



Queensland
Government

Department of
Natural Resources and Mines

Author Diane McQuade
File / Ref number 2013/005632
Directorate / Unit State Land Asset Management
Phone (07)38848055

16 October 2013

The Chief Executive Officer
Redland City Council
PO Box 21
CLEVELAND QLD 4163

Attention: Mr Leo Newlands

Letter of Offer

Dear Mr Newlands

PROPOSED AMENDMENT OF EXISTING RESERVE FOR OPEN SPACE AND BUFFER ZONE – ‘SCRIBBLY GUMS CONSERVATION AREA’ TF49106782 BEING LOTS 1, 3, 4, 5, 6 AND 7 ON SP234806 TO INCLUDE LOT 241 ON SP234806 – TEESDALE ROAD, ALEXANDER HILLS

Reference is made to Council's correspondence dated 3 October 2013 requesting Unallocated State land parcel Lot 241 on SP234806 to be included into the adjoining Reserve for Open Space and Buffer Zone with Redland City Council as trustees.

It is advised that approval has been sought from the Minister's Delegate and upon Council's acceptance of this offer, the amendment of the Reserve for Open Space and Buffer Zone to include Unallocated State land parcel Lot 241 on SP234806 will be granted under section 31 of the *Land Act 1994*. The description for the current reserve will include Lot 241 on SP234806 and the area will be amended from 133.800000 ha (about) to 138.390000 ha (about).

You are advised this offer includes Native Title and Cultural Heritage advices as per below:

Native Title

I wish to advise Native Title is not extinguished on Lot 241 on SP234806 however the proposed use of the area will be Low Impact and has been assessed on the future use being for walking trails, tracks and mainly conservation. As Lot 241 on SP234806 has been assessed under Module 24LA of the Native Title Work Procedures, Council are advised your proposed future act must be capable of being stopped if a determination is made that native title exists over the area covered by the future act. Your future act cannot continue after the making of an approved determination of native title.

Cultural Heritage

An Aboriginal Cultural Heritage search has been undertaken and has revealed the following information – there are no Aboriginal cultural heritage recorded on the Cultural Heritage Database and Register for Lot 241 on SP234806. However, it is probable that the absence of recorded Aboriginal cultural heritage places reflects a lack of previous cultural heritage surveys of the area. Therefore, our records are not likely to reflect a true picture of the Aboriginal cultural heritage values of the area.

All significant Aboriginal cultural heritage in Queensland is protected under the Aboriginal Cultural Heritage Act 2003, penalty provisions apply for any unauthorized harm. Under the legislation a person carrying out an activity must take all reasonable and practical measures to ensure the activity does not harm Aboriginal Cultural Heritage. This applies whether or not such places are recorded in an official register and whether or not they are located in, on or under private land.

Aboriginal cultural heritage, which may occur on the subject property, is protected under the terms of the Aboriginal Cultural Heritage Act 2003 even if the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs has no records relating to it.

Please refer to the website www.datsima.qld.gov.au/atis/aboriginal-torres-strait-islander-peoples/indigenous-cultural-heritage for a copy of the gazette Cultural Heritage duty of care guidelines, which set out reasonable and practical measures for meeting the duty of care.

There is currently no registered Cultural Heritage body for Lot 241 on SP234806.

There is currently no registered Aboriginal party for Lot 241 on SP234806.

For the Lot 241 on SP234806 area without a registered Aboriginal party, an appropriate contact can be identified by: Andrew Rutch, Southern Region CH Coordinator, Cultural Heritage Ph. 3247 6220.

The attached Notification of Acceptance of Offer must be returned to the Department by close of business on **16 December 2013**, otherwise this offer lapses. Business days include those days that the Department office is normally open and excludes weekends and public holidays.

If you believe you will be unable to comply with **any** of the conditions of this offer by the specified date, you should apply in writing for an extension of time. Any application for an extension of time should be made **before** the offer lapses and must address the following -

- what action you have taken to comply with the offer conditions; **AND**
- why the conditions cannot be complied with by the due date; **AND**
- the time for which the extension is requested, including reasons for the amount of time required.

If you do not apply for an extension of time and the offer lapses a new application and application fee will be required. If you make a new application, the matter will be re-investigated and a new decision will be made that will include re-assessment of the conditions and requirements applicable to the dealing. This re-assessment may also result in the application being refused.

If you wish to discuss this matter please contact Diane McQuade on (07)38848055.

All future correspondence relative to this matter is to be referred to the contact Officer, Diane McQuade by email to diane.mcquade@dnrm.qld.gov.au or PO Box 1164, Beenleigh Qld 4207.

Please quote reference number 2013/005632 in any future correspondence.

Yours sincerely



Diane McQuade
Land Administration Officer

Encl. Notification of Acceptance of Offer
Smartmap of Lot 241 on SP234806 and surrounding areas

Notification of acceptance of conditions of offer in terms of the *Land Act 1994*

File / Ref number 2013/005632

Department of Natural Resources and Mines
 Diane McQuade
 DNRM Beenleigh
 PO Box 1164
 Beenleigh
 4207 QLD

I/We,

Redland City Council

(Full Name/s of Applicants)

of,

(residential address or registered office)

being the person/s to whom an offer has been made in terms section 31 of the Land Act 1994 and in accordance with the Department's letter of offer dated 16 October 2013.

HEREBY GIVE YOU NOTICE that:

I/we accept the conditions of the offer.

I/We note that this acceptance shall not be effective until I/we have complied with all the conditions of the offer within the time specified.

Particulars of land

Tenure Type - Reserve for Open Space and Buffer Zone and Unallocated State land parcel (L241)

Description - Lots 1, 3-7 on SP234806 **Parish-** Capalaba **County-** Stanley
 Lot 241 on SP234806 (USL)

Conditions - As per department's letter of offer dated 16th October 2013

Postal :
 DNRM Beenleigh
 PO Box 1164
 Beenleigh
 4207 QLD

Telephone : (07)38848055
Fax: (07)38848079

Tenancy Details

We request that our interests be recorded as:-

Joint Tenants

OR

Tenants in Common.

INTEREST

NAME

POSTAL ADDRESS (of person or Company to whom
correspondence is to be addressed)

(if space is insufficient, please continue on the back of this form)

The **Notification of Acceptance of Offer** form together with payment of all required monies must be returned to the Department by close of business on **16th December 2013**, otherwise this offer will lapse. If you believe you will be unable to comply with all the conditions of this offer by the due date, you may apply in writing for an extension of time. Applications for extensions of time must be made before the offer lapses and must address the following -

- what action you have taken to comply with the offer conditions; **AND**
- why the conditions cannot be complied with by the due date; **AND**
- the extension of time requested.

However an extension of time may not be granted to make payment of all required monies.

If you do not apply for an extension of time the offer lapses, a new application and application fee will be required. If you make a new application, the matter will be re-investigated and a new decision will be made that may include re-assessment of the land values involved and all conditions and requirements applicable to the dealing. The re-assessment may also result in the application being refused.

Dated at _____ this _____ day of _____ 2013.

(SIGNATURE/S)

(WITNESS)

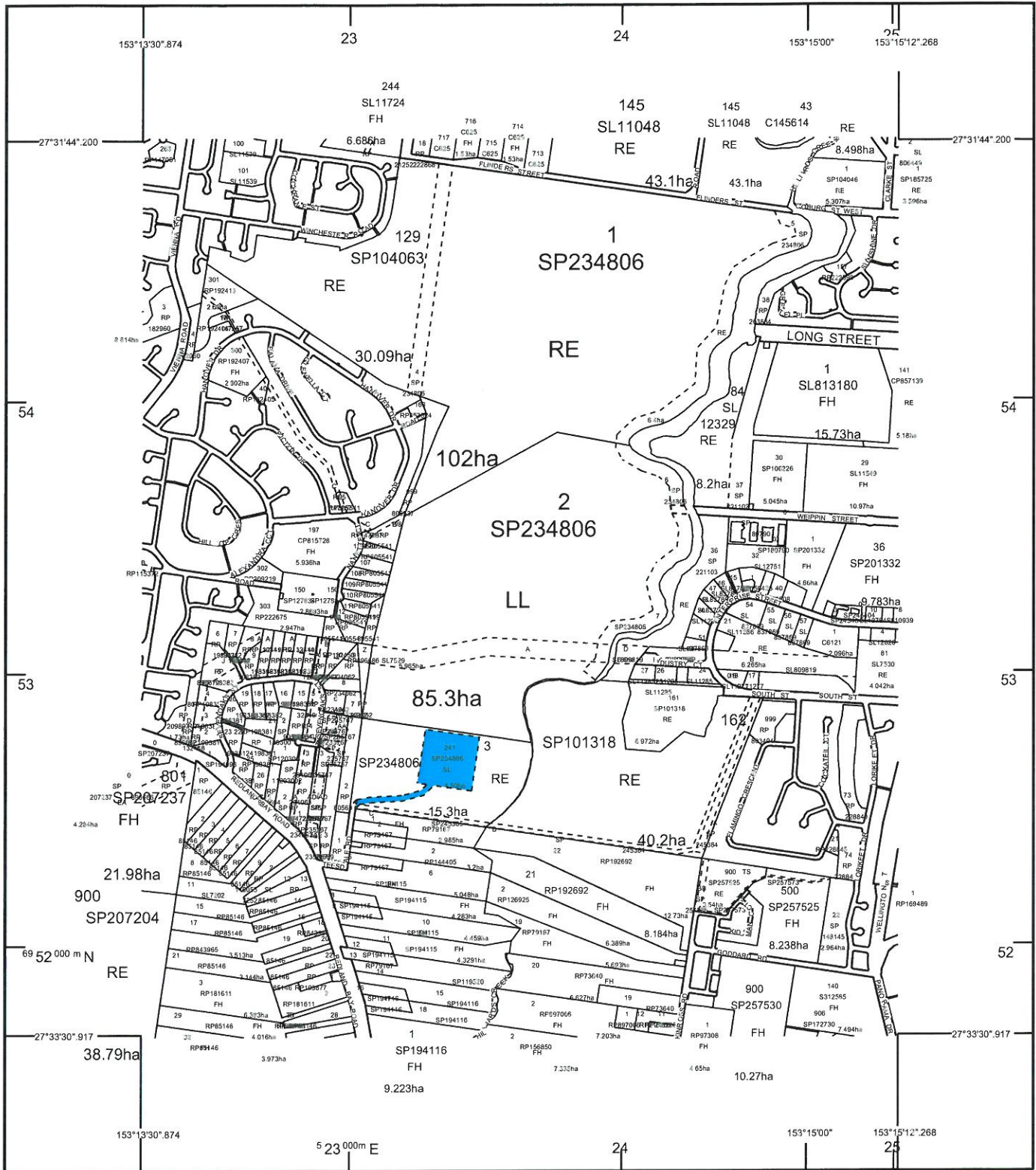
(SIGNATURE/S)

(WITNESS)

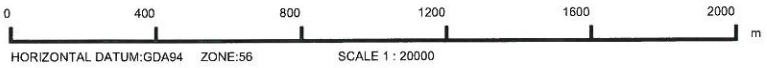
(ABN Number if applicable for Issue of Tax Invoice)

(ACN Number if no Company Seal required)

NOTE: This document should be signed by all persons to whom the offer has been made. All persons to whom the offer has been made or their registered Power of Attorney for and on their behalf should sign this document. In the event of a company being offered the tenure, this document is to be executed either under the Company Seal, with the signatories designation within the Company stated. Or, without the seal and signed by two (2) directors or, a director and the secretary.



STANDARD MAP NUMBER
9542-41121



SmartMap

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

MAP WINDOW POSITION & NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	2/SP234806
Area/Volume	85.3ha
Tenure	LANDS LEASE
Local Government	REDLAND CITY
Locality	ALEXANDRA HILLS
Parish	CAPALABA
County	STANLEY
Segment/Parcel	30549/402

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 14/10/2013
For additional information regarding this SmartMap see page 2.
Shading Rules have been applied.

DCDB 11/10/2013 (Lots with an area less than 3000m² are not shown)

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Despite Department of Natural Resources and Mines(DNRM)'s best efforts, DNRM makes no representations or warranties in relation to the Information, and, to the extent permitted by law, exclude or limit all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability for any direct, indirect and consequential costs, losses, damages and expenses incurred in any way (including but not limited to that arising from negligence) in connection with any use of or reliance on the Information

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



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