

Common Cattle - QYAC.

17/6/16.

(CC)

- Was application for 60 moorings
- Revised Water Title on that particular site.

(PS) - Obtained process for transfer of land.

(CC) - Got under acknowledged that not unusually
dearly in certain decision.

- Quite concerned about → sorts as moorings, the setting, then
moorings.

Moorings

- Application made - Decision made. → Burke
- Other parcels, SEQ under Leases → Final
- 506 operations for land 20 transfer up into
industrial operations.

s.73 - Irrelevant Information

Cameron Costello / QYAC.

long term interest. 60 Cat 1 Moorings

jetty mooring marina (may follow).

s.73 - Irrelevant Information

S/11/15

Royal Old Yacht Squadron @ Lytton ED

- * Shawn Ket - CM
 - * Ian Threlfall - Commodore (Chairman of the Board)
 - * Brady Lowe - Club Coach
- Joan Pease

- * Expand youth sailing development
 - want to double → need other venues as running out of space
- * Providing 'destinations' for yachting
 - tourists
 - members

s.73 - Irrelevant Information

- * Still yet to do indigenous ~~employment~~ consultation
- * Spoken w/ Paul Smith Sibelco
 - has suggested they transfer the lease

s.73 - Irrelevant Information

- * At the moment there aren't facilities on island to moor boats.
 - these moorings would encourage day trippers & other visitors

- * One of largest providers of sail training in Australia
 - * Thinking kids holiday camps @ Deahbilla to begin with
 - * Not many live-in sailing locations in Qld. (esp. in SEQ)
 - potential to attract sailors from across Australia
 - * Currently run regattas
 - a lot of them are 'home and away'
 - * Shallow bay for dinghies, but then water is deep also.
 - * Not necessarily seasonal either - got southerners up for Winter sailing
 - * Booked up for every week also from schools
 - * Also doing Centre of Excellence in Windsailing/surfing in Australia
 - will offer tourism opp in windsailing
 - * School sailing
 - * Regattas
 - * Weekend visitors
 - * Int'l sailors
 - * Training for olympic sailing
 - * Wind surfing, paddle boarding
- } lots of diff options
- * Want to have a clubhouse - but licencing issues for locals on Straddie who would just want to go there for dinner
 - * Lease is currently residential & w, Sibelco
 - but will expire next yr
 - * Need Sibelco to transfer the lease over

* Current rent is $\approx$ \$50K^{pa} for Lot 76 SL4907

* If they transfer the lease, RQ could then engage w/ NRM to extend the lease

* And work to change the use of the lease purpose

* Other option is freehold

- RQ are quite interested in this option

* Sporting groups often have another category for UN rent

★ Wally to get more info about Lot 29 SL4907

* Open ended invite to Min to visit the RQ club $\rightarrow$ Deanbilla Bay

Transfer of Term Lease – Sibelco to RQYS

Summary of Key Issues

- Transfer of the term lease to the Royal Queensland Yacht Squadron (RQYS) was approved on 23 May 2016 by DNRM under delegated authority.
- The transfer application met the requirements of the Land Act such as:
 - RQYS is eligible to hold the lease. It is a registered company.
 - There is no condition on the lease that prohibits it from being transferred.
 - All rent owing was paid up to date.
 - The lessee signed the relevant statutory declaration under section 322(4)(b).
- As these requirements had been satisfied there was no basis to refuse the transfer.
- The Act allows the Minister not to approve a transfer, however this decision is appealable by the transferor.
- If the Minister was to decide to restrict transfers on some other basis, this could have a negative impact on market confidence because leases of this kind have historically been approved for transfer.
- Any decision to exercise arbitrary discretion to not approve such transfers could lead to a loss of confidence in the market for leasehold land and diminish the equity of parties with an interest.
- State leasehold tenures are a significant part of the property market and are transferred on the open market similar to freehold.
- There are approximately 800 such lease transfers every year.
- It would not be practically feasible nor necessary for all such lease transfer proposals to be escalated for Minister's consideration.
- The lease is not included in the QYAC Indigenous Land Use Agreement (ILUA) and Native Title has been assessed by DNRM and confirmed by Crown Law as extinguished.

Additional Background Information

- The lease was granted for residential purposes and has been developed as a residential complex.
- The lease commenced on 20 July 2004 and is due to expire on 19 July 2016.
- A short term extension of the lease under the provisions of section 434B of the Land Act for a term of 12 months has been sought to allow the incoming lessee to continue the renewal application or consider other tenure options such as freehold.
- The interest of the current lessee is a specific consideration when deciding renewal applications.
- On 11 March 2016, the Minister provided his support to the proposed use of the lease by the RQYS for a sporting activity and youth training/ development complex.
- On 23 May 2016, DNRM granted approval for the transfer of the lease from the lessee to the RQYS Nominees Pty Ltd.
- On 9 June 16 the department was provided with a letter from QYAC addressed to the Minister dated 10 May 16.
- QYAC was requesting a meeting to discuss QYAC's desire to obtain the lease and that no leases be granted or transferred over these sites until QYAC has had the opportunity for its aspirations to be considered and prioritised.
- Map of native title in Dunwich area attached.

[s 321]

- (2) If there is a conflict between a mandatory standard terms document and the terms included in another document, the mandatory standard terms document prevails.
- (3) Subsection (2) applies whether the other document is the document of which the mandatory standard terms document forms part or is some other document.

321 Withdrawal or cancellation of standard terms document

- (1) The chief executive may withdraw a registered standard terms document if asked to withdraw it by the person who lodged it.
- (2) The chief executive may cancel a registered standard terms document lodged by the Minister or the chief executive after giving 1 month's notice in the gazette.
- (3) The chief executive must keep and, if asked, produce for inspection a copy of a standard terms document cancelled or withdrawn under this section.
- (4) Withdrawal or cancellation of a standard terms document, under this section or the *Land Title Act 1994*, does not affect a document already registered or executed within 7 days after its withdrawal or cancellation.

Part 4 Dealings affecting land

Division 1 Transfers

322 Requirements for transfers

- (1) A lease, licence or sublease may be transferred—
 - (a) to a person only if the person is eligible to hold the lease, licence or sublease under this Act; and

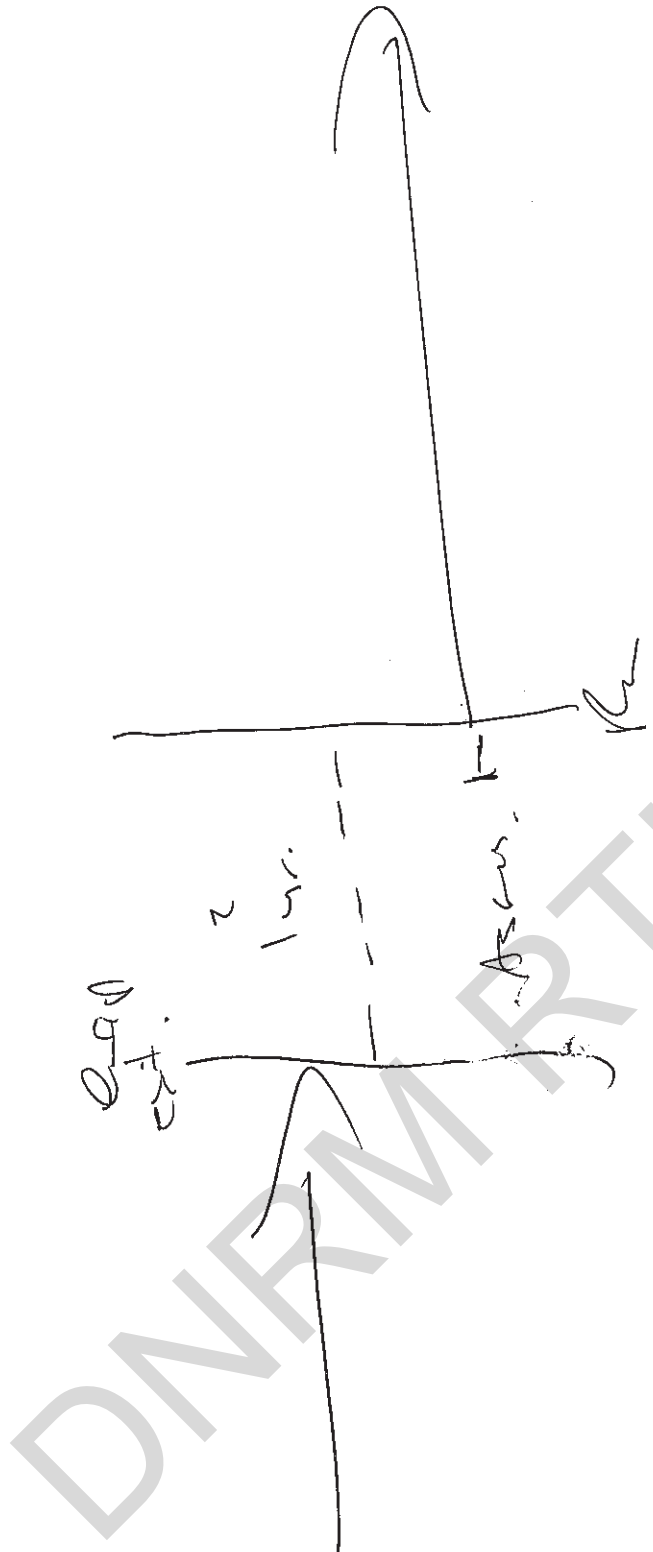
-
- (b) only if the Minister has given written approval to the transfer.
- (1A) However, a lease, licence or sublease may not be transferred if a provision of this Act or a condition of the lease, licence or sublease prohibits the transfer.
- (1B) A lessee, licensee or the holder of a sublease may apply for approval to transfer a lease, licence or sublease.
- (2) The Minister's approval lapses unless the transfer is lodged in the land registry within 6 months after the Minister's approval.
- (3) The Minister may extend the time mentioned in subsection (2).
- (4) The Minister's approval may be given on the conditions the Minister states, including—
- (a) that all rent and charges owing to the State on the lease or licence are paid before the transfer is lodged; and
 - (b) that the lodgement of the transfer must be accompanied by a statutory declaration signed by the incoming lessee or licensee stating the incoming lessee or licensee is aware of—
 - (i) the condition of the land; and
 - (ii) the level of compliance with the conditions of the lease and any land management agreement for the lease, or the licence; and
 - (iii) any current property vegetation management plans affecting the lease or licence; and
 - (iv) any current agreements under an Act affecting the lease, including any land management agreement, or the licence; and
 - (v) if, were the transfer to be registered, section 325(4) and (5) would apply—the provisions of section 202AA.

[s 322A]

- (5) If the Minister decides not to approve a transfer, the transferor must be given notice of the decision and the reasons for the decision.
- (6) The transferor may appeal against the Minister's decision.
- (7) To remove any doubt, it is declared that the Minister's approval is not needed to transfer a mortgage.
- (8) If a lessee holds a general authority under section 333, the authority is taken to be an approval under this section for any transfer in relation to a sublease of the lease.
- (9) In this section—
transfer, of a lease, licence or sublease, includes, if it is held by persons as tenants in common, a transfer by 1 or more of the tenants in common of all or part of their interest in the lease, licence or sublease to someone else.

322A Severing joint tenancy by transfer

- (1) This section applies if a lease, licence or sublease (the *tenure*) is subject to a joint tenancy.
- (2) Subject to section 322, any of the joint tenants of the tenure (the *severing party*), may unilaterally sever the joint tenancy by registration of a transfer to the severing party.
- (3) The transfer need only be executed by the severing party.
- (4) The chief executive may register the transfer only if the chief executive is satisfied the severing party has given, or made a reasonable attempt to give, each other joint tenant the following—
 - (a) if the transfer is an electronic conveyancing document—notice of the severing party's intention to sever the joint tenancy under subsection (2);
 - (b) otherwise—a copy of the transfer.
- (5) On registration of the transfer, the severing party becomes entitled as a tenant in common with the other persons who were joint tenants immediately before the transfer.



Simon Zanatta

(RTT)

From: PARDEY Trent <Trent.Pardey@dnrm.qld.gov.au>
Sent: Thursday, 23 June 2016 5:14 PM
To: Jan Martin
Cc: Media DNRM; John Austin; Simon Zanatta
Subject: RE: Draft media response to Wynnum Herald enquiry re: Deanbilla Bay.
Attachments: 220609 Wynnum Herald re Deanbilla Bay lease.doc

Hi Jan,

Updated response attached. You ok with this?

Trent Pardey
Media Manager
Department of Natural Resources and Mines
Department of Energy and Water Supply

P 07 3199 8252 SM 4 - Personal Information
Level 4, 61 Mary St, Brisbane QLD 4000

NOTE The media unit has a generic email address: media@dnrm.qld.gov.au

From: Martin Jan
Sent: Thursday, 23 June 2016 2:35 PM
To: MUIR Brad
Cc: FEELY Alan; FREDRICK Claire; Media DNRM; John Austin; Zanatta Simon
Subject: RE: Draft media response to Wynnum Herald enquiry re: Deanbilla Bay.

Thanks Brad

I suggest you might like to consider making reference to some of the mechanics detailed in those sections, esp the issues to be considered by the chief executive in Sect 159.

Quest journalists don't spend a lot of time reading legislation so it's best to provide the info in plain English

Rgds



Queensland
Government

Jan Martin
Senior media advisor
e: jan.martin@ministerial.qld.gov.au
Office of the Hon. Dr Anthony Lynham MP
Minister for State Development and Minister for Natural Resources and Mines
T: 07 3719 7370 SM 4 - Personal Information
QMEC Building, 61 Mary Street Brisbane QLD 4000

PO Box 15216 City East QLD 4002

From: MUIR Brad [<mailto:Brad.Muir@dnrm.qld.gov.au>]
Sent: Thursday, 23 June 2016 2:05 PM
To: Jan Martin <Jan.Martin@ministerial.qld.gov.au>
Cc: FEELY Alan <Alan.Feely@dnrm.qld.gov.au>; FREDRICK Claire <Claire.FREDRICK@dnrm.qld.gov.au>; Media DNRM <MediaDNRM@dnrm.qld.gov.au>; John Austin <John.Austin@ministerial.qld.gov.au>; Simon Zanatta <Simon.Zanatta@ministerial.qld.gov.au>
Subject: RE: Draft media response to Wynnum Herald enquiry re: Deanbilla Bay.

Jan,

Advice from Dept is:

- Sections 157AA-164 of the Land Act 1994 (<http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/L/LandA94.pdf>) are the provisions relating to renewal of a lease.
- The lease can be used by RQYS for residential accommodation for sporting activity and youth training/development requirements.

Regards,

Brad Muir

Senior Media Officer

Natural Resources and Mines/Energy and Water Supply

t: (07) 3199 8253

e: Brad.Muir@dnrm.qld.gov.au

The Media unit has a generic email account: media@dnrm.qld.gov.au

Please consider the environment before printing this email

From: Martin Jan

Sent: Thursday, 23 June 2016 12:38 PM

To: MUIR Brad

Cc: FEELY Alan; FREDRICK Claire; Media DNRM; John Austin; Zanatta Simon

Subject: RE: Draft media response to Wynnum Herald enquiry re: Deanbilla Bay.

Hi Brad

For my information:

- What are the Land Act provisions for renewal?
- If the lease only allows residential, how can the RQYS turn it into a "sporting activity and youth training/development complex"?

Rgds



**Queensland
Government**

PO Box 15216 City East QLD 4002

Jan Martin

Senior media advisor

e: jan.martin@ministerial.qld.gov.au

Office of the Hon. Dr Anthony Lynham MP

Minister for State Development and Minister for Natural Resources and Mines

T: 07 3719 7370 **SM 4 - Personal Information**

QMEC Building, 61 Mary Street Brisbane QLD 4000

From: MUIR Brad [<mailto:Brad.Muir@dnrm.qld.gov.au>]

Sent: Thursday, 23 June 2016 10:29 AM

To: Jan Martin <Jan.Martin@ministerial.qld.gov.au>; John Austin <John.Austin@ministerial.qld.gov.au>

Cc: FEELY Alan <Alan.Feely@dnrm.qld.gov.au>; FREDRICK Claire <Claire.FREDRICK@dnrm.qld.gov.au>; Media DNRM <MediaDNRM@dnrm.qld.gov.au>

Subject: Draft media response to Wynnum Herald enquiry re: Deanbilla Bay.

Importance: High

Hi Jan, John,



Attached is the draft response to the Wynnum Herald's enquiry about the Deanbilla Bay lease. Are you okay for me to send this to the journo?

Regards,

Brad Muir

Senior Media Officer

Department of Natural Resources and Mines

Department of Energy and Water Supply

P 07 3199 8253

Level 4, 61 Mary St, Brisbane QLD 4000

The Media unit has a generic email account: media@dnrm.qld.gov.au

www.dnrm.qld.gov.au or call 13 25 23.

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Natural Resources & Mines Media Enquiry – Response

Media Unit contact: Brad Muir	Briefing officer: Rhonda Geitz
Media Unit phone: 3199 8253	Phone: 4529 1225
Approved by: Rhonda Geitz, Mike Birchley, Wally Kearnan, Alan Feely	
Phone:	Deadline to media unit:

Date: 22 June 2016

Reporter: Ellen-Maree Elliott, Wynnum Herald

Phone and email: 3826 2610 Ms 61 - Personal Information

E ellenmaree.elliott@news.com.au

Reporter's deadline: 12.00am Thursday 23 June

Issue: Lease for Deanbilla Bay, Dunwich

Questions

I understand the lease on the land at Deanbilla Bay, on Stradbroke Island, previously held by Sibelco and now by RQYS, is due to expire.

When does the lease expire?

What use for the land is permitted under the lease?

When the lease expires, how will the state government determine the new lease holder?

RESPONSE:

The following comments can be attributed to a spokesperson for the Department of Natural Resources and Mines.

The term lease currently held by the Royal Queensland Yacht Squadron is due to expire on 19 July 2016.

The lease is granted for residential purposes and can only be used for that purpose.

The Department of Natural Resources and Mines is dealing with the lease renewal in accordance with the *Land Act 1994*.

The department considers a number of criteria before deciding whether or not to renew a lease, including the interest of the lessee; whether the public interest could be adversely affected; whether part of the lease land is needed for a public purpose; and whether the lessee has complied with the conditions of the lease.

Deleted: Usually, an application to renew a lease can only be made after 80 per cent of the lease's existing term has expired. ¶

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¶
These include:¶
¶

Deleted: whether part of the lease land should be set apart and declared as a State forest;¶

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the condition of the lease land;¶

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Where the lease land is in an urban area, the department is only required to consider issues under the associated provisions of Land Act that are relevant to an urban environment.

ENDS

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<#>the most appropriate use of the land.¶

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Background (Minister's Office only)

From Rhonda Geitz 22/6/16

- Term Lease 221125 (the lease) is due to expire on 19 July 2016. In accordance with normal procedures, the Department of Natural Resources and Mines is dealing with the matter of lease renewal under the Land Act 1994.
- The lease is granted for residential purposes.

RQYS can only use the lease for the purpose for which it was issued - residential purposes.

From Michael Birchley 9/6/16

Term Lease 221125 (the lease) is granted for residential purposes and is currently held by Stradbroke Rutile Pty Ltd (the lessee).

- The lease has been developed as a residential complex, housing employees of the lessee and comprises of eleven low set accommodation barracks and associated structures.
- The lessee advised the Department of Natural Resources and Mines (the department) on 3 November 2015 that it was investigating the transfer of the lease to Royal Queensland Yacht Squadron (RQYS).
- Representatives from the department met with RQYS representatives and Joan Pease MP to discuss the proposal on 6 November 2015.
- The Minister provided his support to the proposed use of the lease by the RQYS for a sporting activity and youth training/development complex on 11 March 2016 – see attached Ministerial correspondence.
- The land is not included in the Quandomooka Yoolooburrabee Aboriginal Corporation (QYAC) Indigenous Land Use Agreement and Native Title is not an issue over the land.
- The department has been unable to identify any enquiries being received from QYAC or any other parties regarding an interest in the lease.
- The written approval of the Minister administering the *Land Act 1994* must be obtained before a lease can be transferred to another lessee.
- On the 23 May 2016, the department granted approval for the transfer of the lease from the lessee to the RQYS Nominees Pty Ltd – see attached.
- When processing the application for Ministerial consent to the transfer of the lease, the department considered if the lease was able to be transferred and whether the proposed transferee is eligible to hold the lease.
- As at today, the transfer documents have not yet been lodged in the Titles Registry.

Previous response 9/06/16

The land in question is not included in the Quandamooka Yoolooburrabee Aboriginal Corporation (QYAC) Indigenous Land Use Agreement and Native Title is not an issue over the land.

The lease over the land was granted to Stradbroke Rutilie Pty Ltd for residential purposes and has been developed as a residential complex for employees of the lessee.

On 3 November 2015, the lessee advised the Department of Natural Resources and Mines (DNRM) that it was investigating the transfer of the lease to Royal Queensland Yacht Squadron (RQYS).

On 6 November 2015, DNRM representatives met with RQYS representatives and Joan Pease MP to discuss the proposal.

The written approval of the Minister administering the Land Act 1994 must be obtained before a lease can be transferred to another lessee.

On 11 March 2016, the Minister for State Development and Natural Resources and Mines provided his support to the proposed use of the lease by the RQYS for a sporting activity and youth training/development complex.

On the 23 May 2016, DNRM granted approval for the transfer of the lease from the lessee to the RQYS Nominees Pty Ltd – see attached.

When processing the application for Ministerial consent to the transfer of the lease, the department considered if the lease was able to be transferred and whether the proposed transferee is eligible to hold the lease.

As at 9 June 2016, the transfer documents had not been lodged in the Titles Registry.

DNRM has been unable to identify any enquiries being received from QYAC or any other parties regarding an interest in the lease.

ENDS

Simon Zanatta

From: John Austin
Sent: Thursday, 23 June 2016 12:17 PM
To: Jan Martin; Simon Zanatta
Subject: FW: Draft media response to Wynnum Herald enquiry re: Deanbilla Bay.
Attachments: 220609 Wynnum Herald re Deanbilla Bay lease.doc

Importance: High



Queensland
Government

Attached is DNRM's response to additional questions asked by Wynnum Herald. Looks ok to me. Feedback? Note the deadline please.

Issue- as per today's Wynnum Herald article, local indigenous people have expressed disappointment in lease transfer.

John Austin

Assistant Media Advisor

Office of the Hon. Dr Anthony Lynham MP

Minister for State Development and Minister for Natural Resources and Mines

P 07 3719 7369 **SCM - Personal Information**
QMEC Building, 61 Mary Street Brisbane QLD 4000
PO Box 15216 City East QLD 4002



Queensland
Government

From: MUIR Brad [mailto:Brad.Muir@dnrm.qld.gov.au]
Sent: Thursday, 23 June 2016 10:29 AM
To: Jan Martin <Jan.Martin@ministerial.qld.gov.au>; John Austin <John.Austin@ministerial.qld.gov.au>
Cc: FEELY Alan <Alan.Feely@dnrm.qld.gov.au>; FREDRICK Claire <Claire.FREDRICK@dnrm.qld.gov.au>; Media DNRM <MediaDNRM@dnrm.qld.gov.au>
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Importance: High

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Regards,

Brad Muir

Senior Media Officer

Department of Natural Resources and Mines

Department of Energy and Water Supply

P 07 3199 8253
Level 4, 61 Mary St, Brisbane QLD 4000

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www.dnrm.qld.gov.au or call 13 25 23.

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DNRM RTI DL Release

Natural Resources & Mines Media Enquiry – Response

Media Unit contact: Brad Muir	Briefing officer: Rhonda Geitz
Media Unit phone: 3199 8253	Phone: 4529 1225
Approved by: Rhonda Geitz, Mike Birchley, Wally Kearnan, Alan Feely	
Phone:	Deadline to media unit:

Date: 22 June 2016

Reporter: Ellen-Maree Elliott, Wynnum Herald

Phone and email: 3826 2610 M Sch 4 - Personal Information

E ellenmaree.elliott@news.com.au

Reporter's deadline: 12.00am Thursday 23 June

Issue: Lease for Deanbilla Bay, Dunwich

Questions

I understand the lease on the land at Deanbilla Bay, on Stradbroke Island, previously held by Sibelco and now by RQYS, is due to expire.

When does the lease expire?

What use for the land is permitted under the lease?

When the lease expires, how will the state government determine the new lease holder?

RESPONSE:

The following comments can be attributed to a spokesperson for the Department of Natural Resources and Mines.

The term lease currently held by the Royal Queensland Yacht Squadron is due to expire on 19 July 2016.

The lease is granted for residential purposes and can only be used for that purpose.

The Department of Natural Resources and Mines is dealing with the lease renewal in accordance with the *Land Act 1994*.

ENDS

Background (Minister's Office only)

From Rhonda Geitz 22/6/16

- Term Lease 221125 (the lease) is due to expire on 19 July 2016. In accordance with normal procedures, the Department of Natural Resources and Mines is dealing with the matter of lease renewal under the Land Act 1994.
- The lease is granted for residential purposes.

RQYS can only use the lease for the purpose for which it was issued - residential purposes.

From Michael Birchley 9/6/16

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- The written approval of the Minister administering the *Land Act 1994* must be obtained before a lease can be transferred to another lessee.
- On the 23 May 2016, the department granted approval for the transfer of the lease from the lessee to the RQYS Nominees Pty Ltd – see attached.
- When processing the application for Ministerial consent to the transfer of the lease, the department considered if the lease was able to be transferred and whether the proposed transferee is eligible to hold the lease.
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On 3 November 2015, the lessee advised the Department of Natural Resources and Mines (DNRM) that it was investigating the transfer of the lease to Royal Queensland Yacht Squadron (RQYS).

On 6 November 2015, DNRM representatives met with RQYS representatives and Joan Pease MP to discuss the proposal.

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DNRM has been unable to identify any enquiries being received from QYAC or any other parties regarding an interest in the lease.

ENDS

Simon Zanatta

From: DLO DNRM <dlo.dnrm@dnrm.qld.gov.au>
Sent: Friday, 17 June 2016 8:48 AM
To: Paul Woodland; Simon Zanatta
Cc: Kristy Osborne; Josh Lockyer
Subject: meeting with Cameron Costello
Attachments: CTS15287 Att 1.pdf; CTS15287 Att 2.doc; CTS15287 Att 3.pdf; CTS15287 Att 4.pdf; CTS15287.docx

Good Morning

Please find attached meeting dot point brief and attachments for today's meeting with Cameron Costello. Hard copy provided to Paul this morning.

Many thanks



Queensland Government
Linda Lloyd
Departmental Liaison Officer
Department of Natural Resources and Mines

Level 17, 61 Mary Street Brisbane
PO Box 15216, City East Queensland 4002
Phone 07 3199 7641 (77641)
Mob 4 - Personal Information
Email dlo.dnrm@dnrm.qld.gov.au or Linda.lloyd@dnrm.qld.gov.au

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

CTS No.	15287/16
DUE DATE <i>By DLO/Minister's Office</i>	17 June 2016
ISSUE	Transfer of Term Lease 221125
NAME OF CONSTITUENT OR MEMBER OF PUBLIC <i>If applicable</i>	Cameron Costello, Quandamooka Yoolooburrabee Aboriginal Corporation (QYAC)
RESPONDING OFFICER <i>Author</i>	Suzanne Collis, A/Senior Land Officer 3884 8055
FINAL APPROVAL <i>DG/DDG/ED</i>	Wally Kearnan, Executive Director 3330 4459

INFORMATION/ADVICE:

- Lot 76 on SL4907 and Lot 15 on D90415 are currently leased to a subsidiary of Sibelco, the sand miner on North Stradbroke Island (NSI) (**Attachment 1** and **Attachment 2**).

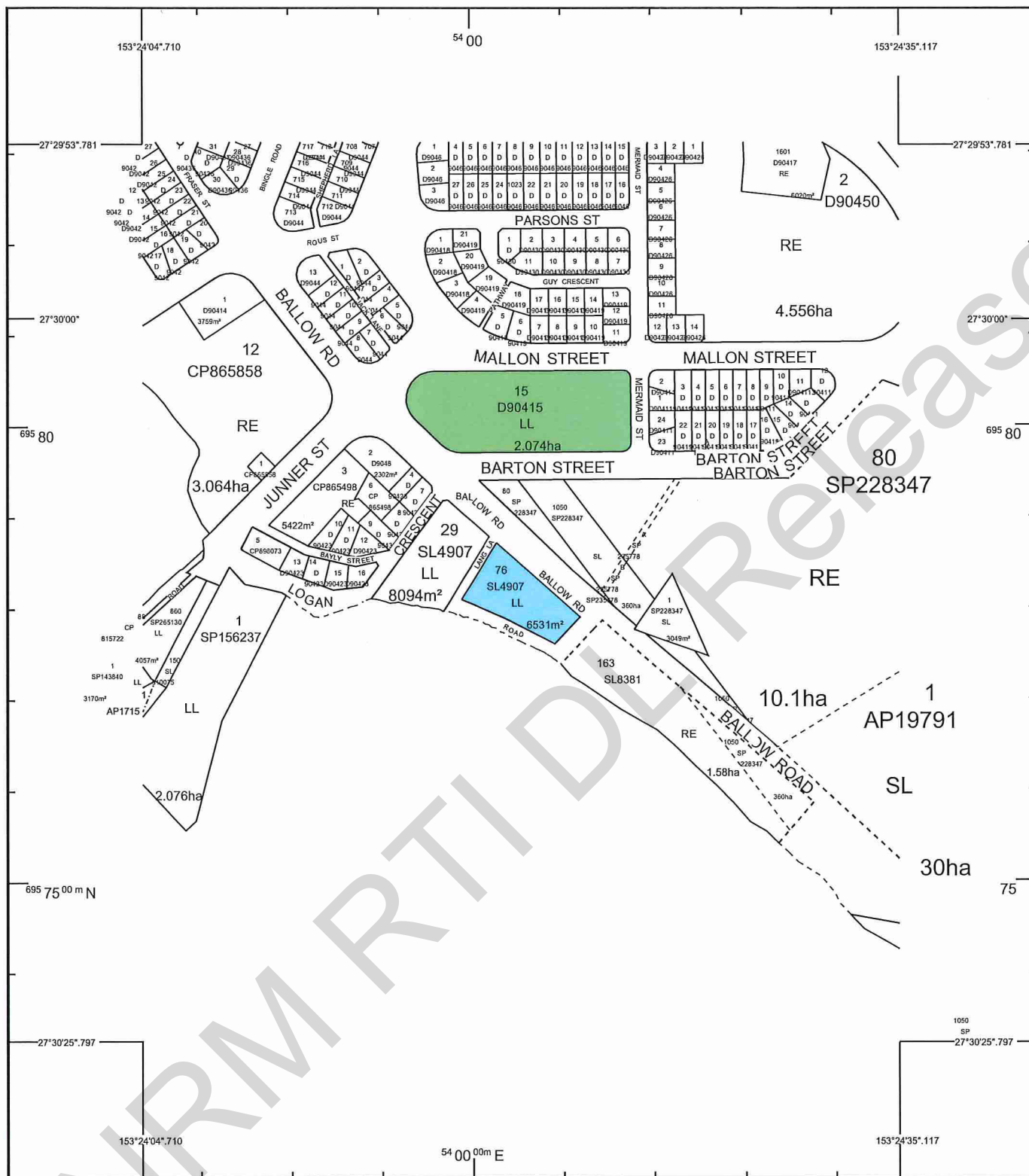
Term Lease 221125 - Lot 76 on SL4907

- Lot 76 is not included in the QYAC Indigenous Land Use Agreement (ILUA) and Native Title is not an issue over the land as it has been extinguished.
- The lease over Lot 76 was granted to Stradbroke Rutile Pty Ltd for residential purposes and has been developed as a residential complex for employees of the lessee.
- The lease commenced on 20 July 2004 and is due to expire on 19 July 2016.
- On 3 November 2015, the lessee (Sibelco) advised DNRM that it was investigating the transfer of Lot 76 to Royal Queensland Yacht Squadron Nominees Pty Ltd (RQYS).
- On 6 November 2015, representatives from the Department of Natural Resources and Mines (DNRM) met with RQYS representatives and Joan Pease MP to discuss the proposal.
- On 11 March 2016, the Minister for State Development and Natural Resources and Mines provided his support to the proposed use of the lease by the RQYS for a sporting activity and youth training/development complex (**Attachment 3**).
- On 10 May 2016, QYAC wrote to the Minister requesting a meeting to discuss QYAC's desire to obtain leases for "The Barracks" at Dunwich, NSI.
- The letter mentions two lots – Lot 76 on SL4907 and Lot 15 on D90415.
- QYAC requests that no leases be granted or transferred over these sites until QYAC has had the opportunity for its aspirations to be considered and prioritised.
- On 23 May 2016, DNRM granted approval for the transfer of the lease from the lessee to the RQYS Nominees Pty Ltd (**Attachment 4**).
- When processing the application for Ministerial consent to the transfer of the lease, DNRM considered if the lease was able to be transferred and whether the proposed transferee is eligible to hold the lease. These conditions were satisfied.
- The transfer documents were lodged in the Titles Registry on 10 June 2016, however as at the 14 June 2016 the transfer has not yet been registered.
- DNRM has been unable to identify any enquiries being received from QYAC or any other parties regarding an interest in acquiring the lease, prior to QYAC's letter of 10 May 2016.
- A short term extension of the lease under the provisions of section 434B of the Land Act for a term of 12 months from the expiry date of 19 July 2016 has been sought to allow the transfer of the lease to the RQYS to be finalised and provide an opportunity for the incoming lessee to continue the renewal application or consider other tenure options.

Term Lease 218376 - Lot 15 on D90415

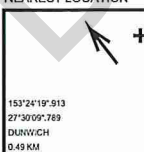
- Lot 15 is not included in the QYAC ILUA and Native Title is not an issue over the land as it has been extinguished.
- The lease over Lot 15 was granted for industrial purposes.
- The lease expires on 31 July 2022.

- The Queensland Parks and Wildlife Service (QPWS) inquired with DNRM regarding options for the use of Lot 15 as an operational base in March 2016, should Sibelco not require the lease anymore.
- DNRM advised QPWS on 23 March 2016 that it may approach Sibelco to ascertain if they wished to transfer the lease.
- QPWS confirmed on the same date that it would follow up with Sibelco regarding future requirements for the lease.
- No request to transfer the lease over Lot 15 has been received by DNRM, the lease expires on 31 July 2022.



STANDARD MAP NUMBER
9542-11441

MAP WINDOW POSITION &
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB
Lot/Plan 76/SL4907
Area/Volume 6531m²
Tenure LANDS LEASE
Local Government REDLAND CITY
Locality DUNWICH
Segment/Parcel 20182/36

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 14/06/2016
For additional information regarding this SmartMap see page 2.
Shading Rules have been applied.

DCDB 13/06/2016

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Additional Information Page

Shading Rules

 Lot Number = 76 and Plan Number = SL4907

 Lot Number = 15 and Plan Number = D90415

DNRM RTI DL Release





The Hon Dr Anthony Lynham MP
Minister for State Development and
Minister for Natural Resources and Mines

Ref CTS 03949/16

11 MAR 2016

Level 17 QMEC Building
61 Mary Street Brisbane QLD 4000
PO Box 15216 City East
Queensland 4002 Australia
Telephone +61 7 3199 8215
Email sdnrm@ministerial.qld.gov.au
Website www.dnrm.qld.gov.au

Mr Shawn Ket
General Manager
Royal Queensland Yacht Squadron
PO Box 5021
MANLY QLD 4179

GM@rqys.com.au

Dear Mr Ket

Thank you for your email dated 19 February 2016 with the encouraging information concerning the proposed transfer of Term Lease 221125 over Lot 76 on SL4907 from Stradbroke Rutile Pty Ltd (Sibelco) to the Royal Queensland Yacht Squadron (RQYS).

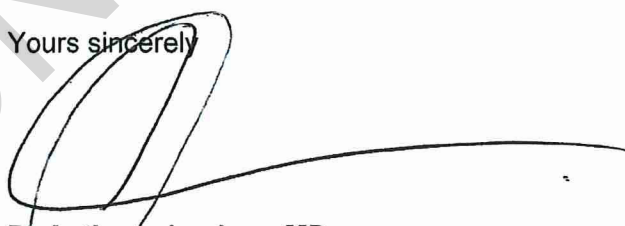
The Department of Natural Resources and Mines (the department) supports the proposed use of Lot 76 by the RQYS and based on your email it appears that RQYS is making good progress towards achieving the goal of creating a world class sailing venue on North Stradbroke Island.

I note that RQYS is expecting Sibelco to lodge the transfer documents with the department in the next few weeks. The department has adopted a streamlined approach for applications of this type with a 10 day processing timeframe once the application is verified and all the required documentation is on hand.

As discussed previously, the current lease is for residential purposes which is not consistent with the intended use by RQYS. When the transfer of the lease has been finalised the department will be in a position to discuss future lease arrangements.

If you have any questions about my advice to you Mrs Diane McQuade, Senior Land Officer, of the Department of Natural Resources and Mines will be pleased to assist you and can be contacted on telephone 3884 8055.

Yours sincerely



Dr Anthony Lynham MP
Minister for State Development and
Minister for Natural Resources and Mines



Author Carol Ward
Our Ref 2016/002821
Unit State Land Asset Management
Phone (07) 41903839

Department of
Natural Resources and Mines

23 May 2016

Ms Kate O'Sullivan
Sibelco Australia
Locked Bag 969
NORTH SYDNEY NSW 2059

Dear Ms O'Sullivan

**Application for Minister's Consent to transfer TL 221125 over Lot 76 on SL4907 –
Lessee – Stradbroke Rutile Pty Ltd A.C.N. 009 693 074 - Dunwich**

Reference is made to the above application which was received on 20 May 2016.

Attached is approval of the Minister administering the *Land Act 1994* to transfer the above lease from Stradbroke Rutile Pty Ltd A.C.N. 009 693 074 to RQYS Nominees Pty Ltd ACN 130 840 523 as trustee for RQYS Deanbilla Bay Trust.

Enclosed please find Form 18 General Consent and associated Form 20 (schedule providing approval and conditions for the transfer) to be lodged with an office of this Department capable of lodgement of documents in the Land Registry within six (6) months of the date of this letter.

Also enclosed is a current rental position report and a Fact Sheet – Responsibilities of Landholders. The Department asks that you pass these advices on to the transferees. Please note the rental position report attached is at today's date, however all rent due as at the date of lodgement **MUST** be paid up to date prior to lodgement. If any further payment is made, the associated receipt or fresh rental certificate is to be lodged with the transfer.

Your attention is drawn to the requirements of the Foreign Ownership of *Land Register Act 1988* that a foreign person, as defined in that Act or a trustee of a foreign person, must lodge a Notification of Ownership form for each interest acquired. No fee is payable and further enquiries can be directed to the Foreign Ownership Registry, phone (07) 3227 7867. If you are a permanent resident of Australia, and Australian Citizen or wholly owned Australian Company, there is no need for you to take further action in this matter.

Please note that this lease is due to expire on 19 July 2016.

If you wish to discuss your application please contact Carol Ward (07) 41903839.

Postal :
DNRN Maryborough
PO Box 212
Maryborough
4650 QLD

Telephone : (07) 41211771
Fax: (07) 4122 4007

Please quote reference number 2016/002821 in any future correspondence.

Yours sincerely

Sch 4 - Signatures

Rhonda James
Land Administration Officer
South Region

DNRM RTI DL Release

1. Lot on Plan Description

Lot 76 on Crown Plan SL4907

Title Reference

40043954

2. Instrument being consented to

Instrument type Transfer of lease

Dated / /

Names of parties Stradbroke Rutile Pty Ltd A.C.N. 009 693 074 TO RQYS Nominees Pty Ltd ACN 130 840 523 as trustee for RQYS Deanbilla Bay Trust

3. Instrument under which consent required

Dealing Type Transfer in terms of Section 322 of the *Land Act 1994*

Dealing No. Not applicable

Name of consenting party Minister administering the *Land Act 1994*.

4. Execution by consenting party

The party identified in item 3 consents to the registration of the instrument identified in item 2, conditional on compliance with items specified on the attached Schedule 20.

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

NO WITNESS REQUIRED

Witnessing Officer

Execution Date

Consenting Party's Signature

Not required

.....signature 23/05/2016

.....full name

.....qualification

(Witnessing officer must be in accordance with Schedule 1 of *Land Title Act 1994* eg Legal Practitioner, JP, C Dec)

Sch 4 - Signatures

Rhonda Ann James

Land Administration Officer

a duly authorised delegate of the Minister under the current Land Act (Ministerial) Delegation

NOTE: Attached to this form must be a Land Registry Form 20 – Schedule, which outlines the conditions to which the Minister's Consent is subject.



Privacy Statement

The information from this form is collected under the authority of the Land Title Act 1994, the Land Act 1994 and the Water Act 2000 and is used for the purpose of maintaining the publicly searchable registers in the land registry and the water register.

Title Reference [40043954]

RENTAL STATUS –

- All rent due as at the date of lodgement MUST be paid.
- If an outstanding amount is paid prior to lodgement, the associated receipt or a fresh rental certificate will be required to be lodged with the transfer.

THIS CONSENT IS TO BE LODGED WITH THE ITEMS LISTED BELOW –

- (1) Land Registry Form 1 – Transfer
- (2) Land registry Form 24 – Property Transfer form - the lessee's full and correct postal address for the service of notices must be provided on this declaration.
- (3) The original of this approval (Land Registry Forms 18 and 20);
- (4) If the lease is to be held by a person (a person, for example, includes a company) as trustee, the transfer document for the lease must show the person as trustee and, as required by section 375 of the *Land Act 1994*, a certified copy of the trust (or details of the trust) must be deposited with the transfer document.

Note: Section 375 of the *Land Act 1994* applies to any interest (for example, an easement, a trustee lease) to be held in trust.

- (5) A statutory declaration, SIGNED BY THE Transferees stating that the transferees are an adult, that is, 18 years of age or older and in accordance with Section 322(4) of the *Land Act 1994* are aware –
 - a. the condition of the land; and
 - b. the level of compliance with the lease conditions and any land management agreement for the lease; and
 - c. any current property vegetation management plans affecting the lease; and
 - d. any current agreements under an act affecting the lease, including (for a lease) any land management agreement,
 - e. lease land subject to an indigenous cultural interest become the rights and responsibilities of the transferee (s373ZK(2) and the provisions of S.202AA apply.
- (6) **Additional information for the transferee –**
Rental periods are annual (1 July – 30 June). Invoices for payment of the rent are usually sent out by the department before the last week of July each year and the invoiced amount must be paid on or before 1 September of the same year. The invoice for payment is forwarded to the person registered as the lessee in the Land Registry at the time of issue of the invoice. Quarterly invoices will be issued for the payment of the annual rent for this tenure.

Note – The change of ownership may result in capping and averaging applying to the annual rent, which may result in the annual rent being calculated differently. Rent is calculated in accordance with the *Land Act 1994* and the Land Regulation 2009.

The present lessees applied to renew TL 221125 in terms of Section 158 of the *Land Act 1994*, which is due to expire on 19 July 2016, and the Department is currently investigating the further dealing of this lease.

If the transferee is a company the statutory declaration is to be executed by an officer authorised to act on behalf of the company.

- (7) A copy of the Rental clearance certificate.
- (8) Registration fees.

Please note that in accordance with Section 322(2) of the *Land Act 1994*, this approval will lapse unless the transfer is lodged with a Titling Facility within six (6) months of the date hereof.

NOTE: ATTACHED TO THIS FORM MUST BE A LAND REGISTRY FORM 18 (GENERAL CONSENT) WHICH IS AUTHORISATION OF THE MINISTER'S CONSENT.

Report For REGION: SOUTH EAST
DISTRICT OFFICE: BEENLEIGH
LEASE NUMBER: TL 0/221125
TITLE REF: 40043954
LESSEE: STRADBROKE RUTILE PTY LTD

ACCOUNT SUMMARY	Account	Fund Code	Rental Position as at 23/05/2016	Payout as at 23/05/2016
	MAIN	72	\$0.00	N/A
	Outstanding Total		\$0.00	N/A

Account: MAIN

CALL TYPE: NORMAL
ACCOUNT STATE: ACTIVE
EXPIRY DATE: 19/07/2016
ACTIVE CONCESSION:
ACTIVE EXCLUSION:
FINANCIAL RENTAL CATEGORY: 12.1.2 - RESIDENTIAL
LEGAL RENTAL CATEGORY: 12.1 - RESIDENTIAL
MULTIPLE ANNUAL
PAYMENT IMPACT: N
INVOICE TERM: QUARTER
NEXT DUE DATE: 01/06/2016

RENTAL POSITION

Current Billing Period: 01/01/2016 to 31/03/2016
Last Invoiced Period: 01/04/2016 to 30/06/2016
Fund Code: 72
Control Level: 150
Freehold/Leasehold: LEASEHOLD
CURRENT ANNUAL RATE: \$56,076.00 AS AT 23/05/2016
(Exclusive of GST) FROM 23/05/2016
AMOUNT PENDING: \$13,942.39 (Amount due in the near future)
(Inclusive of GST) FROM 23/05/2016
ACCOUNT BALANCE: \$0.00 (Negative balance means A/C in credit)
(Inclusive of GST)
PENALTY CHARGED: \$0.00
PENALTY TO 23/05/2016 \$0.00 (Penalty is charged for late payments)
TOTAL AS AT 23/05/2016 \$0.00

I REFER TO YOUR REQUEST OF THE 20/5/2016 REF:
CONFIRMING THAT YOU ARE THE REGISTERED LESSEE OR HAVE AUTHORISATION FROM THE LESSEE TO OBTAIN
THIS INFORMATION.

THE ABOVE INFORMATION IS CORRECT ONLY FOR THE DATE OF ISSUE AND MAY BE SUBJECT TO A BACKDATED CHANGE
DUE TO INFORMATION NOT PRESENTLY AVAILABLE TO THE LANDS TENURE LEDGER.

Sch 4 - Signatures

FOR DISTRICT MANAGER
Department of Natural Resources and Mines

23/5/2016

***** END OF REPORT *****



Queensland Government home > For Queenslanders > Environment, land and water > Land, housing and property > State land > Using state land > Responsibilities of landholders

Responsibilities of landholders

Purpose and conditions

Landholders must use the land only for the purpose for which the tenure was issued and must comply with all conditions. Landholders may apply for a change of purpose to their lease and for a change of conditions to their lease, licence or permit to occupy.

Other approvals and charges

Landholders are responsible for obtaining any other required approvals from state or local governments or other authorities, as well as paying any additional fees that may relate to the tenure.

Duty of care

Landholders must maintain the land in good condition, for example by implementing good land management practices and preventing land degradation and contamination.

Tree clearing

Tree clearing is not permitted unless a tree clearing permit has been issued by the Department of Natural Resources and Mines.

Quarry material, forest, mineral and petroleum products

The rights to these are reserved for the state in accordance with the *Forestry Act 1959*, *Mineral Resources Act 1989* and the *Petroleum Act 1923*.

Rent

Landholders are required to pay an annual rent (due 1 September each year). Rents and instalments must be paid by the due date.

Rental arrangements for leases, licences and permits to occupy and freeholding leases are in accordance with the *Land Act 1994* and the Land Regulation 2009.

See rents and hardship assistance(<https://www.qld.gov.au/environment/land/state/rents/>) for more information.

Cancellation

We can cancel a lease, licence or permit to occupy after giving reasonable notice if a landholder:

- breaches a condition or the purpose of a lease
- fails to comply with statutory requirements
- fails to pay rent by the due date.

Voluntary surrender

Term leases and perpetual leases can be voluntarily surrendered (<https://www.qld.gov.au/environment/land/state/leases/surrendering/>), provided rents have been paid in full. The landholder must notify us at least 1 year before surrendering the lease. The original lease document must also be lodged with us.

Licences can be surrendered, providing all the rent has been paid.

Permits can be voluntarily surrendered, provided the rent has been paid. Permit holders may be allowed to remove any improvements they have made.

Contact

For more information, including advice on how to fill out application forms, contact your nearest business centre(<http://www.dnrm.qld.gov.au/our-department/contact-us>) or call 13 QGOV (13 74 68).

Last updated 29 May 2014

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Simon Zanatta

From: Simon Zanatta
Sent: Thursday, 16 June 2016 11:34 AM
To: 'DLO DNRM (dlo.dnrm@dnrm.qld.gov.au)'
Subject: Dot Point Request

Morning,

Paul woodland is meeting with Cameron Costello of QYAK tomorrow afternoon. Can I please get a dot point brief on the latest developments of the transfer of Term Lease 221125 and a map of the lease area?

Thanking you,

Simon



Simon Zanatta
Policy Advisor
Office of the Hon. Dr Anthony Lynham MP
Minister for State Development and Natural Resources and Mines
P 07 3719 7365 **ScM - Personal Information**
QMEC Building, 61 Mary Street Brisbane QLD 4000
PO Box 15216 City East QLD 4002

From: Simon Zanatta
Sent: Friday, 10 June 2016 2:56 PM
To: Anthony Lynham
Cc: Paul Woodland
Subject: NSI Lease matter

Hi Minister,

Paul has asked me to put together some dot points on where we are at with this issue.

- Stradbroke Rutile Pty Ltd (Sibelco) currently holds Term Lease 221125 over Lot 76 on SL4907, which is due to expire 19 July 2016.
- Minister Lynham's Office was approached by Joan Pease MP, on behalf of the Royal Queensland Yacht Squadron (RQYS) in late 2015 with a proposal for the lease to be transferred to the RQYS for the purpose of creating a world class sailing venue on North Stradbroke Island.
- On 6 November 2015, DNRM representatives met with RQYS representatives and Joan Pease MP to discuss the proposal.
- Minister Lynham's office facilitated discussions with the Department and RQYS regarding this matter to assist with discussions with Sibelco about the transfer of the lease.
- The proposed use of the land would provide a significant economic outcome to the island as per the government's strategy to facilitate opportunities post sand mining.
-
- On 11 March 2016, the Minister for State Development and Natural Resources and Mines provided his support to the proposed use of the lease by the RQYS for a sporting activity and youth training/development complex by written correspondence.
- It is likely that Sibelco and RQYS have an agreement for the transfer to be accompanied by a financial payment or transfer of liability (i.e. asbestos clean up). The RQYS may have provided such consideration in anticipation of a renewal of the lease.
- On 20 May 2016, the Department of Natural Resources and Mines (DNRM) received an application to transfer the lease.
- The Land Act 1994 required Minister's approval for a transfer of a lease.
- This approval is delegated into the Department, and is a routine administrative process.
- It is for the lessee holder to nominate who they wish their interest to be transferred to.
- The scope of the matters the Department can consider is limited to the suitability of the proposed new lessee; the interest of the Quandamooka would make no difference to their determination.
- On the 23 May 2016, the department granted approval for the transfer of the lease from the lessee to RQYS.
- The transfer documents are expected to be lodged in the Titles Registry in the next few days.
-
- The term of the lease has been extended annually for the past two years under section 434B of the Land Act to allow sufficient time to finalise the application for renewal/conversion of the lease.
- Upon transfer of the lease to RQYS, it is anticipated that a further renewal application will be received.
- The DG has a broader range of considerations that he can consider in approving a renewal application, but once again, not specifically a separate party that wishes to utilise the land.
-
- Native Title
- The land in question is not included in the Quandamooka Yoolooburrabee Aboriginal Corporation (QYAC) Indigenous Land Use Agreement and Native Title is not an issue over the land.
- On 11 February 2016 QYAC's legal rep advised that in QYAC's view Native Title was not extinguished over the land as the lease is not considered a Previous Exclusive Possession Act under the Native Title Act 1993.
- On 12 February 2016 QYAC was advised that in 2014 the department assessed an application from the lessee for freehold conversion and a Native Title Assessment was completed as part of our assessment. The

native title assessment concluded that native title has been extinguished by the issuer of previous Special Lease 6/47287 and Special Lease 0/200807.

Going Forward

- We will respond to the Quandamooka and strongly encourage them to contact and discuss this matter with Sibelco and the RQYS.
- It is open for the Quandamooka to write to the DG directly during the renewal process.

Regards,

Simon



Simon Zanatta
Policy Advisor
Office of the Hon. Dr Anthony Lynham MP
Minister for State Development and Natural Resources and Mines
P 07 3719 7366 **CM** - Personal Information
QMEC Building, 61 Mary Street Brisbane QLD 4000
PO Box 15216 City East QLD 4002

Simon Zanatta

From: John Austin
Sent: Friday, 10 June 2016 12:10 PM
To: Simon Zanatta
Subject: FW: Draft response to Wynnum Herald enquiry re: Award of lease at Dunwich
Attachments: 160609 Wynnum Herald re Deanbilla Bay lease.doc; DMView_1464819222273_03949-16_1056758_letter signed by minister.pdf; Approval letter & Forms (sent).pdf



John Austin

Assistant Media Advisor

Office of the Hon. Dr Anthony Lynham MP

Minister for State Development and Minister for Natural Resources and Mines

P 07 3719 7368 ccM - Personal Information

QMEC Building, 61 Mary Street Brisbane QLD 4000
PO Box 15216 City East QLD 4002

From: MUIR Brad [mailto:Brad.Muir@dnrm.qld.gov.au]

Sent: Friday, 10 June 2016 8:31 AM

To: Jan Martin <Jan.Martin@ministerial.qld.gov.au>; John Austin <John.Austin@ministerial.qld.gov.au>

Cc: LLOYD Linda <Linda.Lloyd@dnrm.qld.gov.au>; FEELY Alan <Alan.Feely@dnrm.qld.gov.au>; FREDRICK Claire <Claire.FREDRICK@dnrm.qld.gov.au>; KEARNAN Wally <Wally.Kearnan@dnrm.qld.gov.au>; BIRCHLEY Michael <Michael.Birchley@dnrm.qld.gov.au>; Media DNRM <MediaDNRM@dnrm.qld.gov.au>

Subject: Draft response to Wynnum Herald enquiry re: Award of lease at Dunwich

Hello Jan. John,

Attached is the draft response to the Wynnum Herald enquiry about the awarding of a lease at Dunwich. The response has been based on dot points approved by ED Southern Region Wally Kearnan.

By way of background, also attached are corro from the Min and the Dept.

Regards,

Brad Muir

Senior Media Officer

Department of Natural Resources and Mines

Department of Energy and Water Supply

P 07 3199 8253

Level 4, 61 Mary St, Brisbane QLD 4000

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www.dnrm.qld.gov.au or call 13 25 23.

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DNRM RTI DL Release

Natural Resources & Mines Media Enquiry – Response

Media Unit contact: Brad Muir	Briefing officer: Mike Birchley
Media Unit phone: 3199 8253	Phone: 4529 1225
Approved by: Wally Kearnan	
Phone:	Deadline to media unit:

Date: 9 June 2016

Reporter: Ellen-Maree Elliott, Wynnum Herald (rec'd via MO)

Phone and email:

Reporter's deadline: 9.00am Friday 10 June

Issue: Lease for Deanbilla Bay, Dunwich

Journo has been advised by the Royal Queensland Yacht Squadron that the Minister has written to them telling them they are getting the 1.5ha lease currently held by Sibelco at Deanbilla Bay at Dunwich.

She's aware that a local Quandamooka group was also seeking the lease.

Questions

Has Minister Lynham and the department reached a decision on who will receive the Deanbilla Bay lease, currently held by Sibelco?

What factors will be taken into consideration in the approval of that lease?

As Deanbilla Bay is part of the Quandamooka People's Native Title lands and waters, what rights do they have over that land?

How much say will they have in the approval of the lease?

When is a decision expected to be made on the Deanbilla Bay lease?

Has the minister written to any parties who are bidding for the lease, in support of their bid?

RESPONSE:

The following comments can be attributed to a spokesperson for the Department of Natural Resources and Mines.

The land in question is not included in the Quandamooka Yoolooburrabee Aboriginal Corporation (QYAC) Indigenous Land Use Agreement and Native Title is not an issue over the land.

The lease over the land was granted to Stradbroke Rutile Pty Ltd for residential purposes and has been developed as a residential complex for employees of the lessee.

On 3 November 2015, the lessee advised the Department of Natural Resources and Mines (DNRM) that it was investigating the transfer of the lease to Royal Queensland Yacht Squadron (RQYS).

On 6 November 2015, DNRM representatives met with RQYS representatives and Joan Pease MP to discuss the proposal.

The written approval of the Minister administering the Land Act 1994 must be obtained before a lease can be transferred to another lessee.

On 11 March 2016, the Minister for State Development and Natural Resources and Mines provided his support to the proposed use of the lease by the RQYS for a sporting activity and youth training/development complex.

On the 23 May 2016, DNRM granted approval for the transfer of the lease from the lessee to the RQYS Nominees Pty Ltd – see attached.

When processing the application for Ministerial consent to the transfer of the lease, the department considered if the lease was able to be transferred and whether the proposed transferee is eligible to hold the lease.

As at 9 June 2016, the transfer documents had not been lodged in the Titles Registry.

DNRM has been unable to identify any enquiries being received from QYAC or any other parties regarding an interest in the lease.

ENDS

Background (Minister's Office only)

From Michael Birchley 9/6/16

Term Lease 221125 (the lease) is granted for residential purposes and is currently held by Stradbroke Rutile Pty Ltd (the lessee).

- The lease has been developed as a residential complex, housing employees of the lessee and comprises of eleven low set accommodation barracks and associated structures.
- The lessee advised the Department of Natural Resources and Mines (the department) on 3 November 2015 that it was investigating the transfer of the lease to Royal Queensland Yacht Squadron (RQYS).
- Representatives from the department met with RQYS representatives and Joan Pease MP to discuss the proposal on 6 November 2015.
- The Minister provided his support to the proposed use of the lease by the RQYS for a sporting activity and youth training/development complex on 11 March 2016 – see attached Ministerial correspondence.

- The land is not included in the Quandomooka Yoolooburrabee Aboriginal Corporation (QYAC) Indigenous Land Use Agreement and Native Title is not an issue over the land.
- The department has been unable to identify any enquiries being received from QYAC or any other parties regarding an interest in the lease.
- The written approval of the Minister administering the *Land Act 1994* must be obtained before a lease can be transferred to another lessee.
- On the 23 May 2016, the department granted approval for the transfer of the lease from the lessee to the RQYS Nominees Pty Ltd – see attached.
- When processing the application for Ministerial consent to the transfer of the lease, the department considered if the lease was able to be transferred and whether the proposed transferee is eligible to hold the lease.
- As at today, the transfer documents have not yet been lodged in the Titles Registry.



The Hon Dr Anthony Lynham MP
Minister for State Development and
Minister for Natural Resources and Mines

Ref CTS 03949/16

11 MAR 2016

Level 17 QMEC Building
61 Mary Street Brisbane QLD 4000
PO Box 15216 City East
Queensland 4002 Australia
Telephone +61 7 3199 8215
Email sdnrm@ministerial.qld.gov.au
Website www.dnrm.qld.gov.au

Mr Shawn Ket
General Manager
Royal Queensland Yacht Squadron
PO Box 5021
MANLY QLD 4179

GM@rqys.com.au

Dear Mr Ket

Thank you for your email dated 19 February 2016 with the encouraging information concerning the proposed transfer of Term Lease 221125 over Lot 76 on SL4907 from Stradbroke Rutile Pty Ltd (Sibelco) to the Royal Queensland Yacht Squadron (RQYS).

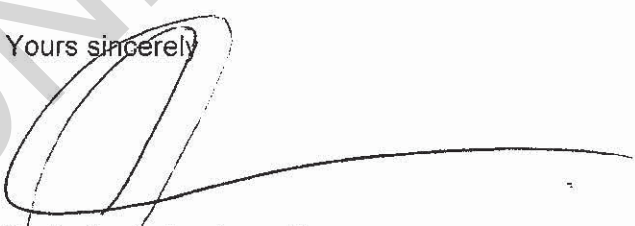
The Department of Natural Resources and Mines (the department) supports the proposed use of Lot 76 by the RQYS and based on your email it appears that RQYS is making good progress towards achieving the goal of creating a world class sailing venue on North Stradbroke Island.

I note that RQYS is expecting Sibelco to lodge the transfer documents with the department in the next few weeks. The department has adopted a streamlined approach for applications of this type with a 10 day processing timeframe once the application is verified and all the required documentation is on hand.

As discussed previously, the current lease is for residential purposes which is not consistent with the intended use by RQYS. When the transfer of the lease has been finalised the department will be in a position to discuss future lease arrangements.

If you have any questions about my advice to you Mrs Diane McQuade, Senior Land Officer, of the Department of Natural Resources and Mines will be pleased to assist you and can be contacted on telephone 3884 8055.

Yours sincerely


Dr Anthony Lynham MP
Minister for State Development and
Minister for Natural Resources and Mines



Author Carol Ward
Our Ref 2016/002821
Unit State Land Asset Management
Phone (07) 41903839

Department of
Natural Resources and Mines

23 May 2016

Ms Kate O'Sullivan
Sibelco Australia
Locked Bag 969
NORTH SYDNEY NSW 2059

Dear Ms O'Sullivan

**Application for Minister's Consent to transfer TL 221125 over Lot 76 on SL4907 –
Lessee – Stradbroke Rutile Pty Ltd A.C.N. 009 693 074 - Dunwich**

Reference is made to the above application which was received on 20 May 2016.

Attached is approval of the Minister administering the *Land Act 1994* to transfer the above lease from Stradbroke Rutile Pty Ltd A.C.N. 009 693 074 to RQYS Nominees Pty Ltd ACN 130 840 523 as trustee for RQYS Deanbilla Bay Trust.

Enclosed please find Form 18 General Consent and associated Form 20 (schedule providing approval and conditions for the transfer) to be lodged with an office of this Department capable of lodgement of documents in the Land Registry within six (6) months of the date of this letter.

Also enclosed is a current rental position report and a Fact Sheet – Responsibilities of Landholders. The Department asks that you pass these advices on to the transferees. Please note the rental position report attached is at today's date, however all rent due as at the date of lodgement MUST be paid up to date prior to lodgement. If any further payment is made, the associated receipt or fresh rental certificate is to be lodged with the transfer.

Your attention is drawn to the requirements of the Foreign Ownership of *Land Register Act 1988* that a foreign person, as defined in that Act or a trustee of a foreign person, must lodge a Notification of Ownership form for each interest acquired. No fee is payable and further enquiries can be directed to the Foreign Ownership Registry, phone (07) 3227 7867. If you are a permanent resident of Australia, and Australian Citizen or wholly owned Australian Company, there is no need for you to take further action in this matter.

Please note that this lease is due to expire on 19 July 2016.

If you wish to discuss your application please contact Carol Ward (07) 41903839.

Postal :
DNRM Maryborough
PO Box 212
Maryborough
4650 QLD

Telephone : (07) 41211771
Fax: (07) 4122 4007

Please quote reference number 2016/002821 in any future correspondence.

Yours sincerely

Sch 4 - Signatures

Rhonda James
Land Administration Officer
South Region

DNRM RTI DL Release

1. Lot on Plan Description

Lot 76 on Crown Plan SL4907

Title Reference

40043954

2. Instrument being consented to

Instrument type Transfer of lease

Dated / /

Names of parties Stradbroke Rutile Pty Ltd A.C.N. 009 693 074 TO RQYS Nominees Pty Ltd ACN 130 840 523 as trustee for RQYS Deanbilla Bay Trust

3. Instrument under which consent required

Dealing Type Transfer in terms of Section 322 of the *Land Act 1994*

Dealing No. Not applicable

Name of consenting party Minister administering the *Land Act 1994*.

4. Execution by consenting party

The party identified in item 3 consents to the registration of the instrument identified in item 2, conditional on compliance with items specified on the attached Schedule 20.

Witnessing officer must be aware of his/her obligations under section 162 of the *Land Title Act 1994*

NO WITNESS REQUIRED

Witnessing Officer

Execution Date

Consenting Party's Signature

Not required

.....signature 23/05/2016

.....full name

.....qualification

(Witnessing officer must be in accordance with Schedule 1 of *Land Title Act 1994* eg Legal Practitioner, JP, C Dec)

Sch 4 - Signatures

Rhonda Ann James
Land Administration Officer
a duly authorised delegate of the Minister under the current *Land Act* (Ministerial) Delegation

NOTE: Attached to this form must be a Land Registry Form 20 – Schedule, which outlines the conditions to which the Minister's Consent is subject.



Privacy Statement

The information from this form is collected under the authority of the *Land Title Act 1994*, the *Land Act 1994* and the *Water Act 2000* and is used for the purpose of maintaining the publicly searchable registers in the land registry and the water register.

Title Reference [40043954]

RENTAL STATUS –

- All rent due as at the date of lodgement MUST be paid.
- If an outstanding amount is paid prior to lodgement, the associated receipt or a fresh rental certificate will be required to be lodged with the transfer.

THIS CONSENT IS TO BE LODGED WITH THE ITEMS LISTED BELOW –

- (1) Land Registry Form 1 – Transfer
- (2) Land registry Form 24 – Property Transfer form - the lessee's full and correct postal address for the service of notices must be provided on this declaration.
- (3) The original of this approval (Land Registry Forms 18 and 20);
- (4) If the lease is to be held by a person (a person, for example, includes a company) as trustee, the transfer document for the lease must show the person as trustee and, as required by section 375 of the *Land Act 1994*, a certified copy of the trust (or details of the trust) must be deposited with the transfer document.

Note: Section 375 of the *Land Act 1994* applies to any interest (for example, an easement, a trustee lease) to be held in trust.

- (5) A statutory declaration, SIGNED BY THE Transferees stating that the transferees are an adult, that is, 18 years of age or older and in accordance with Section 322(4) of the *Land Act 1994* are aware –
 - a. the condition of the land; and
 - b. the level of compliance with the lease conditions and any land management agreement for the lease; and
 - c. any current property vegetation management plans affecting the lease; and
 - d. any current agreements under an act affecting the lease, including (for a lease) any land management agreement,
 - e. lease land subject to an indigenous cultural interest become the rights and responsibilities of the transferee (s373ZK(2) and the provisions of S.202AA apply.
- (6) **Additional information for the transferee –**
Rental periods are annual (1 July – 30 June). Invoices for payment of the rent are usually sent out by the department before the last week of July each year and the invoiced amount must be paid on or before 1 September of the same year. The invoice for payment is forwarded to the person registered as the lessee in the Land Registry at the time of issue of the invoice. Quarterly invoices will be issued for the payment of the annual rent for this tenure.

Note – The change of ownership may result in capping and averaging applying to the annual rent, which may result in the annual rent being calculated differently. Rent is calculated in accordance with the *Land Act 1994* and the Land Regulation 2009.

The present lessees applied to renew TL 221125 in terms of Section 158 of the *Land Act 1994*, which is due to expire on 19 July 2016, and the Department is currently investigating the further dealing of this lease.

If the transferee is a company the statutory declaration is to be executed by an officer authorised to act on behalf of the company.

- (7) A copy of the Rental clearance certificate.
- (8) Registration fees.

Please note that in accordance with Section 322(2) of the *Land Act 1994*, this approval will lapse unless the transfer is lodged with a Titling Facility within six (6) months of the date hereof.

NOTE: ATTACHED TO THIS FORM MUST BE A LAND REGISTRY FORM 18 (GENERAL CONSENT) WHICH IS AUTHORISATION OF THE MINISTER'S CONSENT.

Report For REGION: SOUTH EAST
DISTRICT OFFICE: BEENLEIGH
LEASE NUMBER: TL 0/221125
TITLE REF: 40043954
LESSEE: STRADBROKE RUTILE PTY LTD

ACCOUNT SUMMARY	Account	Fund Code	Rental Position as at 23/05/2016	Payout as at 23/05/2016
	MAIN	72	\$0.00	N/A
	Outstanding Total		\$0.00	N/A

Account: MAIN

CALL TYPE: NORMAL
ACCOUNT STATE: ACTIVE
EXPIRY DATE: 19/07/2016
ACTIVE CONCESSION:
ACTIVE EXCLUSION:
FINANCIAL RENTAL CATEGORY: 12.1.2 - RESIDENTIAL
LEGAL RENTAL CATEGORY: 12.1 - RESIDENTIAL
MULTIPLE ANNUAL
PAYMENT IMPACT: N
INVOICE TERM: QUARTER
NEXT DUE DATE: 01/06/2016

RENTAL POSITION

Current Billing Period: 01/01/2016 to 31/03/2016
Last Invoiced Period: 01/04/2016 to 30/06/2016
Fund Code: 72
Control Level: 150
Freehold/Leasehold: LEASEHOLD
CURRENT ANNUAL RATE: \$56,076.00 AS AT 23/05/2016
(Exclusive of GST) FROM 23/05/2016
AMOUNT PENDING: \$13,942.39 (Amount due in the near future)
(Inclusive of GST) FROM 23/05/2016
ACCOUNT BALANCE: \$0.00 (Negative balance means A/C in credit)
(Inclusive of GST)
PENALTY CHARGED: \$0.00
PENALTY TO 23/05/2016 \$0.00 (Penalty is charged for late payments)
TOTAL AS AT 23/05/2016 \$0.00

I REFER TO YOUR REQUEST OF THE 20/5/2016 REF:
CONFIRMING THAT YOU ARE THE REGISTERED LESSEE OR HAVE AUTHORISATION FROM THE LESSEE TO OBTAIN
THIS INFORMATION.

THE ABOVE INFORMATION IS CORRECT ONLY FOR THE DATE OF ISSUE AND MAY BE SUBJECT TO A BACKDATED CHANGE
DUE TO INFORMATION NOT PRESENTLY AVAILABLE TO THE LANDS TENURE LEDGER.

Sch 4 - Signatures

FOR DISTRICT MANAGER
Department of Natural Resources and Mines

23/5/2016

***** END OF REPORT *****



Queensland Government home > For Queenslanders > Environment, land and water > Land, housing and property > State land > Using state land > Responsibilities of landholders

Responsibilities of landholders

Purpose and conditions

Landholders must use the land only for the purpose for which the tenure was issued and must comply with all conditions. Landholders may apply for a change of purpose to their lease and for a change of conditions to their lease, licence or permit to occupy.

Other approvals and charges

Landholders are responsible for obtaining any other required approvals from state or local governments or other authorities, as well as paying any additional fees that may relate to the tenure.

Duty of care

Landholders must maintain the land in good condition, for example by implementing good land management practices and preventing land degradation and contamination.

Tree clearing

Tree clearing is not permitted unless a tree clearing permit has been issued by the Department of Natural Resources and Mines.

Quarry material, forest, mineral and petroleum products

The rights to these are reserved for the state in accordance with the *Forestry Act 1959*, *Mineral Resources Act 1989* and the *Petroleum Act 1923*.

Rent

Landholders are required to pay an annual rent (due 1 September each year). Rents and instalments must be paid by the due date.

Rental arrangements for leases, licences and permits to occupy and freeholding leases are in accordance with the *Land Act 1994* and the Land Regulation 2009.

See [rents and hardship assistance](https://www.qld.gov.au/environment/land/state/rents/)(<https://www.qld.gov.au/environment/land/state/rents/>) for more information.

Cancellation

We can cancel a lease, licence or permit to occupy after giving reasonable notice if a landholder:

- breaches a condition or the purpose of a lease
- fails to comply with statutory requirements
- fails to pay rent by the due date.

Voluntary surrender

Term leases and perpetual leases can be [voluntarily surrendered](https://www.qld.gov.au/environment/land/state/leases/surrendering/) (<https://www.qld.gov.au/environment/land/state/leases/surrendering/>), provided rents have been paid in full. The landholder must notify us at least 1 year before surrendering the lease. The original lease document must also be lodged with us.

Licences can be surrendered, providing all the rent has been paid.

Permits can be voluntarily surrendered, provided the rent has been paid. Permit holders may be allowed to remove any improvements they have made.

Contact

For more information, including advice on how to fill out application forms, contact your nearest [business centre](http://www.dnrm.qld.gov.au/our-department/contact-us)(<http://www.dnrm.qld.gov.au/our-department/contact-us>) or call 13 QGOV (13 74 68).

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Queensland Government(<https://www.qld.gov.au/>)

From: KEARNAN Wally <Wally.Kearnan@dnrm.qld.gov.au>
Sent: Thursday, 9 June 2016 5:51 PM
To: Simon Zanatta
Subject: FW: FOR APPROVAL: Media inquiry & corro search: re-award of lease at Dunwich
Attachments: DMView_1464819222273_03949-16_1056758_letter signed by minister.pdf;
Approval letter & Forms (sent).pdf

Dot points for media response provided as follows:

- Term Lease 221125 (the lease) is granted for residential purposes and is currently held by Stradbroke Rutile Pty Ltd (the lessee).
- The lease has been developed as a residential complex, housing employees of the lessee and comprises of eleven low set accommodation barracks and associated structures.
- The lessee advised the Department of Natural Resources and Mines (the department) on 3 November 2015 that it was investigating the transfer of the lease to Royal Queensland Yacht Squadron (RQYS).
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- On the 23 May 2016, the department granted approval for the transfer of the lease from the lessee to the RQYS Nominees Pty Ltd – see attached.
- When processing the application for Ministerial consent to the transfer of the lease, the department considered if the lease was able to be transferred and whether the proposed transferee is eligible to hold the lease.
- As at today, the transfer documents have not yet been lodged in the Titles Registry.

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

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

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



The Hon Dr Anthony Lynham MP
Minister for State Development and
Minister for Natural Resources and Mines

Ref CTS 03949/16

11 MAR 2016

Level 17 QMEC Building
61 Mary Street Brisbane QLD 4000
PO Box 15216 City East
Queensland 4002 Australia
Telephone +61 7 3199 8215
Email sdnrm@ministerial.qld.gov.au
Website www.dnrm.qld.gov.au

Mr Shawn Ket
General Manager
Royal Queensland Yacht Squadron
PO Box 5021
MANLY QLD 4179

GM@rqys.com.au

Dear Mr Ket

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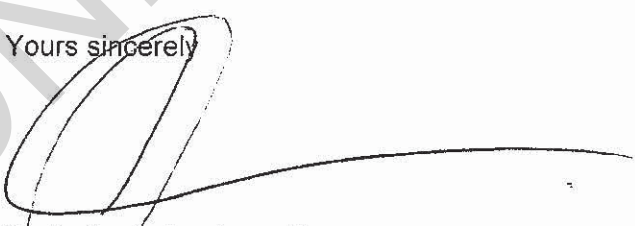
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If you have any questions about my advice to you Mrs Diane McQuade, Senior Land Officer, of the Department of Natural Resources and Mines will be pleased to assist you and can be contacted on telephone 3884 8055.

Yours sincerely


Dr Anthony Lynham MP
Minister for State Development and
Minister for Natural Resources and Mines



Author Carol Ward
Our Ref 2016/002821
Unit State Land Asset Management
Phone (07) 41903839

Department of
Natural Resources and Mines

23 May 2016

Ms Kate O'Sullivan
Sibelco Australia
Locked Bag 969
NORTH SYDNEY NSW 2059

Dear Ms O'Sullivan

**Application for Minister's Consent to transfer TL 221125 over Lot 76 on SL4907 –
Lessee – Stradbroke Rutile Pty Ltd A.C.N. 009 693 074 - Dunwich**

Reference is made to the above application which was received on 20 May 2016.

Attached is approval of the Minister administering the *Land Act 1994* to transfer the above lease from Stradbroke Rutile Pty Ltd A.C.N. 009 693 074 to RQYS Nominees Pty Ltd ACN 130 840 523 as trustee for RQYS Deanbilla Bay Trust.

Enclosed please find Form 18 General Consent and associated Form 20 (schedule providing approval and conditions for the transfer) to be lodged with an office of this Department capable of lodgement of documents in the Land Registry within six (6) months of the date of this letter.

Also enclosed is a current rental position report and a Fact Sheet – Responsibilities of Landholders. The Department asks that you pass these advices on to the transferees. Please note the rental position report attached is at today's date, however all rent due as at the date of lodgement MUST be paid up to date prior to lodgement. If any further payment is made, the associated receipt or fresh rental certificate is to be lodged with the transfer.

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Please note that this lease is due to expire on 19 July 2016.

If you wish to discuss your application please contact Carol Ward (07) 41903839.

Postal :
DNRN Maryborough
PO Box 212
Maryborough
4650 QLD

Telephone : (07) 41211771
Fax: (07) 4122 4007

Please quote reference number 2016/002821 in any future correspondence.

Yours sincerely

Sch 4 - Signatures

Rhonda James
Land Administration Officer
South Region

DNRM RTI DL Release

1. Lot on Plan Description

Lot 76 on Crown Plan SL4907

Title Reference

40043954

2. Instrument being consented to

Instrument type Transfer of lease

Dated / /

Names of parties Stradbroke Rutile Pty Ltd A.C.N. 009 693 074 TO RQYS Nominees Pty Ltd ACN 130 840 523 as trustee for RQYS Deanbilla Bay Trust

3. Instrument under which consent required

Dealing Type Transfer in terms of Section 322 of the *Land Act 1994*

Dealing No. Not applicable

Name of consenting party Minister administering the *Land Act 1994*.

4. Execution by consenting party

The party identified in item 3 consents to the registration of the instrument identified in item 2, conditional on compliance with items specified on the attached Schedule 20.

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

NO WITNESS REQUIRED

Witnessing Officer

Execution Date

Consenting Party's Signature

Not required

.....signature 23/05/2016

.....full name

.....qualification

(Witnessing officer must be in accordance with Schedule 1 of *Land Title Act 1994* eg Legal Practitioner, JP, C Dec)

Sch 4 - Signatures

Rhonda Ann James
Land Administration Officer
a duly authorised delegate of the Minister under the current Land Act (Ministerial) Delegation

NOTE: Attached to this form must be a Land Registry Form 20 – Schedule, which outlines the conditions to which the Minister's Consent is subject.



Privacy Statement

The information from this form is collected under the authority of the Land Title Act 1994, the Land Act 1994 and the Water Act 2000 and is used for the purpose of maintaining the publicly searchable registers in the land registry and the water register.

Title Reference [40043954]

RENTAL STATUS –

- All rent due as at the date of lodgement MUST be paid.
- If an outstanding amount is paid prior to lodgement, the associated receipt or a fresh rental certificate will be required to be lodged with the transfer.

THIS CONSENT IS TO BE LODGED WITH THE ITEMS LISTED BELOW –

- (1) Land Registry Form 1 – Transfer
- (2) Land registry Form 24 – Property Transfer form - the lessee's full and correct postal address for the service of notices must be provided on this declaration.
- (3) The original of this approval (Land Registry Forms 18 and 20);
- (4) If the lease is to be held by a person (a person, for example, includes a company) as trustee, the transfer document for the lease must show the person as trustee and, as required by section 375 of the *Land Act 1994*, a certified copy of the trust (or details of the trust) must be deposited with the transfer document.

Note: Section 375 of the *Land Act 1994* applies to any interest (for example, an easement, a trustee lease) to be held in trust.

- (5) A statutory declaration, SIGNED BY THE Transferees stating that the transferees are an adult, that is, 18 years of age or older and in accordance with Section 322(4) of the *Land Act 1994* are aware –
 - a. the condition of the land; and
 - b. the level of compliance with the lease conditions and any land management agreement for the lease; and
 - c. any current property vegetation management plans affecting the lease; and
 - d. any current agreements under an act affecting the lease, including (for a lease) any land management agreement,
 - e. lease land subject to an indigenous cultural interest become the rights and responsibilities of the transferee (s373ZK(2) and the provisions of S.202AA apply.
- (6) **Additional information for the transferee –**
Rental periods are annual (1 July – 30 June). Invoices for payment of the rent are usually sent out by the department before the last week of July each year and the invoiced amount must be paid on or before 1 September of the same year. The invoice for payment is forwarded to the person registered as the lessee in the Land Registry at the time of issue of the invoice. Quarterly invoices will be issued for the payment of the annual rent for this tenure.

Note – The change of ownership may result in capping and averaging applying to the annual rent, which may result in the annual rent being calculated differently. Rent is calculated in accordance with the *Land Act 1994* and the Land Regulation 2009.

The present lessees applied to renew TL 221125 in terms of Section 158 of the *Land Act 1994*, which is due to expire on 19 July 2016, and the Department is currently investigating the further dealing of this lease.

If the transferee is a company the statutory declaration is to be executed by an officer authorised to act on behalf of the company.

- (7) A copy of the Rental clearance certificate.
- (8) Registration fees.

Please note that in accordance with Section 322(2) of the *Land Act 1994*, this approval will lapse unless the transfer is lodged with a Titling Facility within six (6) months of the date hereof.

NOTE: ATTACHED TO THIS FORM MUST BE A LAND REGISTRY FORM 18 (GENERAL CONSENT) WHICH IS AUTHORISATION OF THE MINISTER'S CONSENT.

Report For REGION: SOUTH EAST
DISTRICT OFFICE: BEENLEIGH
LEASE NUMBER: TL 0/221125
TITLE REF: 40043954
LESSEE: STRADBROKE RUTILE PTY LTD

ACCOUNT SUMMARY	Account	Fund Code	Rental Position as at 23/05/2016	Payout as at 23/05/2016
	MAIN	72	\$0.00	N/A
	Outstanding Total		\$0.00	N/A

Account: MAIN

CALL TYPE: NORMAL
ACCOUNT STATE: ACTIVE
EXPIRY DATE: 19/07/2016
ACTIVE CONCESSION:
ACTIVE EXCLUSION:
FINANCIAL RENTAL CATEGORY: 12.1.2 - RESIDENTIAL
LEGAL RENTAL CATEGORY: 12.1 - RESIDENTIAL
MULTIPLE ANNUAL
PAYMENT IMPACT: N
INVOICE TERM: QUARTER
NEXT DUE DATE: 01/06/2016

RENTAL POSITION

Current Billing Period: 01/01/2016 to 31/03/2016
Last Invoiced Period: 01/04/2016 to 30/06/2016
Fund Code: 72
Control Level: 150
Freehold/Leasehold: LEASEHOLD
CURRENT ANNUAL RATE: \$56,076.00 AS AT 23/05/2016
(Exclusive of GST) FROM 23/05/2016
AMOUNT PENDING: \$13,942.39 (Amount due in the near future)
(Inclusive of GST) FROM 23/05/2016
ACCOUNT BALANCE: \$0.00 (Negative balance means A/C in credit)
(Inclusive of GST)
PENALTY CHARGED: \$0.00
PENALTY TO 23/05/2016 \$0.00 (Penalty is charged for late payments)
TOTAL AS AT 23/05/2016 \$0.00

I REFER TO YOUR REQUEST OF THE 20/5/2016 REF:
CONFIRMING THAT YOU ARE THE REGISTERED LESSEE OR HAVE AUTHORISATION FROM THE LESSEE TO OBTAIN
THIS INFORMATION.

THE ABOVE INFORMATION IS CORRECT ONLY FOR THE DATE OF ISSUE AND MAY BE SUBJECT TO A BACKDATED CHANGE
DUE TO INFORMATION NOT PRESENTLY AVAILABLE TO THE LANDS TENURE LEDGER.

Sch 4 - Signatures

FOR DISTRICT MANAGER
Department of Natural Resources and Mines

23/5/2016

***** END OF REPORT *****



Queensland Government home > For Queenslanders > Environment, land and water > Land, housing and property > State land > Using state land > Responsibilities of landholders

Responsibilities of landholders

Purpose and conditions

Landholders must use the land only for the purpose for which the tenure was issued and must comply with all conditions. Landholders may apply for a change of purpose to their lease and for a change of conditions to their lease, licence or permit to occupy.

Other approvals and charges

Landholders are responsible for obtaining any other required approvals from state or local governments or other authorities, as well as paying any additional fees that may relate to the tenure.

Duty of care

Landholders must maintain the land in good condition, for example by implementing good land management practices and preventing land degradation and contamination.

Tree clearing

Tree clearing is not permitted unless a tree clearing permit has been issued by the Department of Natural Resources and Mines.

Quarry material, forest, mineral and petroleum products

The rights to these are reserved for the state in accordance with the *Forestry Act 1959*, *Mineral Resources Act 1989* and the *Petroleum Act 1923*.

Rent

Landholders are required to pay an annual rent (due 1 September each year). Rents and instalments must be paid by the due date.

Rental arrangements for leases, licences and permits to occupy and freeholding leases are in accordance with the *Land Act 1994* and the Land Regulation 2009.

See [rents and hardship assistance](https://www.qld.gov.au/environment/land/state/rents/)(<https://www.qld.gov.au/environment/land/state/rents/>) for more information.

Cancellation

We can cancel a lease, licence or permit to occupy after giving reasonable notice if a landholder:

- breaches a condition or the purpose of a lease
- fails to comply with statutory requirements
- fails to pay rent by the due date.

Voluntary surrender

Term leases and perpetual leases can be [voluntarily surrendered](https://www.qld.gov.au/environment/land/state/leases/surrendering/) (<https://www.qld.gov.au/environment/land/state/leases/surrendering/>), provided rents have been paid in full. The landholder must notify us at least 1 year before surrendering the lease. The original lease document must also be lodged with us.

Licences can be surrendered, providing all the rent has been paid.

Permits can be voluntarily surrendered, provided the rent has been paid. Permit holders may be allowed to remove any improvements they have made.

Contact

For more information, including advice on how to fill out application forms, contact your nearest [business centre](http://www.dnrm.qld.gov.au/our-department/contact-us)(<http://www.dnrm.qld.gov.au/our-department/contact-us>) or call 13 QGOV (13 74 68).

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Pages 63 through 64 redacted for the following reasons:

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