priority protected area proposals proposed to be protected from mining.
- A number of these properties are affected by either mining interests and/or exploration interests. As outlined above, exploration interests pose no statutory barrier to dedicating land as a protected area. Furthermore, it should be noted that if land covered by an exploration interest is dedicated as a protected area, no compensation would be payable to the permit holder.
- The Department of Environment and Heritage Protection's (EHP) policy is to only pursue the purchase of land for protected area that is considered to have low or no resource potential, and is not encumbered by a mining interest that would preclude dedication.

Rec'd - ODG - 3 JAN 2013

Author	Cleared by	Cleared by	Recommended:
Name: Luke Navie Position: A/Program Manager, Tenures and Covenants Unit Tel No: 3330 5341 Date: 7 November 2012	Name: Allan Williams Position: Director, Tenures and Covenants Unit Tel No: 3330 5392 Date: 19 December 2012	Name: Tamara O'Shea Position: A/DDG, Conservation and Sustainability Services Tel No: 3330 5390 Date: 02.01.13	Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date: 3.1.13
Cleared by Name: Ashley Williams Position: Manager, Tenures and Covenants Unit Tel No: 3330 5337 Date: 15 November 2012	**Cleared by** Name: Geoff Cla Position: ED, Nature Conservation Services Tel No: 3330 5393 Date: 2-1-13		

RTI DL Release

- Until recently, EHP has sought DNRM's non-objection to pending protected area proposals, and if it offered no objection, DNRM would record the proposal on an internal spatial layer, known as the Sterile Lands layer. The inclusion of protected area proposals on this layer ensured that neither mining interests nor exploration interests would be granted over land that was proposed for protected area purposes.
- However, as this layer was a decision support tool only and carried no statutory weight, Minister Cripps advised that its use would be discontinued.
- In September 2012, the Minister requested that DNRM include prescribed protected area proposals in a Restricted Area gazetted under the MRA. This process provides greater certainty for protected area proposals as DNRM would have legislative authority when considering applications for mining interests or exploration interests.
- Minister Cripps has recently written to the Minister (Attachment 4) indicating his in-principle support for the Restricted Area process.
- Ten properties already purchased through the Australian Government's National Reserve System program that DNRM previously advised as having low or no resource potential are included in the list attached to the letter to Minister Cripps. Additional properties where the land's resource potential is unclear – including targeted purchases likely to proceed in the short to medium term and Cape York properties subject to ongoing negotiations – are also included in this list.

CONSIDERATIONS

- *Legislation:* State land may be dedicated as a protected area under section 29 of the *Nature Conservation Act 1992*. Restricted Areas are gazetted under section 391 of the *Mineral Resources Act 1989*.

sch3(7) Information subject to legal professional privilege

RTI/IP Release

MINISTER'S COMMENTS

ATTACHMENTS

- Attachment 1 - Letter to Minister Cripps advising of lands proposed to be included in a gazetted Restricted Area
- Attachment 2 - List of properties proposed to be included in a gazetted Restricted Area
- Attachment 2a - Mt Mulligan (Ngarrabullgan) National Park sketch
- Attachment 3 - Spatial representation of mining interests and exploration interests affecting Queensland
- Attachment 4 - Correspondence received from Minister Cripps dated 20 November 2012 indicating support for a proposed Restricted Area

Author Name: Luke Navie Position: A/Program Manager, Tenures and Covenants Unit Tel No: 3330 5341 Date: 7 November 2012	**Cleared by** Name: Allan Williams Position: Director, Tenures and Covenants Unit Tel No: 3330 5392 Date: 19 December 2012	**Cleared by** Name: Tamara O'Shea Position: A/DDG, Conservation and Sustainability Services Tel No: 3330 5390 Date:	**Recommended:** Name: Andrew Chesterman DG, DEHP Tel No: 3330 6298 Date:
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QUEENSLAND GOVERNMENT

Hon Andrew Powell MP
Minister for Environment and Heritage Protection

Ref CTS 16895/12

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Facsimile +61 7 3224 2496
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14 JAN 2013

The Honourable Andrew Cripps MP
Minister for Natural Resources and Mines
PO Box 15216
CITY EAST QLD 4002

Dear Minister

I refer to my letter of 19 September 2012 regarding the use of a Restricted Area to recognise protected area proposals and my commitment to provide a list of properties that would be included in this Restricted Area.

This list of proposed protected areas is attached. It comprises properties previously purchased by the state for national park purposes but not yet dedicated, together with other properties targeted for purchase in the short to medium term. While the majority of these properties are whole-of-lot national park proposals, only parts of some properties will proceed to dedication. Sketches of these part-lot proposal areas are also attached.

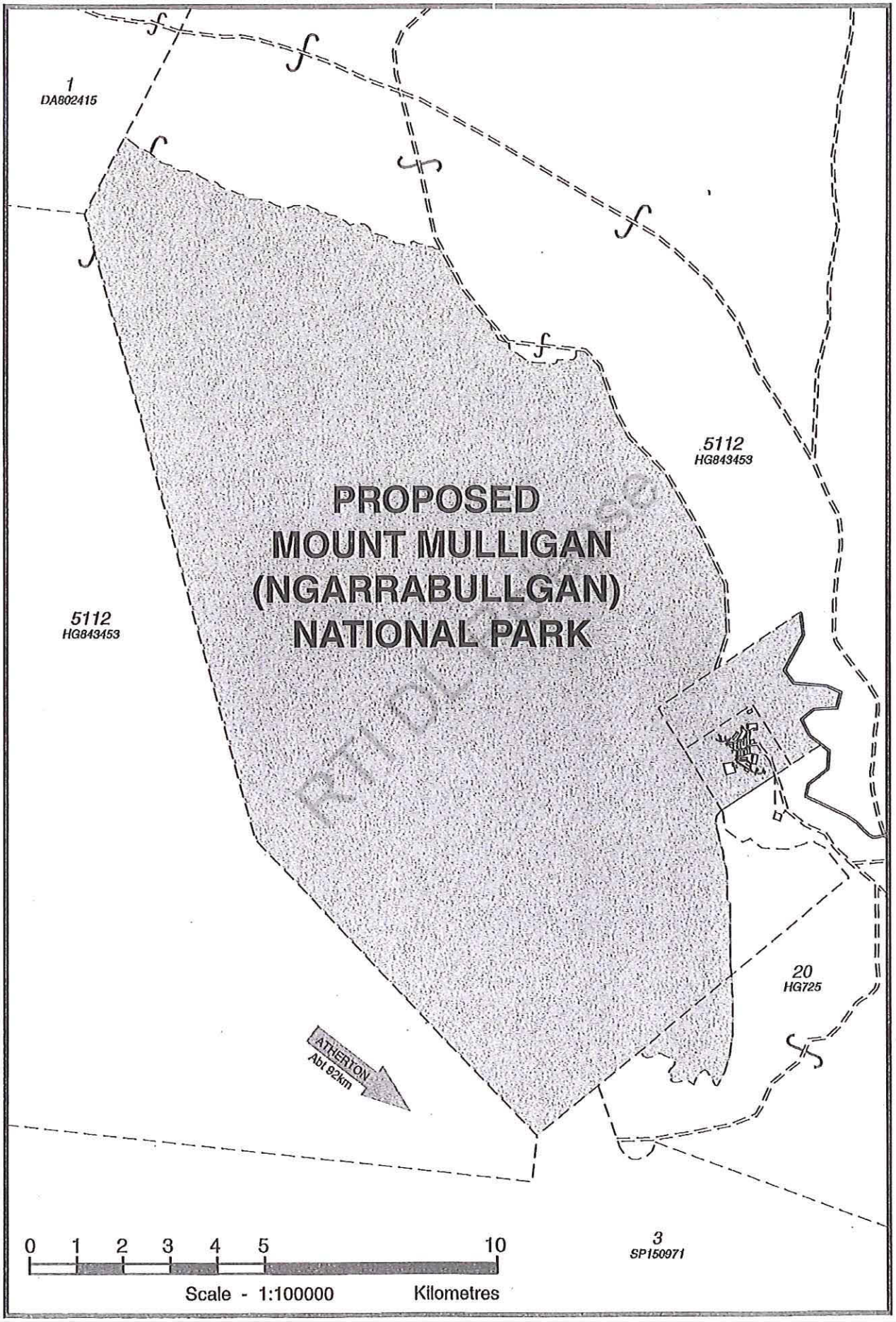
I hope this information has been of assistance to you. Should you have further enquiries, please contact my Chief of Staff, Mr Troy Collings on 3239 0844.

Yours sincerely

ANDREW POWELL MP
Minister for Environment and Heritage Protection

Att

RTI DL Release


1
DA802415
5112
HG843453
PROPOSED
MOUNT MULLIGAN
(NGARRABULLGAN)
NATIONAL PARK
5112
HG843453
20
HG725
ATHERTON
Abt 92km
3
SP150971
0 1 2 3 4 5 10
Scale - 1:100000
Kilometres

List of Properties for Inclusion in Restricted Area

PROPERTY NAME	DESCRIPTION	AREA (hectares)
Apsey	Lots 43, 44, 46 and 48 on MH295	7,940
Badgery	Lot 3147 on PH1511	3,160
Battle Camp	Lot 4624 on SP105919	12,900
Bedourie	Lot 17 on SP228375	20,700
Belgamba	Lot 175 on RN1529	540
Belmah	Lot 6 on DSN808887	2,050
Bingara	Lot 9 on CP854480	97,400
Black Mountain National Park (addition)	Lot 2 on SP198001	188
Bramwell	Lot 369 on SP136191	39,600
Bromley & Boynton	Lot 152 on SP171834	167,890
The Canyon	Lot 4863 on PH1501	49,300
Crosby	Lot 4682 on PH1137	113,000
Dixie	Lot 1 on WR4	140,000
Eight Mile	Lot 315 on VR840983	12,400
Gilbert River	Lot 4638 on PH2204	37,000
Heathlands Resources Reserve	Lot 3 on JD8	126,000
Jardine River Resources Reserve	Lot 1 on SO806056	21,200
Kendall River	Lot 653 on SP178000	274,000
Killarney	Lot 2570 on PH2050	101,000
Littleton	Lot 3 on CP859354; Lot 1 on LG10	79,600
Mary Valley	Lot 4579 on PH1783	37,800
McIvor River	Lot 203 on C157350	500
Mount Adder	Lot 2 on SP202921	19,200
Mount Cook National Park (Addition)	Lot 11 on AP15882	96
Mount Jack	Lot 3 on CP844112	23,700
Mount Mulligan (Ngarrabullgan)	Part lot (see attached sketch)	19,000
Mount Poverty	Lot 26 on CWL10	870

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Redcliffevale	Lot 1 on CP866146	31,000
Retreat Valley	Lot 4555 on PH2083	6,470
Richardson	Lot 2 on SP137280	92,300
Rungulla	Lot 4957 on PH881	82,900
Shelburne	Lot 73 on SP171835; Lot 5117 on SP137279	116,400
St George's Peak	Lot 507 on OL130; Lot 539 on OL131	1,380
Starcke	Lot 485 on OL127; Lot 487 on OL128; Lot 214 on C157271; Lot 232 on C157324; Lot 471 on OL125; Lot 275 on BK15755; Lot 208 on BK15758	10,350
Sundown Resources Reserve	Lot 44 on BNT1717; Lot B on AP17274; Lot 1 on MPH15072; Lot 364 on AP14902	2,628
Strathmay	Lot 4343 on SP201120	123,000
Upper Bridge Creek	Lot 563 on OL136; Lot 564 on OL432	47,400
Upper Granite Normanby	Lot 570 on AP2128	5,770
Wairuna	Lot 3 on WU32	76,500
Werewilka	Lots 1 and 3 on NL24; Lot 4852 on PH1531	45,440
Wulpan	Lot 14 on KG5	262,000

RTI DL Release

Hon Andrew Cripps MP
Minister for Natural Resources and Mines

QUEENSLAND GOVERNMENT

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OFFICE OF THE QLD MINISTER FOR ENVIRONMENT AND HERITAGE PROTECTION
22 NOV 2012

M16382012
MC11606

20 NOV 2012

The Honourable Andrew Powell MP
Minister for Environment and Heritage Protection
Member for Glass House
GPO Box 2454
BRISBANE QLD 4001

Dear Minister

Thank you for your letter of 19 September 2012, regarding the proposed policy change to remove proposed protected areas from the 'unavailable land' layer within the Department's electronic systems for tenure management.

I agree that it is a good common sense outcome to gazette agreed selected proposed protected areas as a Restricted Area (RA) under the *Mineral Resources Act 1989*, as negotiated by our Department staff.

I look forward to receiving a final list of proposed protected areas to form part of the gazetted RA.

If you have any questions about my advice to you, Ms Susan McDonald, Chief of Staff, will be pleased to assist you and can be contacted on telephone 3227 8070.

Yours sincerely

Andrew Cripps MP
Minister for Natural Resources and Mines

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