

86

CY2J/2
9/14 RAB:MW

227 5580

3 July 1986

The Shire Clerk
Cook Shire Council
PO Box 3
COOKTOWN, Qld 4871

Dear Sir

I refer to your letter of 12 March 1986 regarding the payment of rates on land formerly held by Comalco Aluminium Limited under Occupation License No 87, Torres District.

I confirm previous advice that Comalco Aluminium Limited has executed a form of surrender of the Occupation License so that the tenure of the land reverts to vacant Crown land which does not attract Local Authority rates. The final gazettal of the area as a Reserve for Departmental and Official Purposes rests with the Department of Lands who I expect will be informing you of the particulars in due course.

Yours faithfully

sch4p4(6) Personal info

G.W. Saunders
DIRECTOR

sch4p4(6) Personal information

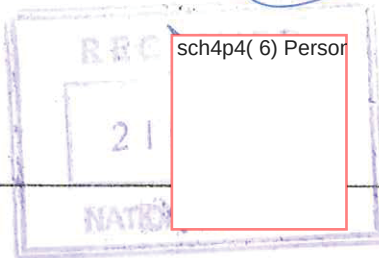
B/c Mr P. Stanton
R/D - Far Northern

For your information.

sch4p4(6) Personal

DIRECTOR, CENTRAL SERVICES

000294



QUEENSLAND
NATIONAL PARKS
AND WILDLIFE
SERVICE

Our reference CY2J/6C#
Your reference

For enquiries Mr J.P. Stanton

Date 13 October 1986

006682 Office CAIRNS REGIONAL OFFICE

Address 12a Abbott Street
PO Box 2066
Cairns Qld 4870

Telephone (070) 519 811

The Chief Executive Officer and Secretary
Lands Department
PO Box 168
NORTH QUAY Qld 4000

Dear Sir,

As secretary of a joint inter-departmental committee responsible for the management of the "Heathlands" acquisition on northern Cape York Peninsula, I have been directed to write to you on a matter concerning the committee.

The "Heathlands" area was formerly held by Comalco Pastoral Pty Ltd and is a joint acquisition of the Department of Primary Industries and the Queensland National Parks and Wildlife Service. It is to be held as a Departmental and Official Purposes Reserve.

The committee has been apprised of a proposal by a sch4p4(6) Personal in to acquire a sub-lease of a northern section of Shelburne Pastoral Holding for the purpose of a tourist development.

As such a proposed development could impinge significantly on the management of "Heathlands", and in particular would involve access by roads that are currently private roads within "Heathlands", it would be appreciated if, before a final decision is made on any such proposal, it could be referred to my committee for the comment of the managing departments.

Yours faithfully,

J.P. Stanton
REGIONAL DIRECTOR
FAR NORTHERN REGION

Memorandum

File reference

CY 25/7



3



QUEENSLAND
NATIONAL PARKS
AND WILDLIFE
SERVICE

From P. Hensler, Regional Superintendent, Far Northern Region

To P. Stanton, Regional Director, Far Northern Region

Subject **Heathlands By-Laws**

Date 26 October 1987

Notes PBHMEMO.28

07518

Attached please find four copies of the proposed Heathlands By-laws.

The proposed By-laws to date have received input from key Regional staff as well as D.P.I. staff in Cairns.

Hopefully, they will form the basis to ensure legal control over the Heathlands D & O Reserve.

sch4p4(6) Personal information

P.B. Hensler
REGIONAL SUPERINTENDENT
FAR NORTHERN REGION

A/CMO/ML:

I am basically happy with these by-laws.
- although Lake Murphy is a better model. If we are going to be strong the area should be N.P. with better ultimate control. See 9/12/87
For your review before referral to A/M/ML, ENG & Solicitor - Jim

Director Field Operations

These by-laws (proposed) have taken a long time in drafting because of the need for agreement and consultation with members of the local management committee representing Dept. of Primary Industries interests.

The formal agreement of D.P.I. and subsequent gazettal of these by-laws is a very urgent action, with a deadline of April 1988 if we are to manage and control the reserve.

Currently the reserve is legally uncontrollable by the Service, and for that matter, D.P.I. For urgent follow-up action.

sch4p4(6) Personal information

U' 2/11/87

BY-LAWS

DEPARTMENTAL & OFFICIAL PURPOSES RESERVE

R. 7, HEATHLANDS

000027

(1) Title

These By-Laws may be cited as the Heathlands (R.7) Departmental and Official Purposes Reserve By-Laws, 198?.

(2) Commencement

These By-Laws shall come into operation on ? 198?.

(3) Written Authority

The written authority referred to in these By-Laws shall be in the prescribed format as set out in the First Schedule.

(4) Fees

The fees set forth in the Second Schedule hereto shall be prescribed fees with respect to the purposes and circumstances respectively set out in the schedule.

000026

Interpretation.

(1) In these By-laws save where the contrary intention appears:

"animal" means all mammals, birds, reptiles, frogs, fish, molluscs, crustaceans, insects and all other species of animal life and including the eggs and young or any parts thereof and the whole or part of the carcass, skin or nest and includes both marine and fresh-water forms of animal life.

"camp" includes erecting a tent or other camping structure, camp, lodge, remain overnight or occupy any ground on the Reserve for the purpose of camping.

"commercial activity" includes:

- (a) selling, offering or exposing for sale, or hiring out or being in possession for the purposes of selling, offering for sale or hiring out, any article material or other thing;
- (b) providing or offering to provide any service or facility for reward or other consideration;
- (c) photography for commercial purposes;
- (d) conducting a tour, safari or excursion for reward or other consideration.

"fauna" means:

- (a) a bird or mammal;
- (b) any animal or member of a group of animals wild by nature that is declared by Order in Council to be fauna under the Fauna Conservation Act 1974-84;
- (c) in relation to any animal or member of a group of animals to which provision (b) refers -
 - i) any one or more of the young;
 - ii) any one or more of the eggs or any part of an egg;
 - iii) the whole or any part of the carcass, skin or nest, of that animal or member.

"flora" means all vegetable matter whether living or dead, standing or fallen.

"get" when used in relation to any fauna, flora or quarry material includes win, cut, saw, fell, dig, gather, remove, convert or obtain.

"have in possession" includes having under control in any place, whether for the use or benefit of the person of whom the term is used or of another person, and although another person has the actual possession or custody of the thing in question.

000025

"interfere with" when used in relation to any fauna, flora or quarry material includes destroy, get, damage, mark, move, use or in any way interfere with.

"keep" includes have in possession or under control in any place, whether for the use of or benefit of the person of whom the term is used or of another person, and although another person has the actual possession or custody of the thing in question.

"management" includes control, regulation, construction, maintenance and protection.

"Officer" shall be any person appointed as a Field Officer under the National Parks and Wildlife Act and shall be any person appointed as a Stock Inspector under the Stock Act 1915-81.

"quarry material" includes guano and any of the following materials, namely stone, gravel, sand, rock, clay, earth and soil.

"Reserve" shall mean Reserve for Departmental and Official (Quarantine and Environmental Protection) purposes R.7, being Lot 3 on Plan J04, under the control of the Director-General and Under Secretary, Department of Primary Industries and the Director of National Parks and Wildlife as Trustees.

"sign" means a sign erected by or under the authority of the Trustees; the term includes a notice.

"stock" means cattle, horses, sheep, deer, goats or swine or the young of any such animals, and any other species of animal declared as stock under the Stock Act 1915-81.

"take" includes -

- (a) in relation to fauna, hunt, shoot, kill, poison, net, snare, spear, trap, catch, pursue, disturb, stupefy, disable, pluck, injure, destroy or damage or attempt or permit any of those acts;
- (b) in relation to flora, collect, pick, pluck, poison, disturb, cut, pull up, destroy, damage, dig up, remove or injure or attempt or permit any of those acts;
- (c) in relation to quarry material, dig, excavate, pan, collect, load, disturb, remove or attempt or permit any of those acts.

"Trustees" means the Director-General and Under Secretary, Department of Primary Industries and the Director of Queensland National Parks and Wildlife Service.

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Leasing of Reserve

2. Subject to Sections 343 to 348 inclusive of the Land Act 1962-1986, the Trustees may from time to time lease, or agree to lease, without the right to sub-lease, to a person or company the Reserve or portion thereof, subject to such terms and conditions as the Trustees may from time to time determine.

Reserve to be a public place

3. The Reserve shall be a public place within the meaning of and for the purpose of an Act conferring or imposing upon a member of the Police Force powers or duties with respect to public places by providing for the punishment of offences in public places.

When open to public

4.
 - i) The Reserve shall be open to the public during such periods that the Trustees may from time to time appoint;
 - ii) A person shall not, without the approval of the Trustee, enter the Reserve before the date appointed for the opening thereof, or enter or remain therein after the date appointed for the closing thereof;
 - iii) Until the Trustees have appointed a time when the Reserve is open to the public, such Reserve shall be continuously open to the public.

Use or occupation of Reserve

5.
 - i) A person shall not use or occupy the Reserve for a use or in a manner incompatible with the purposes or objects for which such Reserve is held by the Trustees;
 - ii) A person shall not camp, lodge, or stay overnight in the Reserve for more than fourteen (14) consecutive nights.

Protection of the Public

6.
 - i) A person shall not do any act in the Reserve which would be likely to injure, endanger, obstruct, inconvenience, cause a nuisance or annoy any person in such Reserve.
 - ii) A person who is under the influence of alcohol or any drug shall not be on nor remain in the Reserve.

000023

Protection of the Reserve

7. A person shall not, in the Reserve:

- i) do any act which would be likely to injure, displace, pollute, foul, litter, deface or disorder the Reserve or anything apertaining thereto, or to cause waste, loss, or inconvenience to the Trustee or their Officers; or
- ii) take, keep or interfere in any way with any fauna or flora; or
- iii) use or cause to be used, any generator or other engine driven equipment other than a motor vehicle; or
- iv) operate any radio, cassette, tape or record player or television receiver at a volume or in a manner likely to cause a nuisance or annoyance to persons or disturbance of fauna; or
- v) pollute any stream, watercourse, waterhole, or water supply; or
- vi) dig, disturb, or remove or cause or suffer to be dug, disturbed, or removed, any grass, turf, manure, soil, earth, clay, gravel, sand, stone, or mineral or any material or thing whatsoever; or
- vii) deface, injure, or destroy any part of a wall or fence or any part of a building, barrier, railing, seat, sign or other structure; or
- viii) light or cause to be lit any fire other than in a properly constructed fireplace provided by or for the Trustees, or if no such fireplace be provided, within two (2) metres of any flammable material, or at the butt of any tree; or
- ix) leave unattended any fire lit by that person without completely extinguishing that fire; or
- x) wilfully or deliberately cause, permit or allow a water tap to run water to waste; or
- xi) organise or play any game which is likely to interfere with the safety or comfort of the public, or likely to injure the Reserve or anything apertaining thereto; or
- xii) throw or discharge any stone or missile of any kind; or
- xiii) dump or leave any refuse or rubbish of any description whatsoever except in a receptacle provided for such a purpose; or

000022

- xiv) abandon, nor cause, nor permit, nor allow to be abandoned an aircraft, vehicle, caravan, trailer, boat, or watercraft; or
- xv) introduce any plant or seed or any kind or soil of any kind; or
- xvi) introduce any animal of any kind; or
- xvii) exhibit advertisements in the Reserve or on anything appertaining thereto; or
- xviii) engage in any trade or business in the Reserve; or
- xix) erect any structure, screen, awning, or enclosure in the Reserve; or
- xx) set up, operate or use any loudspeaker or sound amplifying device in the Reserve; or
- xxi) engage in or address any meeting or assembly or conduct or engage in any religious service in the Reserve; or
- xxii) solicit donations in the Reserve; or
- xxiii) give out nor distribute, nor scatter, drop, nor throw down any handbill, ticket, placard, notice, or literature in the Reserve; or
- xxiv) play a musical instrument or sing in a manner which disturbs other persons on the Reserve; or
- xxv) direct or procure a musical performance in the Reserve; or
- xxvi) obstruct, assault, threaten, abuse, insult, or intimidate an Officer of the Trustees in the exercise of his powers or the discharge of his duties under these By-laws, or in the proper execution of his work; or
- xxvii) behave in a disorderly, improper, indecent or unseemly manner.

000021

Control of vehicles

8. i) No person shall, on the Reserve, drive or ride or cause to be driven or ridden a vehicle:
 - (a) other than on a carriageway or road or track provided by the Trustees for public use, or
 - (b) at a speed greater than the maximum speed prescribed with respect to the Reserve by notices erected by the Trustees on the Reserve; or
 - (c) in a manner which would cause that vehicle to swerve, veer, or turn violently without reasonable cause; or
 - (d) at such a speed or in such a manner as may endanger himself or endanger or inconvenience any other person.
- ii) No person shall, on the Reserve, park a vehicle or trailer or cause, permit or allow to be parked a vehicle or trailer:
 - (a) in any place other than a place designated as parking spaces; or
 - (b) where no places are designated as parking spaces, in a position where it would be a nuisance or impede the movement and flow of normal traffic through such Reserve.

Control of Camping

9. No persons shall, on the Reserve, camp in an area that is not defined for that purpose.

Control of vessels

10. No person shall, on the Reserve, use or cause, permit or allow to be used any vessel powered by a combustion engine.

Control of aircraft

11. No person shall, on the Reserve, land any type of aircraft without prior approval.

Control of fire

12. The Trustees or their Officers shall take whatever steps are necessary to control fire to ensure the safety of Reserve visitors, infrastructure and equipment, plus minimize damage to the Reserve itself and seek compensation for all costs incurred from any person found responsible for causing the fire.

000020

Control of strayed stock

13. Should stock be found straying on to the Reserve, the Trustees or their Officers can take whatever steps are necessary to dispose of the straying stock.

Closing Reserve for maintenance

14. The Trustees may at any time close the Reserve or portions thereof for any period for the purpose of carrying out management works thereon.

Fishing

15. A person shall not catch or capture, nor attempt to catch or capture a fish in a stream or water in or upon the Reserve by means of nets, winged traps, or explosives.

Regulation - notices

16. The Trustees may, by notices exhibited in or in the vicinity of the Reserve, regulate the use thereof by the public and without limiting the generality of such regulations and use may:
 - i) regulate the lighting of fires,
 - ii) require vehicles to be kept off places indicated,
 - iii) regulate vehicular and pedestrian traffic,
 - iv) regulate the control of persons therein,
 - v) regulate camping to defined areas.

Buildings

17. Where there are buildings in the Reserve the Trustees may, by notices exhibited within or outside thereof (as the case may render necessary) reserve such buildings for specified uses, or for certain classes of people, regulate the use thereof by the public, and regulate the conduct of the public therein.

000019

Charging

18. The Trustees may impose charges against Reserve users.

Acts contrary to these By-Laws

19. The Trustees or Officers of the Trustees may give written authority for acts to be carried out on the Reserve that are contrary to these By-Laws.

Officers exempted

20. Nothing in these By-laws shall be deemed to extend to any Officer of the Trustees, or any person authorised by the Trustees, doing in pursuance of his duty, any act or thing otherwise prohibited thereby.

General powers of an Officer of the Trustees

21. (1) Any Officer, in addition to such other powers and duties as from time to time devolve upon him under these By-laws may:-
- (a) call to his aid any member of the Police force of Queensland where he has reasonable cause to apprehend any obstruction in the exercise of his powers or in the execution of his duties;
 - (b) be accompanied and aided by any person he may think competent to assist him in making any inspection or examination;
 - (c) make such examination and inquiry as may be necessary to ascertain whether the provision of these By-laws have been or are being complied with by any person;
 - (d) question with respect to matters under these By-laws, the owner or occupier of any place, every person whom he finds in any place and every person who has been within the preceding six months employed in or on any place to ascertain whether these By-laws have been or are being complied with, and require any such person to answer the questions put and to sign a declaration of the truth of his answers;
 - (e) require the production of any permit or other authority granted or agreement or contract made under and for the purposes of these By-laws and of any book, record or writing which is in his opinion material to any inquiry under paragraph (c) and inspect, examine and take copies of or extracts from the same;

000013

- (f) at any time, search and examine all containers, vehicles, vessels, aircraft, or other receptacles for holding or transporting any fauna, flora or quarry material or animal or reasonably suspected so to be and for that purpose the Officer may require the owner or person in charge thereof to open any such container, vehicle, vessel, aircraft or other receptacle, as the case may be, and expose its contents to view;
- (g) subject to subsection (3), between sunrise and sunset enter and inspect any place wherein he reasonably suspects are any fauna, flora or quarry material got from the Reserve or that he reasonably suspects have been got from the Reserve contrary in any respect to these By-laws and seize, take away and detain any fauna, flora or quarry material found therein and the vehicle, vessel or aircraft wherein the same are found and any equipment or gear that he reasonably suspects was used in getting or interfering with the fauna, flora or quarry material and secure the same pending proceedings;
- (h) exercise such other powers, functions and authorities as may be prescribed.
- (2) Any Officer who:-
- i) finds any person committing or who reasonably suspects any person of having committed an offence against these By-laws; or
 - ii) is making inquiries or investigations with a view to establishing whether or not an offence against these By-laws has been committed by any person; or
 - iii) is of the opinion that the name and address of any person is required for the purpose of giving effect to any provision of these By-laws, or for the purpose of enabling him to carry out his powers and duties under these By-laws,

may require such person to state his name and address, or name and address, and, if he has reasonable ground to suppose that the name and address given are or that the name or address given is false, may require evidence of the correctness thereof. Any person who refuses to state his name and place of abode or states a false name or place of abode shall be guilty of a breach of these By-laws.

(3) Before an Officer enters any part of a place, which part is being used as a dwelling at the time the entry is to be made, he shall, save where he has permission of the occupier of that part to his entry obtain from a justice a warrant to enter.

This subsection does not apply in respect of the curtilage of any premises.

000017

(4) A justice who is satisfied upon the complaint of an Officer that there is reasonable cause to suspect:-

- (a) that there are in any place fauna, flora or quarry material; and
- (b) that such fauna, flora or quarry material has been got or interfered with contrary in any respect to these By-laws,

may issue his warrant directed to the Officer to enter the place specified in the warrant for the purpose of his exercising therein and with respect thereto the powers conferred on Officers of the Trustees by this section.

(5) A warrant issued under subsection (4) of this section shall be, for a period of one month from its issue, sufficient authority:-

- (a) to the Officer to whom it is directed and to all persons acting in aid of him to enter the place specified in the warrant; and
- (b) to the Officer to whom it is directed to exercise in respect of the place specified in the warrant all the powers conferred on an Officer by this section.

(6) Cancel in writing any written approval issued by any Officer at any time.

(7) Demand that any person found committing an offence or suspected of committing an offence against these By-laws, leave the Reserve within a given period.

(8) Has the right to deny entry to the Reserve of any person who the Trustees have authorised that such action be taken against.

(9) An Officer has the right to enter any place (except a dwelling house) if he suspects an offence against these By-laws has been committed.

(10) An Officer may seize any equipment, vehicle, vessel or aircraft which, in the opinion of that Officer assisted a person in the taking, keeping or interfering in any way with fauna, flora or the extraction of any quarry material within the Reserve and contrary to the By-laws.

(11) An Officer may seize any animal which was brought onto the Reserve contrary to the By-laws or seize any equipment, vehicle, vessel or aircraft which in the opinion of the Officer, assisted a person to bring any animal onto the Reserve contrary to the By-laws.

(12) Notwithstanding these By-laws, the Minister for Primary Industries or the Minister for National Parks and Wildlife may order that any fauna, flora or mineral matter, or other thing seized under these By-laws be forfeited to Her Majesty through proceedings have not been taken for, nor any person convicted of, an offence against these By-laws in respect thereof.

000016

Mistaken belief as to Boundaries

22. Any person who is charged with an offense against these By-laws with respect to interference with the Reserve in any way or with respect to trespass or encroachment upon, or unlawful use of, the Reserve shall not escape liability for that offence by pleading any mistaken belief as to the situation of the boundaries of the Reserve.

Legal Proceedings

23. Any breach of these By-laws or any of them may be prosecuted in a summary way under the Justices Act 1886-1975 upon the complaint of the Trustees or any person authorised generally or in respect of any special proceedings by writing under the hand of the Trustees.

Proceedings for a breach of these By-laws may be instituted at any time within twelve months after the commission of the breach or within twelve months after the commission of the breach comes to the knowledge of the complainant, whichever is the later period.

The Trustees may, if in their opinion summary proceedings would afford an inadequate or ineffective remedy, and, notwithstanding that summary proceedings have not previously been taken or that such proceedings, having been commenced, have not been adjudicated upon, cause any proceedings to be taken against any person in the Supreme Court:-

- (a) to enforce the abatement or prohibition or restraint of any breach of the By-laws; or
- (b) to enforce compliance with any order made under any of these By-laws; or
- (c) for the recovery of any penalties or expenses from, or for the punishment of, any persons offending against any of these By-laws.

The provisions of these By-laws shall be in addition to, and shall be read and construed so as not to abridge or affect any right, power or remedy whether under any Act or law or at law or in equity.

Protection of the Crown etc.

25. Liability at law shall not attach to the Crown, the Ministers, Trustees or person acting with the authority of the Ministers or Trustees, or any Officer or employee of the Trustees on account of anything done for the purposes of these By-laws or done in good faith and without negligence and purporting to be for the purposes of these By-laws.

Facilitation of proof

26. In any proceedings under or for the purpose of these By-laws:-

- (a) it shall not be necessary to prove the appointment of any Officer of the Trustees, or the authority of any Officer of the Trustees, to do any act or to take the proceedings or to give any direction or order, but this shall not prejudice the right of any defendant to prove the extent of such authority;
- (b) a signature purporting to be that of any Officer shall be taken to be the signature it purports to be until the contrary is proved;
- (c) it shall not be necessary to prove that any place is within the Reserve, or part thereof, but this shall not prejudice the right of any defendant to prove that any place is not within the Reserve or part thereof;
- (d) a document purporting to be a duplicate or a copy of a lease, permit or other authority, notice, or order granted, given or made under these By-laws shall, upon its production in evidence, be evidence of that lease, permit, other authority, notice, or, as the case may be, order, and in the absence of evidence in rebuttal thereof, shall be conclusive evidence thereof.

Penalties

27. i) A person who in any respect contravenes or fails to comply with any provision of these By-laws or any requirement or direction duly given under any provisions thereof shall be guilty of an offence.
- ii) A person guilty of an offence against the provisions of these By-laws shall be liable to a penalty not less than \$200.00 and not exceeding \$1 000.00. *few penalty*
- iii) In the case where contravention or failure to comply is of such a nature that it may be committed from day to day in any such case a person shall be liable in addition to any other penalty to which he is liable pursuant to these By-laws to a penalty not exceeding \$50.00 for each day during which it is continued as from the date of its occurrence until the date on which he is convicted of the offence or until the date on which the default is rectified whichever date is the earlier. *one penalty unit*

FIRST SCHEDULE

Heathlands (R.7)

Departmental & Official Purposes Reserve

By-Laws 198?

WRITTEN AUTHORITY

DEPARTMENT OF	QUEENSLAND	This written authority is issued subject to any conditions the Trustees or an Officer of the Trustees may wish to impose.
PRIMARY	NATIONAL PARKS	
INDUSTRIES	AND WILDLIFE	
	SERVICE	

This Written Authority authorises _____

Full Name

of _____

Residential Address

to _____

subject to the following conditions:

This Authority shall remain valid from _____ to _____

Authorising Officer: _____

000013

PERMIT TO CAMP

This permit is issued subject to the conditions and By-laws on the back hereof and any other conditions or By-laws which may be applicable.

Vehicle/vessel ID

Access type	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64
	2WD		4WD		Tr	Mod	PB	MB	Bus	MBu	Pub	PBo	SBo	Can	Cru	DCr	Cha	Pla	SP	Ped

Please notify the Officer-In-Charge of any proposed changes

Authorizing
Officer _____
FM154

Circle
one box
only

☐ Off-site
or mail

On-site
booked

☐ On-site
not booked

Conditions and By-laws

This permit is issued to cover the period of time specified unless cancelled or amended by any officer of the Trustees.

Dogs or other domestic animals must not be taken onto or kept on the Reserve.

Firearms are not permitted on the Reserve.

All components of the natural environment, both living and non-living, are protected on the Reserve. This includes birds, mammals, snakes, lizards, frogs, fish and invertebrates, all vegetable matter from the largest tree to individual fruits, flowers, seeds, leaves and even minute mosses and lichens, along with soil, rocks, aboriginal artifacts and paintings. These are not to be disturbed or interfered with in any way at any time.

Please bring your own firewood or gas cooking equipment.

Firewood must not be collected from the Reserve unless approved by the supervising officer.

Take extreme care with fire at all times. Light fires in constructed fireplaces where provided.

Remove all rubbish from the Reserve if rubbish disposal facilities are not provided. Please do not bury.

Restrict your vehicle to constructed roadways or parking areas.

Vehicles on the Reserve must be registered for use on public roads.

Show due consideration for the rights of other Reserve visitors to peaceful and quiet conditions at all times. Disorderly, improper, indecent or unseemly conduct is not allowed.

While on the Reserve the permittee is required to obey any lawful instruction given by an officer of the Trustees.

Camping is not permitted within 15 metres of any lake or stream.

000012

ORDER IN COUNCIL

At the Executive Building, Brisbane, the twenty-eighth day of November, 1988

Present:

His Excellency the Governor in Council

WHEREAS by the *City of Brisbane Town Planning Act 1964-1988* it is, amongst other things, provided that the Governor in Council on the recommendation of the Minister, may at any time and from time to time amend the Town Plan for the City of Brisbane (hereinafter referred to as "the Plan"); And whereas the Minister has recommended that the Plan be amended in the manner hereinafter set forth: Now, therefore, His Excellency the Governor, acting by and with the advice of the Executive Council and in pursuance of the provisions of the said Act, hereby approves of the aforesaid recommendation made by the Minister for amendment of the Plan and hereby amends the Plan -

(a) by excluding the land described in Column 1 of the Schedule hereto from the Zone set forth in Column 2 of the said Schedule; and

(b) by including such land in the Zone set forth in Column 3 of the said Schedule.

And the Honourable the Minister for Local Government and Racing is to give the necessary directions herein accordingly.

E. J. BIGBY, Clerk of the Council

The Schedule

Column 1	Column 2	Column 3
Lot 301 on Plan SL 5575, Lot 332 on Plan SL 7143, Lot 4 on R.P. 10915, Lot 6 on R.P. 10895, Lots 11, 13 and 15 on R.P. 10890 and Lot 21 on R.P. 114070, parish of South Brisbane	Partly Special Uses Zone and partly Warehouse and Transport Zone as shown on Scheme Map Z/87-M16	Particular Development Zone as shown on Scheme Map Z/87-M16/3

BRISBANE
Printed and Published by S. R. Hampson, Government Printer, Vulture Street, Woolloongabba
3 December, 1988

[1533]



Queensland Government Gazette

PUBLISHED BY AUTHORITY

ISSN 0155-9370

Vol. CCLXXXIX]

SATURDAY, 3 DECEMBER, 1988

[No. 82

ORDER IN COUNCIL

At the Executive Building, Brisbane, the first day of December, 1988

Present:

His Excellency the Governor in Council

WHEREAS by the Orders in Council referred to in the First Schedule hereto, the lands described therein were reserved for the purposes mentioned: And whereas it is expedient that the said Orders in Council should be amended: Now, therefore, His Excellency the Governor, acting by and with the advice of the Executive Council and in pursuance and exercise of the authority vested in him by the *Land Act 1962-1988* doth order and it is hereby ordered that the said Orders in Council shall be and the same are hereby amended by substituting the descriptions specified in the Second Schedule hereto, for the descriptions specified in the First Schedule.

And the Honourable the Minister for Land Management is to give the necessary directions herein accordingly.

E. J. BIGBY, Clerk of the Council

First Schedule

Land Agent's District	Parish	Purpose and Description of Land	Area	Date of Order in Council	Date of Gazette	Reference No.
Brisbane	Maroochy	State School, BII BII (R.501)	1.2141 ha	7 July, 1922	8 July, 1922	Res. 3018
ditto	Gilston	Recreation (R.305)	Abt. 10.7 ha	31 March, 1988	2 April, 1988	Res. 7287
Caits	Koorboora	Police (R.26)	2023 m ²	8 July, 1915	10 July, 1915	Res. 568
Gladstone	Booroom	Camping and Water (R.11)	Abt. 161.6 ha	1 Nov., 1973	3 Nov., 1973	Res. 2686
Torres	Cayley, Carbutt, Carden, Coghill, Carmac and Burrard	Departmental and Official (R.7)	Abt. 126000 ha	2 Oct., 1986	4 Oct., 1986	Res. 23640

Second Schedule

THE BRISBANE LAND AGENT'S DISTRICT

Reserve for State School (BII BII) Purposes

County of Canning, parish of Maroochy

Area, 1.2 hectares

R.501, being Lot 1037 on plan CG6231 registered in the Department of Geographic Information.

Reserve for Recreation

County of Ward, parish of Gilston

Area, about 10.6 hectares

R.305, being Lot 40 on plan WD6451 registered in the Department of Geographic Information.

THE CAIRNS LAND AGENT'S DISTRICT

Reserve for Police Purposes

County of Lynd, parish of Koorboora

Area, about 785 square metres

R.26, being Lot 5 on plan LD152 registered in the Department of Geographic Information.

THE GLADSTONE LAND AGENT'S DISTRICT

Reserve for Camping and Water

County of Clinton, parish of Booroom

Area, about 161.6 hectares

R.11, being Lot 102 on plan CTN2110 registered in the Department of Geographic Information.

41-147

THE TORRES LAND AGENT'S DISTRICT
Reserve for Departmental and Official Purposes
County of Jardine, parishes of Cayley, Carbutt, Carden, Coghill, Carnac and Burrard
Area, about 126000 hectares
R.7, being Lot 3 on plan JD8 registered in the Department of Geographic Information.

ORDER IN COUNCIL
At the Executive Building, Brisbane, the first day of December, 1988
Present:
His Excellency the Governor in Council

WHEREAS by the Orders in Council referred to in the Schedule hereto, the lands described in such Orders in Council were reserved and set apart for the purposes therein mentioned: And whereas it is expedient that the reserving and setting apart of the lands described in the said Schedule hereto should be rescinded: Now, therefore, His Excellency the Governor, acting by and with the advice of the Executive Council and in pursuance and exercise of the authority vested in him by the *Land Act 1962-1988* doth order and it is hereby ordered that the Orders in Council shall be and the same are rescinded in so far as such Orders in Council relate to the reserving and setting apart of the lands described in the said Schedule.

And the Honourable the Minister for Land Management is to give the necessary directions herein accordingly.

E. J. BIGBY, Clerk of the Council

The Schedule

Land Agent's District	Parish (County)	Purpose and Description of Land	Area	Date of Order in Council	Date of Gazette	Reference
Charters Towers	Penland (Griffith)	(Aerodrome (R.52)) (Aerodrome (R.62))	Abt. 11.3 ha Abt. 10.5 ha	14 Oct., 1976 15 July, 1982	16 Oct., 1976 17 July, 1982	Res. 16586
Gladstone	Nolan (Deas Thompson)	Camping and Road (R.106)	Abt. 21.0437 ha	15 June, 1916	17 June, 1916	Res. 1636
Torres	Eglington, Arnott, Blake and Agnew (Weipa and Dulnuty)	Benefit of Aboriginal inhabitants, Mapoon (R.34)	Abt. 107000 ha	23 Oct., 1986	25 Oct., 1986	Res. 23430
ditto	Mapoon and Pennefather (Weipa)	Benefit of Aboriginal inhabitants, Mapoon (R.35)	Abt. 34900 ha	23 Oct., 1986	25 Oct., 1986	Res. 23431
ditto	Dunblane (Weipa)	Benefit of Aboriginal inhabitants, Mapoon (R.36)	Abt. 1170 ha	23 Oct., 1986	25 Oct., 1986	Res. 23432
ditto	Dunblane and Batavia (Weipa)	Benefit of Aboriginal inhabitants, Mapoon (R.37)	Abt. 9830 ha	23 Oct., 1986	25 Oct., 1986	Res. 23433
ditto	Dunblane and Skardon (Jardine and Weipa)	Benefit of Aboriginal inhabitants, Mapoon (R.38)	Abt. 27500 ha	23 Oct., 1986	25 Oct., 1986	Res. 23434
ditto	Dumfries (Weipa)	Benefit of Aboriginal inhabitants, Mapoon (R.39)	Abt. 8890 ha	23 Oct., 1986	25 Oct., 1986	Res. 23435

ORDER IN COUNCIL
At the Executive Building, Brisbane, the first day of December, 1988
Present:
His Excellency the Governor in Council

WHEREAS by the *Land Act 1962-1988*, it is amongst other things provided that, if at any time it becomes necessary or expedient to correct any instrument of lease by reason that certain facts having arisen or appeared since the issue of such instrument, the Governor in Council deems a correction of such instrument necessary or expedient, the Governor in Council may, by Order in Council, declare the matters intended to be corrected and the description or matters substituted or added in such instrument: And whereas an instrument of lease has issued in respect of Auction Purchase Freehold No. 21/17128, GYMPIE Land Agent's District, being Lot 25 on Plan MCH4403, parish of Tuchekoi: And whereas it has become necessary to correct such instrument by reason that in consequence of the purchasers having voluntarily made payment of part of the purchasing price of the said land ahead of the prescribed time, the balance of unpaid purchase money and the annual instalment are amended from \$14225.64 and \$3460.04, respectively, to \$10927.77 and \$2657.91 respectively, as from 15th July, 1988: Now, therefore, His Excellency the Governor, acting by and with the advice of the Executive Council, doth hereby order and declare that the said instrument shall be corrected by endorsement on the instrument of the facts stated.

And the Honourable the Minister for Land Management is to give the necessary directions herein accordingly.
A.P.F. 21/17128

E. J. BIGBY, Clerk of the Council

ORDER IN COUNCIL
At the Executive Building, Brisbane, the first day of December, 1988
Present:
His Excellency the Governor in Council

WHEREAS by the *Land Act 1962-1988*, it is amongst other things provided that the Governor in Council may deal with any Crown land within Queensland: And whereas it is provided further that, if at any time it becomes necessary or expedient to correct any instrument of lease by reason that the Governor in Council has approved of the inclusion in the holding of an area of Crown land, the Governor in Council may, by Order in Council, declare the matter intended to be corrected and the description or matter substituted or added in such instrument: And whereas an instrument of lease has issued in respect of Special Lease No. 07/45845, BUNDABERG Land Agent's District, being Lot 41 on Plan CK3321, parish of Stanton: And whereas it is expedient that the Governor in Council approve of the inclusion in the holding of an area of Crown land: And whereas upon such approval it is necessary to correct such instrument of lease by reason that in consequence of the inclusion in the holding of such area of Crown land the area, annual rent and description thereof require amendment to 2.9909 hectares, \$120.00 and Lot 41 on Plan CK3644 respectively: Now, therefore, His Excellency the Governor, acting by and with the advice of the Executive Council, doth hereby approve of the inclusion in the holding of such area of Crown land as from 1st July, 1988, and doth hereby order and declare that the said instrument shall be corrected by endorsement on the instrument of the facts stated.

And the Honourable the Minister for Land Management is to give the necessary directions herein accordingly.
S.L. 07/45845

E. J. BIGBY, Clerk of the Council

ORDER IN COUNCIL
At the Executive Building, Brisbane, the first day of December, 1988
Present:
His Excellency the Governor in Council

WHEREAS by the *Land Act 1962-1988*, it is amongst other things enacted that the Governor in Council may, by Order in Council, reserve and set apart any Crown land which in the opinion of the Governor in Council, is or may be required for any public purpose: And whereas by the said Act it is further enacted that the Governor in Council may, by Order in Council, place any land so reserved under the control of trustees: And whereas in the opinion of the Governor in Council the land described in the Schedule hereto is required for public purposes: Now, therefore, His Excellency the Governor, acting by and with the advice of the Executive Council and in pursuance and exercise of the authority vested in him by the said Act, doth order and it is hereby ordered that the land described in the Schedule hereto be reserved and set apart for the purposes stated in each case respectively, and that the said lands shall be placed under the control of the Local Authority stated, in each case respectively, as trustee.

And the Honourable the Minister for Land Management is to give the necessary directions herein accordingly.

E. J. BIGBY, Clerk of the Council

THE CHARTERS TOWERS LAND AGENT'S DISTRICT

(Under the control of the Council of the Shire of Dalrymple, as trustee)

Reserve for Gravel and Recreation Purposes
County of Davenport, parish of Charters Towers

Area, about 29.7 hectares
R.279, being Lot 275 on plan DV706 registered in the Department of Geographic Information.

Reserve for Aerodrome
County of Griffith, parish of Penland
Area, about 10.5 hectares
R.76, being Lot 27 on plan GF148 registered in the Department of Geographic Information.
Res. 16586

THE STANTHORPE LAND AGENT'S DISTRICT
Reserve for Local Government (Refuse Transfer Facilities)
(Under the control of the Council of the Shire of Stanthorpe, as trustee)
County of Bentinck, parish of Ballandean
Area, 3751 square metres
R.450, being Lot 47 on plan BNT1784 registered in the Department of Geographic Information.
R.C. 46079

ORDER IN COUNCIL
At the Executive Building, Brisbane, the first day of December, 1988
Present:
His Excellency the Governor in Council

HIS Excellency the Governor, acting by and with the advice of the Executive Council and in pursuance of the provisions of the *Acquisition of Land Act 1967-1986*, approves the taking of the Easement described in the Schedule hereto for Drainage purposes by Brisbane City Council and that the rights and obligations conferred and imposed shall include the following terms:—
The full and free right and liberty at all times and from time to time to have, lay, construct and thereafter forever to use and maintain on, over, through or under the land described in the Schedule hereto (which land is hereinafter referred to as "the said land") drains, pipes, conduits and channels including open cut drains and channels, rain water conduits and pipes and covered and uncovered drains for the passage or conveyance of rain water and waste or foul liquids and all manholes, manhole chambers, inlets, equipment and fittings in connection therewith or for the accommodation of any adjoining or neighbouring property or properties or otherwise in the execution of the said Council's

drainage powers and for the purposes aforesaid and for the purpose of obtaining free and uninterrupted access to the said drains, pipes, conduits and channels, manholes, manhole chambers, inlets, equipment and fittings from the surface of the said land and for the purposes of changing the size and number of, operating, inspecting, patrolling, altering, removing, replacing, reconstructing and/or repairing the said drains, pipes, conduits and channels, manholes, manhole chambers, inlets, equipment and fittings, full free and uninterrupted right and liberty at all times by day and by night and from time to time to enter upon and to go, pass and repass over, along and under the said land or any part or parts thereof with or without engineers, surveyors, servants, agents, licensees, contractors, subcontractors, workmen and others authorised by the said Council and with or without horses, carts, drays, motor cars, lorries, waggons, trucks, trolleys, cranes, earthmoving equipment and other vehicles and things, laden or unladen, and to dig into, sink shafts in, erect scaffolding upon and to open and break up the soil of the said land or any part or parts thereof as well as the subsurface as the surface thereof and to bring and place in and upon the said land or any part or parts thereof and remove such materials, machinery, equipment, tools and other articles and to do such other incidental works and things in the premises as the said Council shall in its discretion think fit and also the full and free right at all times and from time to time to the uninterrupted flow of rain water and drainage of all kinds inclusive of stormwater run off flowing in concentration either intermittently or occasionally (all of which is hereinafter called "stormwater drainage") over and along the surface of the said land without—

(1) any obstruction, interruption, impeding, hampering or interference, diversion, scouring, change or alteration in or to the flow or escape of stormwater drainage or its or their natural outlet (if any); or
(2) any ponding of waters,
caused by or consequent upon—
(a) any use to which the said land may be put; or
(b) the erection, raising, making, placing or suffering to stand or to remain of any building, fence, wall, structure (whether of the class just mentioned or not) paving or vegetation (except grass which is kept properly mown at all times) or thing whatsoever upon the said land; or
(c) any alteration in level or gradient of the said land or any change to the surface of the said land or to the natural or artificial features of the said land which contain or assist in containing the flow of stormwater drainage over the said land,

other than as is or are permitted in writing by the said Council or the Permanent Head for the time being of the Department of Works of the said Council and only on such terms and conditions as the said Council or the said Permanent Head may impose or stipulate in the event of such permission being granted with power for the said Council and its contractors, agents and servants (but without prejudice to any other powers or remedies of the said Council) at the cost to the owner or owners, registered proprietor or registered proprietors or occupier or occupiers from time to time and for the time being of the said land or any of them—

(i) to demolish, remove or otherwise dispose of any building, fence, wall, structure (whether of the class just mentioned or not) paving or vegetation (except grass which is kept properly mown at all times) or thing whatsoever at any time on or in the said land in contravention of the foregoing provisions; and
(ii) to perform any works necessary for restoring or reinstating the said land (including the grass thereon) and the natural or artificial features containing or assisting in containing the flow of stormwater drainage over the said land to their former state and condition; and also
(iii) to alter, grade, pave, prepare, grass, fertilize or mow the surface of the said land or place, install, establish or construct and keep any earthworks and any other works whatsoever (whether of the class just mentioned or not) thereon or therein for the purpose of the exercise of the rights hereinbefore given or incidental thereto or for the purpose of forming the surface of the said land in such a way as to contain the flow of stormwater drainage or for the purpose of rectifying or alleviating any scouring of the said land due to the flow of stormwater drainage thereover,

ORDER IN COUNCIL

At the Executive Building, Brisbane, the second day of October, 1986

Present:

His Excellency the Governor in Council

WHEREAS by the Orders in Council referred to in the Schedule hereto, the lands described in such Orders in Council were reserved and set apart for the purposes therein mentioned: And whereas it is expedient that the reserving and setting apart of the lands described in the said Schedule hereto should be rescinded: Now, therefore, His Excellency the Governor, acting by and with the advice of the Executive Council and in pursuance and exercise of the authority vested in him by the *Land Act 1962-1986*, doth order and it is hereby ordered that the said Orders in Council shall be and the same are rescinded in so far as such Orders in Council relate to the reserving and setting apart of the lands described in the said Schedule.

And the Honourable the Minister for Lands, Forestry, Mapping and Surveying is to give the necessary directions herein accordingly.

S. SCHUBERT, Clerk of the Council

The Schedule

Land Agent's District	Parish (and County)	Purpose and Description of Land	Area	Date of Order in Council	Date of Gazette	Reference No.
Brisbane	Redland (Stanley)	Park and Recreation (R.2786)	3 570 m ²	28 April, 1977	30 April, 1977	Res. 16872
Ditto	South Brisbane (Stanley)	Park, Recreation and Museum (R.3013)	1 325 m ²	4 Sept., 1980	6 Sept., 1980	Res. 18959
Ditto	Woorim (Canning)	Recreation, Bribe Island (R.609)	About 129.5 ha	12 Dec., 1935	14 Dec., 1935	Res. 5843
Georgetown	Uraga (Tate)	State School, Mount Surprise (R.13)	About 1 214 ha	10 Jan., 1957	12 Jan., 1957	Res. 9789
Ingham	Trebonne (Cardwell)	Ambulance Brigade (R.283)	1 518 m ²	25 Oct., 1934	27 Oct., 1934	Res. 3494
Maryborough	Poyangan (Fraser)	Local Government (Depot Site) (R.17)	About 2 700 m ²	19 Oct., 1978	21 Oct., 1978	Res. 18009
Rockhampton	Rockhampton (Livingstone)	School, Allenstown (R.667)	582 m ²	14 Sept., 1950	16 Sept., 1950	Res. 8445

ORDER IN COUNCIL

At the Executive Building, Brisbane, the second day of October, 1986

Present:

His Excellency the Governor in Council

WHEREAS by the Orders in Council referred to in the First Schedule hereto, the lands described therein were reserved for the purposes mentioned: And whereas such lands are under the control of the trustees stated in the said Schedule: And whereas by the *Land Act 1962-1986*, it is amongst other things enacted that the Governor in Council may, by Order in Council, reserve and set apart any Crown land which, in the opinion of the Governor in Council, is or may be required for any public purpose: And whereas by the said Act it is further enacted that the Governor in Council may, by Order in Council, place any land so reserved under the control of trustees: And whereas in the opinion of the Governor in Council areas of Crown land adjacent to the lands described in the said First Schedule should be reserved and added to such lands for the like purposes: And whereas it is expedient that the said Orders in Council referred to in the said First Schedule hereto should be amended accordingly: Now, therefore, His Excellency the Governor, acting by and with the advice of the Executive Council and in pursuance and exercise of the authority vested in him by the said Act, doth order and it is hereby ordered that the areas of Crown land referred to in the said First Schedule shall be reserved and added to and become part of the lands described therein for the like public purposes, that such lands shall be placed under the control of the trustees as stated in the said Schedule, and that the Orders in Council aforesaid referred to in the First Schedule hereto shall be and the same are hereby amended by substituting for the description of the lands contained therein, the description of the lands specified in the Second Schedule hereto.

And the Honourable the Minister for Lands, Forestry, Mapping and Surveying is to give the necessary directions herein accordingly.

S. SCHUBERT, Clerk of the Council

First Schedule

Land Agent's District	Parish	Purpose and Description of Land	Area	Date of Order in Council	Date of Gazette	Trustee	Area of Crown Land to be Added	Reference No.
Brisbane	Capalaba	Local Government (Gravel) (R.2288)	31 565 ha	19 June, 1969	21 June, 1969	Council of the Shire of Redland	2 335 ha	Res. 13546
Taroom	Wandoan	Landing Ground for Aircraft, Wandoan (R.135)	5 147 ha	28 May, 1964	30 May, 1964	Council of the Shire of Taroom	1 497 ha	Res. 11714
Toowoomba	Drayton	Recreation, Toowoomba (R.366)	About 6 250 m ²	9 Oct., 1975	11 Oct., 1975	Council of the City of Toowoomba	6 256 m ²	Res. 1981

Second Schedule

THE BRISBANE LAND AGENT'S DISTRICT

Reserve for Local Government (Gravel) Purposes

County of Stanley, parish of Capalaba, town of Cleveland

Area, about 33.9 hectares

R.2288, being Lot 162 on plan SL11374 registered in the Department of Mapping and Surveying.

THE TAROOM LAND AGENT'S DISTRICT

Reserve for Landing Ground for Aircraft

County of Fortescue, parish of Wandoan

Area, 6.644 hectares

R.135, being Lot 140 on plan FT981 registered in the Department of Mapping and Surveying.

THE TOOWOOMBA LAND AGENT'S DISTRICT

Reserve for Recreation

County of Aubigny, parish of Drayton

Area, about 1 250 6 hectares

R.366, being Lot 215 on plan AG3332 and Lots 1003 and 1004 on plan AG3565 registered in the Department of Mapping and Surveying.

ORDER IN COUNCIL

At the Executive Building, Brisbane, the second day of October, 1986

Present:

His Excellency the Governor in Council

WHEREAS by the *Land Act 1962-1986* it is amongst other things provided that, if at any time it becomes necessary or expedient to correct any instrument of lease by reason that certain facts having arisen or appeared since the issue of such instrument, the Governor in Council deems a correction of such instrument necessary or expedient, the Governor in Council may, by Order in Council, declare the matters intended to be corrected and the description or matter substituted or added in such instrument: And whereas an instrument of lease has been issued in respect of Special Lease No. 09/28439, CAIRNS Land Agent District, over portion 149 on plan Nr.4208, parish of Trinity: And whereas it has become necessary to correct such instrument by reason that due to more recent information being obtained as to the correct location of the boundaries of the land comprised in the lease, the area has been amended to about 1 448 square metres, with the annual rent remaining unaltered, and by the substitution of the description Lease B on plan NR7541 in lieu of portion 149 on plan Nr.4208 where appearing in the said instrument: Now, therefore, His Excellency the Governor, acting by and with the advice of the Executive Council, doth hereby order and declare that the said instrument shall be corrected by endorsement on the instrument of the facts stated.

And the Honourable the Minister for Lands, Forestry, Mapping and Surveying is to give the necessary directions herein accordingly.

S.L. 09/28439

S. SCHUBERT, Clerk of the Council

ORDER IN COUNCIL

At the Executive Building, Brisbane, the second day of October, 1986

Present:

His Excellency the Governor in Council

WHEREAS by the *Land Act 1962-1986*, it is amongst other things enacted that the Governor in Council may, by Order in Council, reserve and set apart any Crown land which in the opinion of the Governor in Council, is or may be required for any public purpose: And whereas by the said Act it is further enacted that the Governor in Council may, by Order in Council, place any land so reserved under the control of trustees: And whereas in the opinion of the Governor in Council the land described in the Schedule hereto is required for public purposes: Now, therefore, His Excellency the Governor, acting by and with the advice of the Executive Council and in pursuance and exercise of the authority vested in him by the said Act, doth order and it is hereby ordered that the land

described in the said Schedule hereto be reserved and set apart for the purposes stated in each case respectively, and that the said lands shall be placed under the control of the Local Authority or Person stated in each case respectively, as Trustee.

And the Honourable the Minister for Lands, Forestry, Mapping and Surveying is to give the necessary directions herein accordingly.

S. SCHUBERT, Clerk of the Council

The Schedule

THE BRISBANE LAND AGENT'S DISTRICT

Reserve for Local Government (Historic Building and Community Organisation) Purposes

(Under the control of Brisbane City Council, as trustee)

County of Stanley, parish of South Brisbane, city of Brisbane

Area, 1 684 square metres

R.3765, being Lot 413 on plan SL11409 registered in the Department of Mapping and Surveying.
Res. 18959

THE TAROOM LAND AGENT'S DISTRICT

Reserve for Recreation

(Under the control of the Council of the Shire of Taroom, as trustee)

County of Fortescue, parish of Taroom

Area, about 7.55 hectares

R.184, being Lot 218 on plan FT998 registered in the Department of Mapping and Surveying.
R.C. 45393

THE TORRES LAND AGENT'S DISTRICT

Reserve for Departmental and Official Purposes

(Under the control of the Director-General and Under Secretary, Department of Primary Industries and the Director of National Parks and Wildlife, as trustees)

County of Jardine, parishes of Cayley, Carbutt, Carden, Coghill, Carnac and Burrard

Area, about 126 000 hectares

R.7, being Lot 3 on plan JD4 registered in the Department of Mapping and Surveying.
O.L. 43/87 Torres

Queensland Government

Natural Resources and Water

DEPARTMENT OF NATURAL RESOURCES AND WATER

TENURE HISTORY REPORT

PRESENT LAND STATUS

Tenure: Resource Reserve
Trustee: Environmental Protection Agency
Description: Lot 3 on JD8
Title Reference: 47532037
Area: 12600 ha abt

See Smartmap: *Annexure 1*
See ATS Search: *Annexure 2*
See Plan: *Annexure 3*

The resource reserve was created by Subordinate legislation 1994 No. 475 to the Nature Conservation Act which created the Nature Conservation (Declaration of Nature Refuges) Amendment Regulation (No. 1) 1994 and provides for section 6 – Dedication, naming and trustees of Resource Reserves. This legislation commenced on the date of notification, 16 December 1994. See *Annexure 4*.

PREVIOUS HISTORY

Period/Date	Tenure
16/12/1994 - 03/12/1988	By Order in Council in Government Gazette 3/12/1988, R7 was set apart as Reserve for Departmental and Official Purposes and remained as Reserve for Departmental and Official Purposes until the enactment of the above subordinate legislation.
See Gazette:	<i>Annexure 5</i>
03/12/1988 – 04/10/1986	By Order in Council in Government Gazette 04/10/1986 the land (exclusive of Lot 2 on Plan JD2 which is addressed below) was set apart as Reserve for Departmental and Official Purposes R7, being Lot 3 on Plan JD4 under the control of the Director-General and Under Secretary, Department of Primary Industries and the Director of National Parks and Wildlife, as trustees.
See Gazette:	<i>Annexure 6</i>
See Plan:	<i>Annexure 7</i>
27/02/1987 - 01/07/1971	Lot 2 on plan JD2, part of which now comprises part of Reserve R.7 and part of which is now Esplanade, was held by Comalco under Special Lease No. 35545 from 01/07/1971 to 30/07/1981

and under Special Lease No. 44683 from 01/01/1982 until 27/02/1987 when the Company surrendered it for the purpose of including it in R7. In the interim, between the two leases, the Company enjoyed informal occupancy. Prior to 01/07/1971 Lot 2 had been part of OL 87. For location of Lot 2 and details of the leases, see copies of the instruments of lease.

See Lease:

Annexure 8

See Lease:

Annexure 9

**19/06/1985 –
01/11/1968**

Held as Occupation License No. 87 by Comalco. The OL was determined on 19/06/1985 and it remained Unallocated State Land until 04/10/1986.

See License:

Annexure 10

See Map:

Annexure 11

**01/11/1968 –
08/09/1965**

The land comprised in surrendered OL 80 Torres (which includes the subject land) remained as Unallocated State Land until it was taken up from 01/11/1968 by Comalco Aluminium Pty Ltd.

**08/09/1965 -
04/09/1962**

The subject land formed part of Occupation License No. 80 held by sch4p4(6) Personal information who surrendered it on 08/09/1965.

See License:

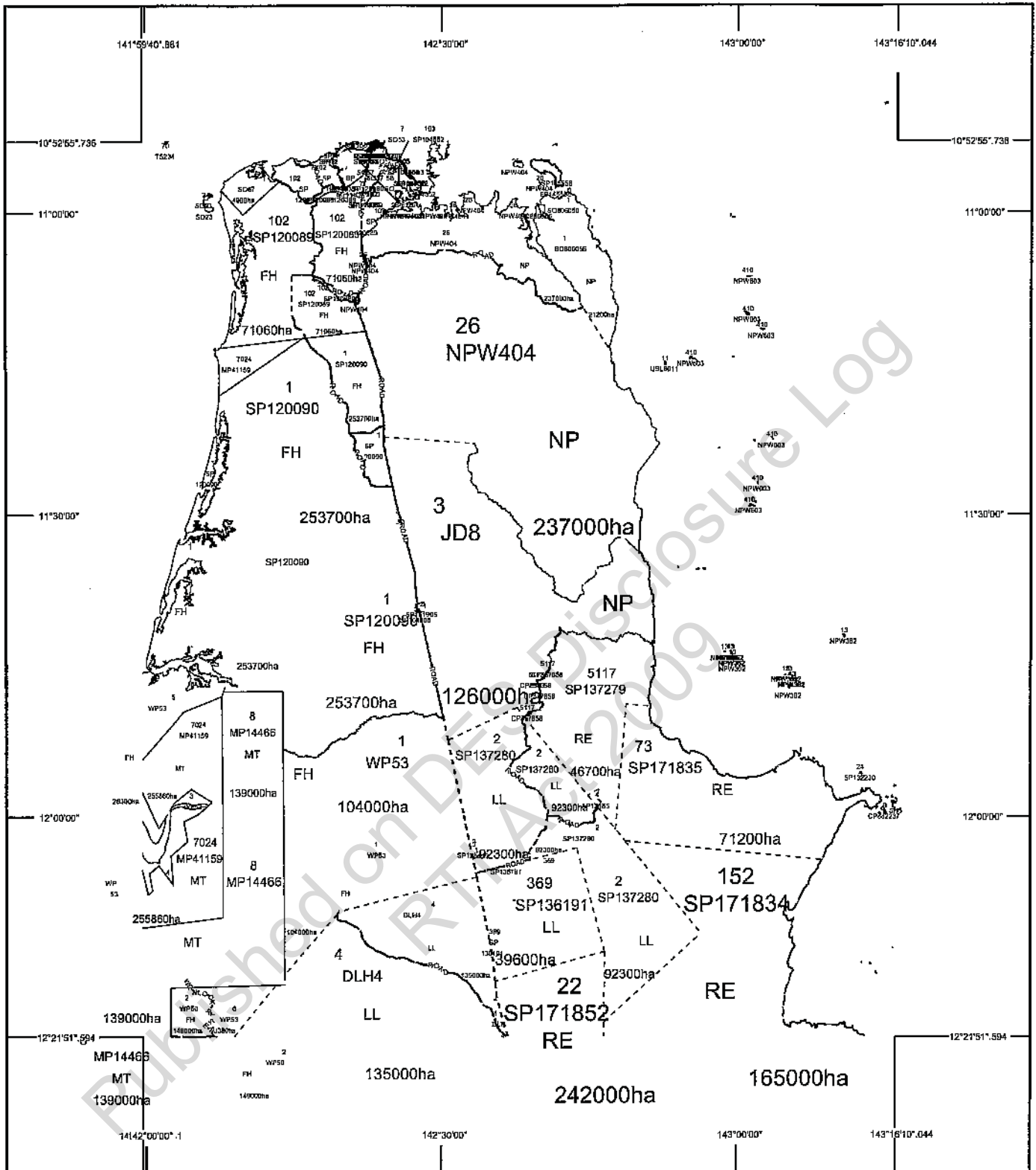
Annexure 12

See Plan:

Annexure 13

Prior to 04/09/1962 -

A search of Departmental records failed to locate any dealings prior to 04/09/1962.



STANDARD MAP NUMBER
7474-41333

MAP WINDOW POSITION &
NEAREST LOCATION

142°37'59".464
11°37'23".565
JARDINE RIVER (DOUGALSHIRE)
35 50 NW

SUBJECT PARCEL DESCRIPTION

DCDB
Lot/Plan 3/JD8
Area/Volume 128000ha
Tenure NATIONAL PARK
Local Government COOK SHIRE
Locality SHELBURNE
Parish CAYLEY
County JARDINE
Segment/Parcel 62107/1

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 12/12/2007

DCDB 11/12/2007 (Lots with an area less than 10,000ha are not shown)

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For further information on SmartMap products visit <http://nrm.qld.gov.au/property/mapping/bimmap>

FILE A

SmartMap

An External Product of
SmartMap Information Services

Based upon an extraction from the
Digital Cadastral Data Base



**Queensland
Government**

**Natural Resources
and Water**

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Natural Resources and Water, 2007

Page 25 of 47



18-474

INTERNAL CURRENT STATE TENURE SEARCH

NATURAL RESOURCES AND WATER, QUEENSLAND

Search Date: 12/12/2007 14:45

Title Reference: 47532037

Date Created: 27/08/2007

Opening Ref:

Purpose: RESOURCE RESERVE

Local Name: HEATHLANDS RESOURCES RESERVE

OWNERTHE STATE OF QUEENSLAND (REPRESENTED BY THE
ENVIRONMENTAL PROTECTION AGENCY)**ESTATE**

Estate in Protected Area Estate

LOT 3 CROWN PLAN JD8
County of (Not Recorded) Parish of (Not Recorded)

Area: 12600.000000 Ha. (ABOUT)

EASEMENTS AND ENCUMBRANCES

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

** End of Current State Tenure Search **

Information provided under section 34 Land Title Act (1994)



Nature Conservation Act 1992

Nature Conservation (Protected Areas) Regulation 1994

Reprinted as in force on 30 November 2007

Reprint No. 12B

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s 4A

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s 7

*Nature Conservation (Protected Areas) Regulation 1994***4A Dedication and naming of national parks (recovery)**

Each of the areas of State land described in schedule 2A, column 2, is—

- (a) dedicated as a national park (recovery); and
- (b) assigned the name set out opposite it in the schedule, column 1.

5 Dedication and naming of conservation parks

Each of the areas of State land described in schedule 3, column 2 is—

- (a) dedicated as a conservation park; and
- (b) assigned the name set out opposite it in the schedule, column 1.

6 Dedication and naming of resources reserves

Each of the areas of State land described in schedule 4, column 2 is—

- (a) dedicated as a resources reserve; and
- (b) assigned the name set out opposite it in the schedule, column 1.

Part 3**Nature refuges****7 Declaration and naming of nature refuges**

Each of the areas of land described in schedule 5, column 2 is—

- (a) declared as a nature refuge; and
- (b) assigned the name set out opposite it in the schedule, column 1.

Nature Conservation (Protected Areas) Regulation 1994

Schedule 4 (continued)

Name	Description
Endeavour River Resources Reserve	Lots 2 and 3 on CP867124 situated in the County of Banks, containing an area of 39.759ha
Eurimbula Resources Reserve	Lot 2536 on plan PH455 situated in the County of Flinders, containing an area of about 3240ha
Expedition Resources Reserve	Lot 5 on plan TR839674 situated in the counties of Aberdeen and Tingarra, containing an area of about 2930ha
Flat Top Range Resources Reserve	Lot 1009 on plan NPW715 situated in the County of Livingstone, containing an area of about 2780ha
Great Sandy Resources Reserve	Lot 1010 on plan NPW686 situated in the County of March, containing an area of about 58.4ha
Heathlands Resources Reserve	Lot 3 on plan JD8 situated in the County of Jardine, containing an area of about 126000ha
Homevale Resources Reserve	Lot 1000 on plan NPW566 Sh 2 situated in the County of Wodehouse, containing an area of about 13300ha
Iron Range Resources Reserve	Lot 7 on plan WMT30, lot 8 on plan WMT810251 and lot 13 on plan WMT56 situated in the County of Weymouth, containing an area of about 8670ha
Jardine River Resources Reserve	Lot 1 on plan SO806056 situated in the County of Somerset, containing an area of about 21200ha

*Nature Conservation (Protected Areas) Regulation 1994***5 Tables in earlier reprints**

Name of table	Reprint No.
Corrected minor errors	3, 7

6 List of legislation**Nature Conservation (Protected Areas) Regulation 1994 SL No. 135 (prev Nature Conservation (Declaration of Nature Refuges) Regulation 1994)**

made by the Governor in Council on 14 April 1994

notfd gaz 15 April 1994 pp 1491–2

commenced on date of notification

SIA pt 7 does not apply (see SIA sch 2A)

amending legislation—

Nature Conservation (Declaration of Nature Refuges) Amendment Regulation (No. 1) 1994 SL No. 475

notfd gaz 16 December 1994 pp 1792–7

ss 1–2 commenced on date of notification

remaining provisions commenced 19 December 1994 (see s 2)

Nature Conservation (Protected Areas) Amendment Regulation (No. 1) 1995 SL No. 42

notfd gaz 24 February 1995 pp 816–18

commenced on date of notification

Nature Conservation (Protected Areas) Amendment Regulation (No. 2) 1995 SL No. 55

notfd gaz 10 March 1995 pp 1058–9

commenced on date of notification

Nature Conservation (Protected Areas) Amendment Regulation (No. 3) 1995 SL No. 82

notfd gaz 31 March 1995 pp 1462–5

commenced on date of notification

Nature Conservation (Protected Areas) Amendment Regulation (No. 4) 1995 SL No. 111

notfd gaz 21 April 1995 pp 1718–21

commenced on date of notification

Nature Conservation (Protected Areas) Amendment Regulation (No. 5) 1995 SL No. 135

notfd gaz 19 May 1995 pp 809–11

commenced on date of notification

Nature Conservation (Protected Areas) Amendment Regulation (No. 6) 1995 SL No. 172

notfd gaz 9 June 1995 pp 1165–71

commenced on date of notification

THE TORRES LAND AGENT'S DISTRICT
Reserve for Departmental and Official Purposes
County of Jardine, parishes of Cayley, Carbutt, Carden, Coghill, Carnac and Burrard
Area, about 126000 hectares
R.7, being Lot 3 on plan JD8 registered in the Department of Geographic Information.

ORDER IN COUNCIL

At the Executive Building, Brisbane, the first day of December, 1988

Present:

His Excellency the Governor in Council

WHEREAS by the Orders in Council referred to in the Schedule hereto, the lands described in such Orders in Council were reserved and set apart for the purposes therein mentioned: And whereas it is expedient that the reserving and setting apart of the lands described in the said Schedule hereto should be rescinded: Now, therefore, His Excellency the Governor, acting by and with the advice of the Executive Council and in pursuance and exercise of the authority vested in him by the *Land Act 1962-1988* doth order and it is hereby ordered that the Orders in Council shall be and the same are rescinded in so far as such Orders in Council relate to the reserving and setting apart of the lands described in the said Schedule.

And the Honourable the Minister for Land Management is to give the necessary directions herein accordingly.

E. J. BIGBY, Clerk of the Council

The Schedule

Land Agent's District	Parish (County)	Purpose and Description of Land	Area	Date of Order in Council	Date of Gazette	Reference
Charters Towers	Pentland (Griffith)	[Aerodrome (R.52)] [Aerodrome (R.62)]	Abt. 11.3 ha Abt. 10.5 ha	14 Oct., 1976 15 July, 1982	16 Oct., 1976 17 July, 1982	Res. 16586
Gladstone	Nolan (Deas Thompson)	Camping and Road (R.106)	Abt. 21.0437 ha	15 June, 1916	17 June, 1916	Res. 1636
Torres	Eglinton, Arnett, Blake and Agnew (Weipa and Dulhunty)	Benefit of Aboriginal inhabitants, Mapoon (R.34)	Abt 107600 ha	23 Oct., 1986	25 Oct., 1986	Res. 23430
ditto	Mapoon and Pennefather (Weipa)	Benefit of Aboriginal inhabitants, Mapoon (R.35)	Abt 34900 ha	23 Oct., 1986	25 Oct., 1986	Res. 23431
ditto	Dunblane (Weipa)	Benefit of Aboriginal inhabitants, Mapoon (R.36)	Abt 1170 ha	23 Oct., 1986	25 Oct., 1986	Res. 23432
ditto	Dunblane and Batavia (Weipa)	Benefit of Aboriginal inhabitants, Mapoon (R.37)	Abt 9830 ha	23 Oct., 1986	25 Oct., 1986	Res. 23433
ditto	Dunblane and Skardon (Jardine and Weipa)	Benefit of Aboriginal inhabitants, Mapoon (R.38)	Abt. 27500 ha	23 Oct., 1986	25 Oct., 1986	Res. 23434
ditto	Dunfries (Weipa)	Benefit of Aboriginal inhabitants, Mapoon (R.39)	Abt 8890 ha	23 Oct., 1986	25 Oct., 1986	Res. 23435

ORDER IN COUNCIL

At the Executive Building, Brisbane, the first day of December, 1988

Present:

His Excellency the Governor in Council

WHEREAS by the *Land Act 1962-1988*, it is amongst other things provided that, if at any time it becomes necessary or expedient to correct any instrument of lease by reason that certain facts having arisen or appeared since the issue of such instrument, the Governor in Council deems a correction of such instrument necessary or expedient, the Governor in Council may, by Order in Council, declare the matters intended to be corrected and the description or matters substituted or added in such instrument: And whereas an instrument of lease has issued in respect of Auction Purchase Freehold No. 21/17128, GYMPIE Land Agent's District, being Lot 25 on Plan MCH4403, parish of Tuchekoi: And whereas it has become necessary to correct such instrument by reason that in consequence of the purchasers having voluntarily made payment of part of the purchasing price of the said land ahead of the prescribed time, the balance of unpaid purchase money and the annual instalment are amended from \$14225.64 and \$3460.04, respectively, to \$10927.77 and \$2657.91 respectively, as from 15th July, 1988: Now, therefore, His Excellency the Governor, acting by and with the advice of the Executive Council, doth hereby order and declare that the said instrument shall be corrected by endorsement on the instrument of the facts stated.

And the Honourable the Minister for Land Management is to give the necessary directions herein accordingly.
A.P.F. 21/17128

E. J. BIGBY, Clerk of the Council

ORDER IN COUNCIL

At the Executive Building, Brisbane, the first day of December, 1988

Present:

His Excellency the Governor in Council

WHEREAS by the *Land Act 1962-1988*, it is amongst other things provided that the Governor in Council may deal with any Crown land within Queensland: And whereas it is provided further that, if at any time it becomes necessary or expedient to correct any instrument of lease by reason that the Governor in Council has approved of the inclusion in the holding of an area of Crown land, the Governor in Council may, by Order in Council, declare the matter intended to be corrected and the description or matter substituted or added in such instrument: And whereas an instrument of lease has issued in respect of Special Lease No. 07/45845, BUNDABERG Land Agent's District, being Lot 41 on Plan CK3321, parish of Stanton: And whereas it is expedient that the Governor in Council approve of the inclusion in the holding of an area of Crown land: And whereas upon such approval it is necessary to correct such instrument of lease by reason that in consequence of the inclusion in the holding of such area of Crown land the area, annual rent and description thereof require amendment to 2.9909 hectares, \$120.00 and Lot 41 on Plan CK3644 respectively: Now, therefore, His Excellency the Governor, acting by and with the advice of the Executive Council, doth hereby approve of the inclusion in the holding of such area of Crown land as from 1st July, 1988, and doth hereby order and declare that the said instrument shall be corrected by endorsement on the instrument of the facts stated.

And the Honourable the Minister for Land Management is to give the necessary directions herein accordingly.
S.L. 07/45845

E. J. BIGBY, Clerk of the Council

ORDER IN COUNCIL

At the Executive Building, Brisbane, the second day of
October, 1986

Present:

His Excellency the Governor in Council

WHEREAS by the *Land Act 1962-1986*, it is amongst other things enacted that the Governor in Council may, by Order in Council, reserve and set apart any Crown land which in the opinion of the Governor in Council, is or may be required for any public purpose: And whereas by the said Act it is further enacted that the Governor in Council may, by Order in Council, place any land so reserved under the control of trustees: And whereas in the opinion of the Governor in Council the land described in the Schedule hereto is required for public purposes: Now, therefore, His Excellency the Governor, acting by and with the advice of the Executive Council and in pursuance and exercise of the authority vested in him by the said Act, doth order and it is hereby ordered that the land described in the said Schedule hereto be reserved and set apart for the purposes stated in each case respectively, and that the said lands shall be placed under the control of the Local Authority or Person stated in each case respectively, as Trustee.

And the Honourable the Minister for Lands, Forestry, Mapping and Surveying is to give the necessary directions herein accordingly.

S. SCHUBERT, Clerk of the Council

The Schedule

THE BRISBANE LAND AGENT'S DISTRICT

Reserve for Local Government (Historic Building and Community Organisation) Purposes

(Under the control of Brisbane City Council, as trustee)

County of Stanley, parish of South Brisbane, city of Brisbane

Area, 1 684 square metres

R.3765, being Lot 413 on plan SL11409 registered in the Department of Mapping and Surveying.

Res. 18959

THE TAROOM LAND AGENT'S DISTRICT

Reserve for Recreation

(Under the control of the Council of the Shire of Taroom, as trustee)

County of Fortescue, parish of Taroom

Area, about 7.55 hectares

R.184, being Lot 218 on plan FT998 registered in the Department of Mapping and Surveying.

R.C. 45393

THE TORRES LAND AGENT'S DISTRICT

Reserve for Departmental and Official Purposes

(Under the control of the Director-General and Under Secretary, Department of Primary Industries and the Director of National Parks and Wildlife, as trustees)

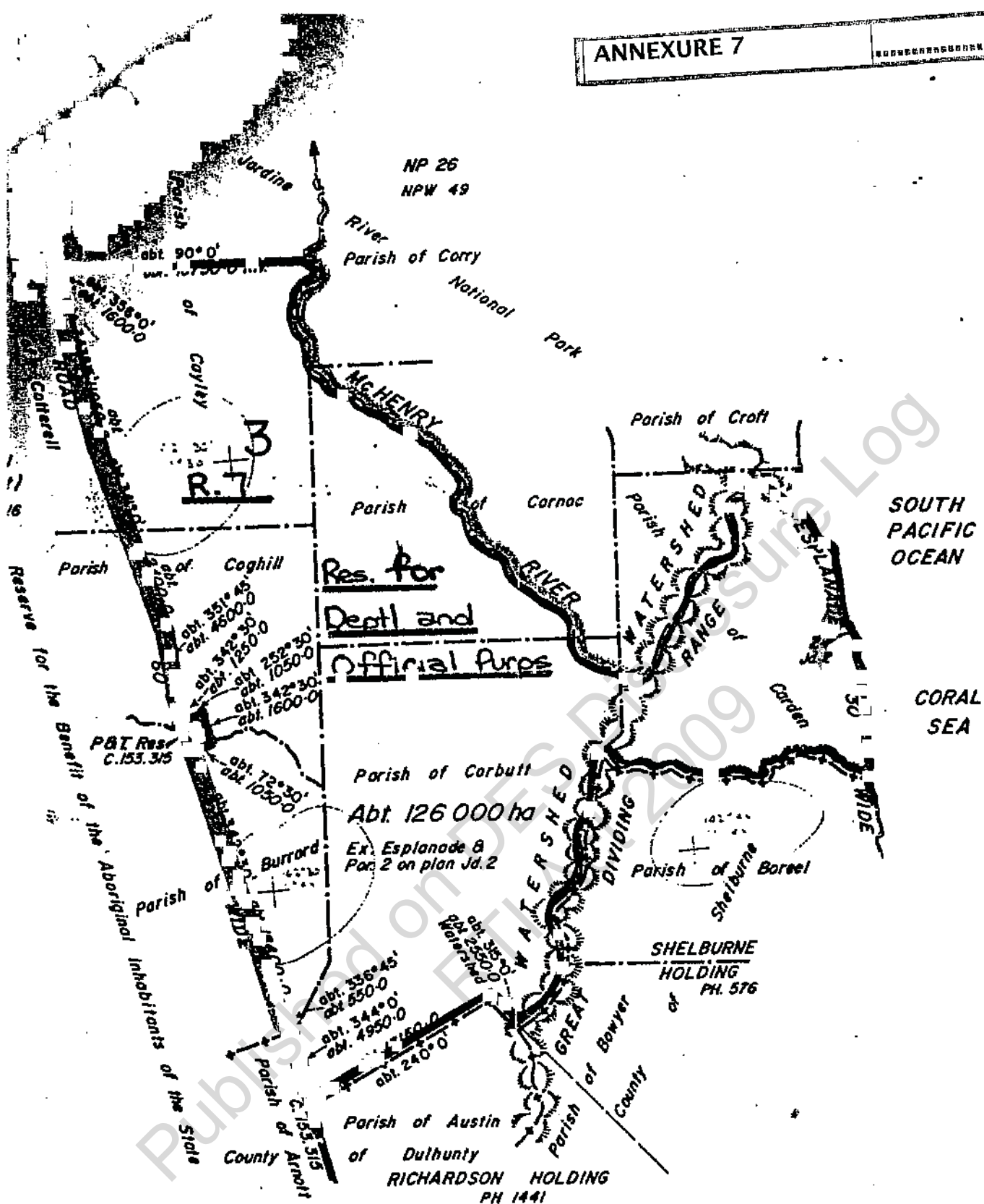
County of Jardine, parishes of Cayley, Carbutt, Carden, Coghill, Carnac and Burrard

Area, about 126 000 hectares

R.7, being Lot 3 on plan JD4 registered in the Department of Mapping and Surveying.

O.L. 43/87 Torres

Gov. Gaz., 4th October, 1986, page 625



ED FROM: Control Map SC 54-15 & 16	PREVIOUS PLAN	PROCLAIMED SURVEY AREA	MAPPING FIELD	LAND AGENTS DISTRICT	TORRES	LOCAL AUTHORITY	COOK S.C.
PLAN OF Lot 3				TOWN/SUBURB/LOCALITY			
REDUCED SCALE 1:250 000				PARISH (As Above)			
County				Jardine			
PLAN JD4				Page 64 of 47			

FOR EXAMINATION	hereby certify	Department of Mapping and Surveying has	plan pursuant to Regulation 29 of the	Regulations 1978 and that the plan is
sch4p4(6) Per	18/4/86	1986	Date	
Surveyor				

APPROX. CAM	Meridian	Authority	Checked	Registered	Charted	Map No.
		OL 43/87		FILED V	R.D.S.	SC 54-15 & 16
				4-8-86	247.06	



Lease for Special Purposes, under Section 203(a) of
the Land Act 1962-1971, and Section 80 of
"The Harbours Acts, 1955 to 1968"

Elizabeth the Second, by the Grace of God, of the United Kingdom, Australia, and Her
other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith

sch4p4(

To All to whom these Presents shall come, Greeting:

Whereas

COMMONWEALTH ALUMINIUM CORPORATION LIMITED

has pursuant to Section 80 of "The Harbours Acts, 1955 to 1968," made application for a Lease under the provisions of Section 203(a) of the Land Act 1962-1971 (hereinafter referred to as "the said Acts") and the said Section 80 of "The Harbours Acts, 1955 to 1968," of the Land hereinafter described and being Land lying below highwater mark the limits of a harbour: AND WHEREAS the Governor of Our State of Queensland with the advice of the Executive Council thereof has upon the joint recommendation of the Minister administering "The Queensland Marine Acts, 1958 to 1967" and the Minister for Lands of Our said State granted such application, and has agreed to issue a Lease of the said Land in Our name for the term, at the rent, and upon and subject to the conditions hereinafter mentioned: NOW KNOW YE that in consideration of the premises, and of the rent, reservations, and conditions hereinafter reserved and contained, WE, in pursuance of the said Acts and the said Section 80 of "The Harbours Acts, 1955 to 1968," DO HEREBY

for Us, Our Heirs and Successors, Demise and Lease without competition unto the said

COMMONWEALTH ALUMINIUM CORPORATION LIMITED

(hereinafter with its Successors in title designated "the Lessee"), and its lawful Assigns, for Business (Barge landing) purposes, ALL that parcel of Land lying below

highwater mark the limits of the harbour of particularly described in the First Schedule endorsed on these Presents To HOLD the same unto the Lessee and its

lawful Assigns for and during the term of Ten years, to be computed from the first day of July One thousand nine hundred

and seventy-one with, under and subject to the terms, conditions, provisions, exceptions, reservations, provisos, penalties, and forfeitures hereunder particularly mentioned or referred to, or contained in or prescribed by the said Acts and to the conditions, reservations, and provisos in "The Harbours Acts, 1955 to 1968," "The Queensland Marine Acts, 1958 to 1967," "The Mining on Private Land Acts, 1909 to 1965," and "The Petroleum Acts, 1923 to 1967," or any Regulations made or which may hereafter be made under the aforesaid Acts or any of them: YIELDING AND PAYING unto Us, Our Heirs and Successors, subject to the provisions of the said Acts during the said term the yearly rent of Six dollars

such rent to be paid at the Office in Brisbane of the Department of Lands, or at any District Land Office, in Our said State, or at such other place as may from time to time be appointed by the Governor of Our said State in Council, on or before the First day of January in each and every year of the said term: AND IT IS HEREBY EXPRESSLY DECLARED AND AGREED that the Lessee shall not in any way assign or sublet the said Land, or any part thereof, or grant to any person the right of occupation or tenancy to, over, or upon the said Land, or any part thereof or of any structure or building erected thereon, without the consent of the Minister for Lands for the time being of Our said State first had and obtained: AND IT IS ALSO DECLARED AND AGREED and these Presents are upon the express condition that the Lease hereby granted shall be

087701 * 14 APR 1972

DUTY STAMP

BRISBANE

[Form 20]

subject to the conditions set forth in the Second Schedule endorsed hereon: AND that if the Lessee make default in payment of the rent hereby reserved, or any part thereof, at the times and in the manner herein prescribed, or fail to observe and perform the terms, stipulations, agreements, and conditions herein and in the Second Schedule contained or referred to, or any of them, then, and in such case, this Lease shall be liable to be forfeited. AND WE DO HEREBY RESERVE unto Us, Our Heirs and Successors, the full and free right to take and receive any Indigenous Timber growing thereon, and all other Materials being the natural products of the said Land, or being within, upon, or under the same, which may at any time hereafter be required for the construction or repair of any Public Works: AND ALSO, the right of full and free ingress, egress and regress, into, upon, over, and out of the said Land for the several purposes aforesaid: PROVIDED ALWAYS AND WE DO HEREBY RESERVE unto Us, Our Heirs and Successors, all Gold and Minerals (the term "Minerals" to have the same meaning as in "The Mining on Private Land Acts, 1909 to 1965"), on and below the surface of the said Land, and all Mines of Gold and Minerals on and below the surface of the said Land: AND WE DO HEREBY ALSO RESERVE unto Us, Our Heirs and Successors, and to such persons as shall from time to time be duly authorised by Us in that behalf, during the term of the said Lease, the free right and privilege of access, including ingress, egress and regress, into, upon, over, and out of the said Land for the purpose of searching for or working Gold and Minerals, or any of them, or Mines of Gold and Minerals, or any of them, in any part of the said Land: AND WE DO HEREBY ALSO RESERVE unto Us, Our Heirs and Successors, all Petroleum (the term "Petroleum" to have the same meaning as in "The Petroleum Acts, 1923 to 1967"), on or below the surface of the said Land: AND ALSO all rights of access for the purpose of searching for and for the operations of obtaining Petroleum in any part of the said Land: AND ALSO all rights of way for access and for pipe lines and other purposes requisite for obtaining and conveying Petroleum in the event of Petroleum being obtained in any part of the said Land: AND WE DO HEREBY ALSO RESERVE unto Us, Our Heirs and Successors, all Helium found in association with Petroleum in any part of the said Land: AND WE DO FURTHER RESERVE the right of any person duly authorised in that behalf by the Governor of Our said State in Council at all times to go upon the said Land, or any part thereof, for any purpose whatsoever, or to make any survey, inspection, or examination of the same.

IN TESTIMONY WHEREOF, We have caused this Our Lease to be Sealed with the Seal of Our said State.

WITNESS Our Trusty and Well-beloved His Excellency SIR COLIN THOMAS HANNAH, Air Marshal, ~~in the Retired List of the Royal Australian Air Force, Knight Commander of Our Most Excellent Order of the British Empire, Companion of Our Most Honourable Order of the Bath~~

~~WITNESS Our Trusty and Well-beloved His Excellency the Honourable Sir ALAN JAMES MANFIELD, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Knight Commander of our Royal Victorian Order, Governor in and over Our State of Queensland and its Dependencies, in the Commonwealth of Australia, at Government House, Brisbane, in Queensland aforesaid,~~
this 21st day of April, in the twenty-first year of Our Reign and in the year of Our Lord One thousand nine hundred and seventy-two.

sch4p4(6) Personal information

FIRST SCHEDULE

SPECIAL LEASE No.: 35545

DISTRICT: Torres

COUNTY: Jardine

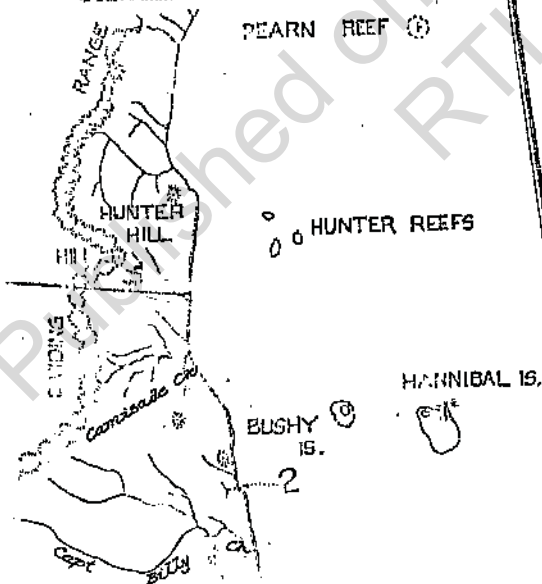
PARISH: Garden

PORTION: Two

AREA: About Two acres two roods twentyperches.

Locality Sketch

Scale 20 Chains to an Inch



(Conditions)

~~The right of resuming the whole or any part of the leased land at any time, on giving six months' notice and compensating for improvements only, shall be reserved to the Crown.~~

No compensation for improvements or developmental works shall be payable by the Crown at the expiration of the term of the lease, but the Lessee shall have the right to remove moveable improvements within a period of three months, provided all moneys due by the Lessee to the Crown on any account whatsoever have been paid. However should the leased land revert to the Crown and be again made available for lease or purchase the former Lessee shall be entitled to receive payment for the value of improvements or developmental work in accordance with the principles set out in the said Act.

~~The Lessee shall not at any time destroy any tree upon the leased land without the prior permit in writing of the Land Commissioner or contrary to any of the terms and conditions of such permit.~~

~~The Lessee shall not interfere with any forest products or remove any quarry material (including any stone, gravel, sand, earth, soil, rock, guano or clay which is not a mineral within the meaning of the Mining Act 1968-1974) or other material upon the leased land without the permission of the Minister except under the authority of and in compliance in every respect with the requirements of a permit, license, agreement or contract or made under the Forestry Act 1959-1971.~~

~~The Lessee shall allow any person authorised under the Forestry Act 1959-1971 access to the leased land for the purpose of cutting and removing timber or removing other forest products, or quarry material, or other material from the leased land.~~

The Lessee shall maintain the leased land free from noxious plants.

The Lessee shall pay the cost of any required survey.

Before commencement of any works on Crown land below high water mark the lessee shall lodge plans of the proposed works with the Marine Board of Queensland and shall obtain the sanction of the Governor in Council to those plans, pursuant to Section 86 of 'The Harbours Acts, 1955 to 1968'.

All works constructed below High water mark shall be maintained to the satisfaction of the Minister for Conservation, Marine and Aboriginal Affairs.

No lights are to be displayed seawards without the approval of the Portmaster, Department of Harbours and Marine.

The Lessee shall at the cost and expense of the lessee supply a hydrographic survey of the leased area below high water mark to the Department of Harbours and Marine.

The Leased land shall only be used for the purpose of constructing access from the sea to Occupation License No. 87 Torres District. No other works shall be constructed on the leased land.

62/ Conversion of tenure to Perpetual Lease or freehold under Section 207 of the Land Act 1962 - 1971 shall not be allowed

82-1376

Special Lease No. 44683



QUEENSLAND

Lease for Special Purposes, under Section 203(a) of the Land Act 1962-1982

Elizabeth the Second, by the Grace of God, Queen of Australia, and Her other Realms and Territories, Head of the Commonwealth:—

To All to whom these Presents shall come, Greeting:

Whereas,

COMALCO ALUMINIUM LIMITED

has made application for a lease under the provisions of Section 203(a) of the *Land Act 1962-1982*, (hereinafter referred to as "the said Act") of the Land hereinafter described: AND WHEREAS the Governor of Our State of Queensland, with the advice of the Executive Council thereof, has granted such application, and has agreed to issue a Lease of the said Land in Our name for the term, at the rent, and upon and subject to the conditions hereinafter mentioned: Now Know Ye that in consideration of the premises, and of the rent, reservations, and conditions hereinafter reserved and contained, We, in pursuance of the said Act

DO HEREBY for Us, Our Heirs and Successors, Demise and Lease unto the said

COMALCO ALUMINIUM LIMITED

(hereinafter with its Successors in title designated "the Lessee"), and its lawful Assigns, for Business (Access) purposes.

ALL that parcel of Land particularly described in the First Schedule endorsed on these Presents To HOLD the same unto the Lessee and its lawful Assigns for and during the term of Twenty Years to be computed from the First day of January, One thousand

nine hundred and eighty-two with, under, and subject to the terms, conditions, provisions, exceptions, reservations, provisos, penalties, and forfeitures hereinafter particularly mentioned or referred to, or contained in or prescribed by the said Act, and to the conditions, reservations, and provisos in the *Mining Act 1968-1982* and the *Petroleum Act 1923-1982*, or any Regulations made or which may hereafter be made under the aforesaid Acts, or any of them: YIELDING AND PAYING unto Us Our Heirs and Successors, subject to the provisions of the said Act

such yearly rent or sum and for such period or periods as determined or prescribed,

such rent to be paid at the Office in Brisbane of the Department of Lands, or at any District Land Office, in Our said State, or at such other place as may from time to time be appointed by the Governor of Our said State in Council, on or before the First day of January in each and every year of the said term: AND IT IS HEREBY EXPRESSLY DECLARED AND AGREED that the Lessee shall not in any way assign or sublet the said Land, or any part thereof, or grant to any person the right of occupation or tenancy to, over, or upon the said Land, or any part thereof, or of any structure or building erected thereon, without the consent in writing of the Minister for Lands and Forestry for the time being of Our said State first had and obtained: AND IT IS ALSO DECLARED AND AGREED and these Presents are upon the express condition, that the Lease hereby granted shall be subject to the conditions set forth in the Second Schedule endorsed hereon: AND that if the Lessee makes default in payment of the rent hereby reserved, or any part thereof, at the times and in the manner herein prescribed, or fails to observe and perform the terms, stipulations, agreements, and conditions herein and in the Second Schedule contained or referred to, or any of them, then, and in such case, this Lease shall be liable to be forfeited, AND WE DO HEREBY RESERVE unto Us, Our Heirs and Successors, the full and free right to take and remove any Indigenous Timber growing thereon, and all other Materials being the natural products of the said Land, or being within, upon, or under the same, which may at any time hereafter be required for the construction or repair of any Public Works: AND ALSO, the right of full and free ingress, egress, and regress, into, upon, over, and out of the said Land for the several purposes aforesaid: PROVIDED ALWAYS AND WE DO HEREBY RESERVE unto Us, Our Heirs and Successors, all Gold and Minerals (the term "Minerals" to have the same meaning as in the *Mining Act 1968-1982*),

DUTY STAMP

(Form 18)

on and below the surface of the said Land, and all Mines of Gold and Minerals on and below the surface of the said Land: AND WE DO HEREBY ALSO RESERVE unto Us, Our Heirs and Successors, and to such persons as shall from time to time be duly authorised by Us in that behalf, during the term of the said Lease, the free right and privilege of access, including ingress, egress, and regress, into, upon, over, and out of the said Land, for the purpose of searching for or working Gold and Minerals, or any of them, or Mines of Gold and Minerals, or any of them, in any part of the said Land: AND WE DO HEREBY ALSO RESERVE unto Us, Our Heirs and Successors, all Petroleum (the term "Petroleum" to have the same meaning as in the Petroleum Act 1923-1962), on or below the surface of the said Land: AND ALSO all rights of access for the purpose of searching for and for the operations of obtaining Petroleum in any part of the said Land: AND ALSO all rights of way for access and for pipe lines and other purposes requisite for obtaining and conveying Petroleum in the event of Petroleum being obtained in any part of the said Land: AND WE DO FURTHER RESERVE the right of any person duly authorised in that behalf by the Governor of Our said State in Council at all times to go upon the said Land, or any part thereof, for any purpose whatsoever, or to make any survey, inspection, or examination of the same.

IN TESTIMONY WHEREOF, We have caused this Our Lease to be Sealed with the Seal of Our said State.

Knight Commander of the Royal Victorian Order

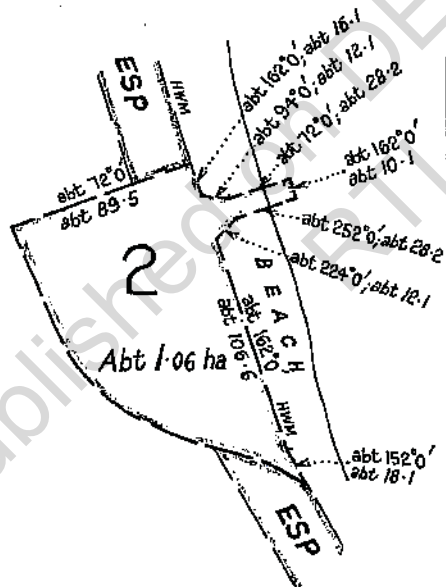
WITNESS Our Trusty and Well-beloved His Excellency Commodore Sir JAMES MAXWELL RAMSAY, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Commander of the Most Excellent Order of the British Empire, upon whom has been conferred the Decoration of the Distinguished Service Cross, and Commodore in the Royal Australian Navy (Retired), Governor in and over the State of Queensland and its Dependencies in the Commonwealth of Australia, at Government House, Brisbane, in Queensland aforesaid, this

Eleventh day of *November*, in the
Thirty-first year of Our Reign and in the year of Our Lord
One thousand nine hundred and eighty-two.

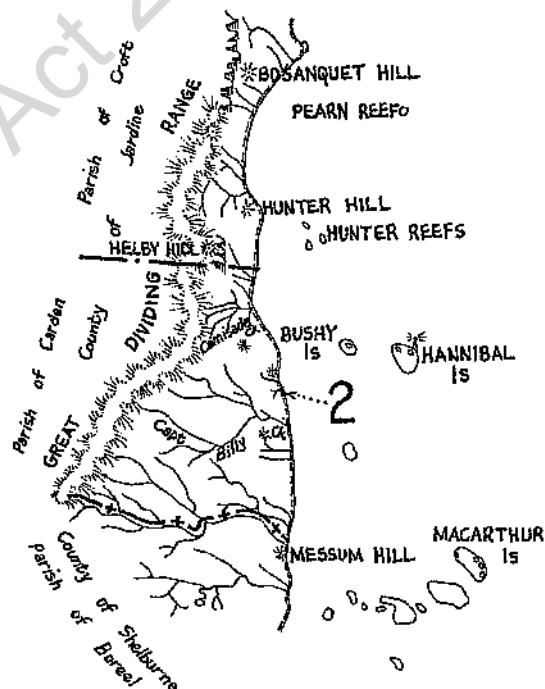
sch4p4(6) Personal information

FIRST SCHEDULE

SPECIAL LEASE No. 44683 DISTRICT: Torres
COUNTY: Jardine PARISH: Carden
Portion: Two
AREA: About 1.06 hectares.



Plan Cat No. Id. 2
Scale: _____



SECOND SCHEDULE

(Conditions)

The right of resuming the whole or any part of the leased land at any time, on giving six months' notice and compensating for improvements only, shall be reserved to the Crown.

No compensation for improvements or developmental works shall be payable by the Crown at the expiration of the term of the lease, but the Lessee shall have the right to remove movable improvements within a period of three months, provided all moneys due by the Lessee to the Crown on any account whatsoever have been paid. However should the leased land revert to the Crown and be again made available for lease or purchase the former Lessee shall be entitled to receive payment for the value of its improvements or developmental work in accordance with the principles set out in the said Act.

The Lessee shall not at any time destroy any tree upon the leased land without the prior permit in writing of the Land Commissioner or contrary to any of the terms and conditions of such permit.

The Lessee shall not interfere with any forest products or remove any quarry material (including any stone, gravel, sand, earth, soil, rock, guano or clay which is not a mineral within the meaning of the *Mining Act* 1968-1982) or other material upon the leased land without the permission of the Minister except under the authority of and in compliance in every respect with the requirements of a permit, license, agreement or contract granted or made under the *Forestry Act* 1959-1982.

The Lessee shall allow any person authorised under the *Forestry Act* 1959-1982 access to the leased land for the purpose of cutting and removing timber or removing other forest products, or quarry material, or other material from the leased land.

The Lessee shall maintain the leased land free from noxious plants.

The Lessee shall pay the cost of any required survey of the leased land.

The Leased land shall only be used for the purpose of constructed access from the sea to Occupation License No.87 Torres District. No other works shall be constructed on the leased land.

Before commencement of any further works on Crown Land below high water mark the lessee shall lodge plans of the proposed works with the Marine Board of Queensland and shall obtain the sanction of the Governor in Council to those plans, pursuant to Section 86 of the *Harbours Act* 1955-1982.

All works constructed below High Water Mark shall be maintained to the satisfaction of the Minister for Northern Development and Maritime Services.

No lights are to be displayed seawards without the approval of the Portmaster, Department of Harbours and Marine.

Conversion of tenure to freehold under Section 207 of the *Land Act* 1962-1982 shall not be allowed.

SURRENDERED
Land Act 1982 -
Date 27-2-87

Published on DES Disclosure Log
RTI Act 2009

13965/11/81—IM—Govt. Printer, Qld.

17-JUN-69 200833 C/S 75 R DUPLST 18***025

Occupation License

DEFENSE (Section 78) ACTS

ANNEXURE 10 pg 1 of 2

License No.: **43/87**

District of **Torres**

Date: **1st November, 1968.**

IN accordance with and subject to **Land Act 1962-1968**
~~"The Land Acts, 1962 to 1968"~~, 1,

VICTOR BRUCE SULLIVAN

Minister for Lands,

hereby authorise **COMALCO INDUSTRIES PTY. LIMITED**

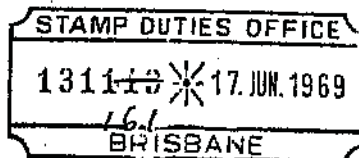
of **Box 2773Y, G.P.O., Melbourne**

to occupy until 31st December next, and thereafter from year to year, so long as the rent fixed from time to time in terms of **Land Act 1962-1968**
~~"The Land Acts, 1962 to 1968"~~ is paid, as prescribed, or until this License is determined in the manner hereinafter mentioned, the lands in the abovementioned District more particularly described in the Schedule hereto. The License shall be determinable at any time with respect to the whole or any specified part of the said land by three months' notice given by the Minister to the Licensee. Provided always that the whole or any part of the said land may at any time be opened for selection leased or sold or be reserved under the said Acts, and if the whole or any part of the said land is so selected, leased, sold or reserved, the License shall be thereby determined with respect to the land or as the case may be such part and in case of part only of the land, subject to the said Acts as to reduction of rent.

Special Condition: X Within a period of three (3) years from the commencement of the License, the Licensee shall expend a sum of not less than \$20,000.00 in assessing the economics of the area as a development proposition.

GIVEN under my hand the **sixth** day of **June** 19 **69**

sch4p4(6) Personal information



Lds. 83

Secretary, Land Administration Commission,
the delegate of the Minister for Lands.

[SEE BACK]

SCHEDULE

District: Torres

Date of Notification:

Page of "Gazette":

Countries: Jardine and Somerset

Parishes: Burrard, Carbutt, Carden, Carnac, Coghill, Gayley, Corry, Cotterell, Croft, Dering, Duckett, Amory, Sanamere and Filmer.

Portion or Name of Block: Vacant Crown land situated about 370 miles north-westerly from Cooktown.

Area: About 1140 sq.mls. Annual Rent: \$250.00

DESCRIPTION

Commencing at the northern corner of Richardson Holding and bounded thence by that holding south-westerly, by the Telegraph Line, north-westerly, north-easterly and north-westerly to R.2, Reserve for the Use of the Aboriginal Inhabitants of the State, north-easterly and north-westerly about two and half miles to the right bank of Jacky Jacky Creek, by that bank downwards about two miles to a one and a half chain esplanade at the sea-shore, by that esplanade, along the sea-shore and Escape River, easterly to the western boundary of the Parish of Shadwell, by the boundaries of the Parishes of Shadwell and Milman and a line south about eight and six-tenths miles to the left bank of the Jardine River, by that bank upwards about two and a half miles, by a line, and again by the western boundary of the Parish of Milman, and a line, southerly about six and four-tenths miles to the left bank of the Jardine River, by that bank upwards about fifteen miles to its crossing with the 11 degrees 30 minutes south parallel of latitude, by that parallel true east about eight and four-tenths miles to a one and a half chain esplanade at the sea-shore of the South Pacific Ocean, by that esplanade southerly about sixteen miles to the left bank of a creek forming the northern boundary of Shelburne Holding, by that bank and Shelburne Holding upwards about twelve miles to the Great Dividing Range, by that range south-westerly, about thirteen miles to Richardson Holding and by that holding north-easterly about two miles to the point of commencement. Exclusive of roads to a width of three chains.

The above description of boundaries is amended by the substitution of the word "north-westerly" in lieu of the word "north-easterly" in the third last line thereof.

TRANSFER of the ^{licensee's} interest in the	
within-described ^{license} to	
COMMONWEALTH ALUMINIUM CORPORATION LIMITED	
Registered:	sch4p4(6) Personal in
IN pursuance of the Companies Act 1961-1981	
the name of the lessee Company in respect	
of the within-described holding has been	
changed to COMALCO ALUMINIUM LIMITED.	
Registered:	sch4p4(6) Personal infor
13 FEB 1986	Registrar of Dealings.

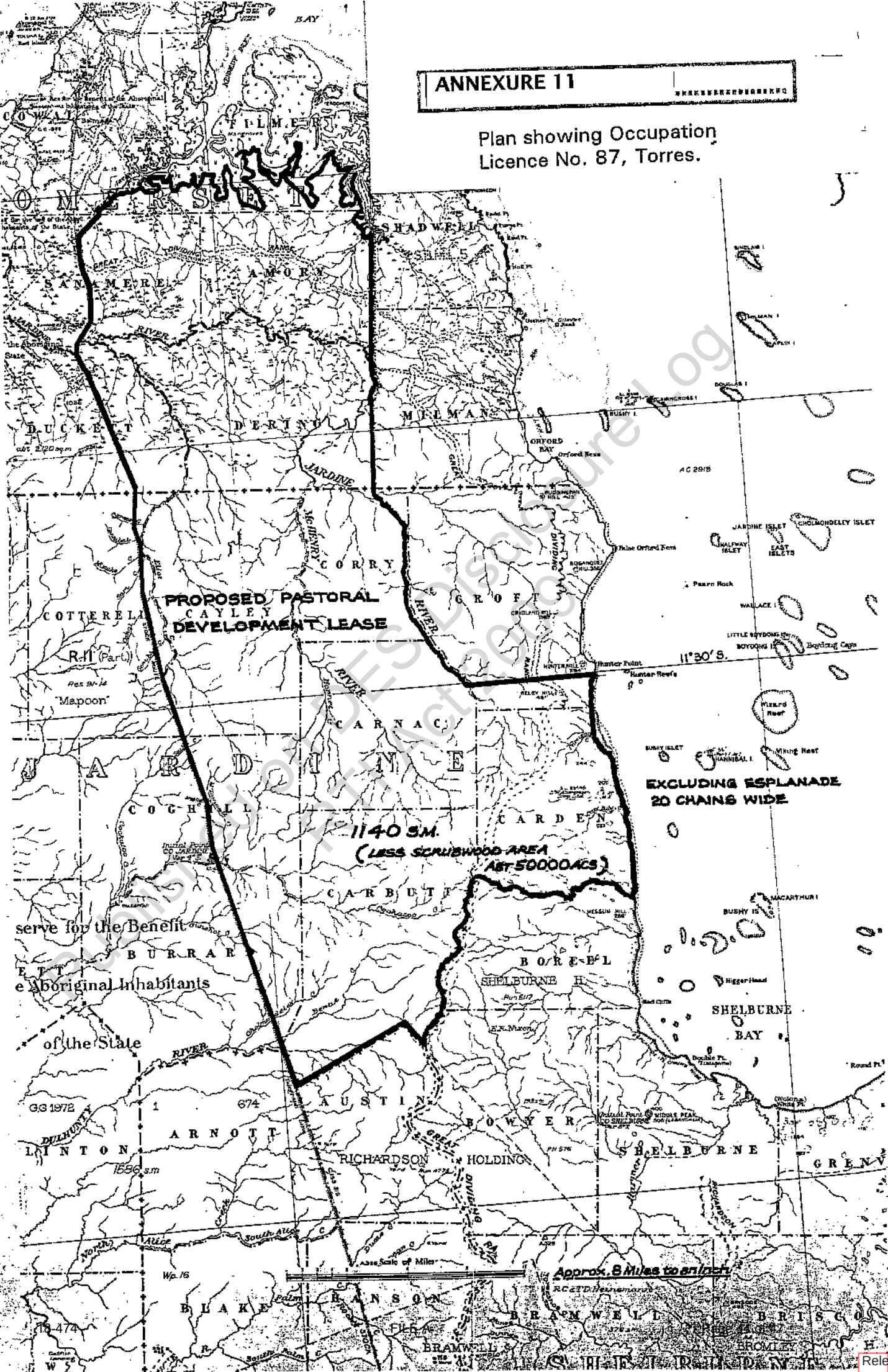
Consequent upon.....	the partial determination,
for the purpose of reservation of the area	
for National Park purposes, of.....	
the area thereof has been estimated to be.....	130,000 ha
the annual rental to.....	\$110.07
and the description to.....	5.11.77
	sch4p4(6) Personal inform

Determined as at 19.6.85

Govt. Printer, Brisbane.

ANNEXURE 11

Plan showing Occupation
Licence No. 87, Torres.



Occupation License

Section 77

License No.: 80

ANNEXURE 12 pg 1 of 2

District of Torres

Date: 1st November, 1962

IN accordance with and subject to "The Land Act of 1962", I,

ALAN ROY FLETCHER, Minister for Public Lands and Irrigation,

hereby authorise

sch4p4(6) Personal information

of sch4p4(6) Personal information via Collinsville

to occupy until 31st December next, and thereafter from year to year, so long as the rent fixed from time to time in terms of "The Land Act of 1962" is paid, as prescribed, or until this License is determined in the manner hereinafter mentioned, the lands in the abovementioned District more particularly described in the Schedule hereto. The License shall be determinable at any time with respect to the whole or any specified part of the said land by three months' notice given by the Minister to the Licensee. Provided always that the whole or any part of the said land may at any time be opened for selection leased or sold or be reserved under the said Act, and if the whole or any part of the said land is so selected, leased, sold or reserved, the License shall be thereby determined with respect to the land or as the case may be such part and in case of part only of the land, subject to the said Act as to reduction of rent.

Special Condition: Nil.

GIVEN under my hand the nineteenth day of March 19 63

sch4p4(6) Personal information

Secretary, Land Administration Commission

Minister for Public Lands and Irrigation

SCHEDULE

District: **Torres**

ANNEXURE 12 pg 2 of 2

Date of Notification: **6th July, 1962**

Page of "Gazette": **1394**

County: **Jardine, Dulhunty and Somerset**

Parish: **Austin, Burrard, Carbutt, Carden, Carnac, Coghill, Cayley, Corry, Cotterell, Croft, Dering, Duckett, Amory, Sanamere and Filmer.**

Portion or Name of Block:

Area: **1166 square miles**

DESCRIPTION

Commencing at the northern corner of Richardson Holding and bounded thence by that holding south-westerly, by the Telegraph line, R.1 (and again by the Telegraph line), northerly, north-easterly, north-westerly and northerly by R.2 north-easterly and north-westerly, by the right bank of Jacky Jacky Creek downwards, by the sea-shore easterly, by the left bank of the Escape River upwards to the western boundary of the parish of Shadwell, by the boundaries of the parishes of Shadwell and Milman and a line south, by the left bank of the Jardine River upwards about 2 miles, again by the western boundary of the parish of Milman and a line southerly about 7 miles, by the left bank of the Jardine River upwards about 14½ miles to its crossing with the 11 degrees 30 minutes south parallel of latitude, by that parallel true east to the sea-shore, by the shore of the Pacific Ocean southerly about 15 miles, by the parish boundary of Boreel westerly and south-westerly to the Richardson Range, by that range south-westerly, and by Richardson Holding north-westerly to the point of commencement: exclusive of an esplanade one and a half chains wide.

PROOF that the correct name of the licensee of the within described land is

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produced

- 8 AUG 1965

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For Secretary, Land Administration Commission.

SURRENDERED

- 8 SEP 1965

Date.....sch4p4(6) Personal information

For Secretary, Land Administration Commission

TORRES STRAIT

ANNEXURE 13

Plan showing Occupation
Licence No. 80, Torres

