

Department of

Author: Sharon Wilkings File / Ref number: Drainage Reserves GRC:SW Directorate / Unit: State Land Asset Management Phone: (07) 49384577 Environment and Resource Management

GLADSTONE REGIONAL COUNCIL RECORDS DEPT	P 46907
Resp Officer/s Greg Winter	
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Dear Mr Kanofski

PO Box 29

23 December 2010

Mr Graeme Kanofski

The Chief Executive Officer Gladstone Regional Council

GLADSTONE QLD 4680

- 10

PROPOSED ALLOCATION OF UNALLOCATED STATE LAND IN TANNUM SANDS AS RESERVE FOR DRAINAGE PURPOSES

The department has identified various parcels of unallocated State land in Tannum Sands as drainage areas and therefore the most appropriate tenure for the land is considered to be reserve for drainage purposes with council as trustee.

I have enclosed a list of the lot and plan descriptions of the subject parcels for your information and a SmartMap of the area.

Native title may continue to exist over this land. Section 24KA of the *Native Title Act* allows facilities for service to the public to be established, for the benefit of the community as a whole, for a drainage facility. Under Section 24KA, established means the construction, operation, use, maintenance or repair of a facility on behalf of the Crown, local government body or statutory authority of the Crown in any of its capacities, of particular facilities.

Should council accept trusteeship of the land, the department will notify the relevant Registered Native Title Claimants and Registered Native Title Body Corporate for the particular area, of the State's intention to dedicate the land as reserve for drainage purposes.

Would you please advise, in writing, if Council is prepared to accept trusteeship of reserves for drainage purposes over these parcels.

Section 44 (2) of the Land Act 1994 states:

A trustee may be -

- (a) the State; or
- (b) a statutory body; or
- (c) an incorporated body; or
- (d) a named individual

Office : DERM Rockhampton Level 1, State Government Centre 209 Bolsover Street Rockhampton QLD 4700 Postal : DERM Rockhampton PO Box 1762 Rockhampton 4700 QLD **Telephone** : (07) 49384577 **Fax:** (07)49384800 If council has identified any other areas of land as drainage areas, please advise the department and the land will be assessed and allocated as reserve for drainage purposes if appropriate.

Please quote the reference 'Drainage Reserves GRC:SW' in any future correspondence.

If you wish to discuss this matter further please contact me on (07) 49384577 or by email to <u>SLAM-Rockhampton@derm.qld.gov.au</u>.

Yours sincerely

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Sharon Wilkings Land Officer – Property Services Rockhampton

Att: Drainage areas - Tannum Sands

DRAINAGE AREAS - TANNUM SANDS

No.	Lot/Plan No.	Area (ha)	Description of land
1	21/T82810	0.0299	Coral Street, Tannum Sands
2	5/T82827	0.2008	Neptune Street, Tannum Sands
3	20/T82813	0.1507	Neptune Street, Tannum Sands
4	49/T82815	0.0562	Neptune Street, Tannum Sands
5	51/T82815	0.0268	Creek Road, Tannum Sands
6	52/T82815	0.0225	Trevally Street, Tannum Sands
7	10/T82814	0.0653	Seaview Street, Tannum Sands
8	30/T82816	0.0700	Elizabeth Street, Tannum Sands
9	1/AP14770	0.0800	Elizabeth Street, Tannum Sands
10	1/AP11345	0.1200	Pacific Avenue, Tannum Sands
11	2/AP14769	0.3900	Trevally Street, Tannum Sands

