From: Queensland North Assessments
Sent: Monday, 16 June 2025 3:19 PM
To: s. 47F(1)
Subject: RE: Lot 130 CTN1818 - Land to be cleared containing Threatened ecological community (Protected matter - EPBC) [SEC=OFFICIAL]

OFFICIAL

Dear s. 47F(1)

Thank you for reporting information to the department regarding potential land clearing within Reserve 98-91 on Lot 130 CTN1818 in Tannum Sands, 4680 Qld.

Under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), proposals require assessment and approval from the Minister for the Environment or a delegate if they are likely to have a significant impact on one or more matters of national environmental significance. This includes listed threatened flora, fauna and ecological communities, as well as migratory species and heritage places, among others.

The department has provided information to Clearview Christian College Ltd / MyCity Church Ltd regarding the relevant requirements of the EPBC Act and the process for referring a proposed action. The department will continue to work closely with Clearview Christian College Ltd / MyCity Church Ltd to ensure that they comply with any obligations under the EPBC Act.

Please note that if a proposed action is referred for assessment under the EPBC Act, the referral will be made available for public comments over a period of 10 business days on the department's website at https://epbcpublicportal.awe.gov.au/all-referrals/.

Thank you again for your correspondence on this matter.

Kind regards

Queensland North Assessments Section
Environment Assessments Queensland Branch| Nature Positive Regulation Division
Email: Queensland.north.assessments@dcceew.gov.au| Web: dcceew.gov.au

OFFICIAL

OFFICIAL

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From: s. 47F(1)
Sent: Wednesday, April 16, 2025 5:15 PM
To: Queensland North Assessments <queensland.north.assessments@dcceew.gov.au>
Subject: Re: Lot 130 CTN1818 - Land to be cleared containing Threatened ecological community (Protected matter - EPBC) [SEC=OFFICIAL]

OFFICIAL

Dear Sir/Madam

I wish to provide the following update in response to your email dated 13 March 2025.

Please find the attached letter and copy of email below from the Minister for Education and the Arts in relation to RES 98-91 confirming intended development activities on this land.

I hope this information is helpful s. 47F(1) I will let you know if there has been any activity on this land. Please feel free to contact me if you have any questions.

s. 47F(1)

OFFICIAL

From: Correspondence <Correspondence@qed.qld.gov.au>
Date: Wednesday, 9 April 2025 at 4:19 pm
To: s. 47F(1)
Subject: Letter from the Minister for Education and the Arts
Dear s. 47F(1)

Thank you for your correspondence to the Honourable John-Paul Langbroek MP, Minister for Education and the Arts.

Please find attached a response from the Minister.

Yours sincerely
Ministerial and Executive Services Unit

1 William Street | Brisbane | QLD 4000
PO Box 15033 | City East QLD 4002

I acknowledge the Traditional Custodians of this land, waterways and seas. I pay my respects to their ancestors and Elders of the past and present, and their continued determination to keep culture alive and strong.

Queensland Government

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From: Queensland North Assessments <queensland.north.assessments@dcceew.gov.au>
Date: Thursday, 13 March 2025 at 12:02 pm
To: s. 47F(1)
Subject: RE: Lot 130 CTN1818 - Land to be cleared containing Threatened ecological community (Protected matter - EPBC) [SEC=OFFICIAL]

OFFICIAL

Good afternoon s. 47F(1)

Thank you for reporting information to the department regarding potential land clearing within Reserve 98-91 on Lot 130 CTN1818 in Tannum Sands, 4680 Qld.

As there are no public records of a land transaction between MyCity Church and the Department of Education for this property nor sufficient evidence to indicate land development plans for this area, we are unable to pursue this report any further at this stage.

If you become aware of any updates to this situation, please don't hesitate to contact us.

Kind regards,
Queensland North Assessments Section
Environment Assessments Queensland Branch| Nature Positive Regulation Division
Email: Queensland.north.assessments@dcceew.gov.au| Web: dcceew.gov.au

Australian Government
Department of Climate Change, Energy, the Environment and Water

Note: under section 491 of the Environment Protection and Biodiversity Conservation Act 1999 it is an offence to knowingly provide false and/or misleading information to a departmental officer.

Acknowledgement of Country
Our department recognises the First Peoples of this nation and their ongoing connection to culture and country. We acknowledge First Nations Peoples as the Traditional Owners, Custodians and Lore Keepers of the world's oldest living culture and pay respects to their Elders past, present and emerging.



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OFFICIAL

From: s. 47F(1)
Sent: Friday, 21 February 2025 10:19 AM
To: EPBC Referrals <EPBC.Referrals@dcceew.gov.au>
Subject: Lot 130 CTN1818 - Land to be cleared containing Threatened ecological community (Protected matter - EPBC)

Dear Sir/Madam

Further to my telephone conversation with your office yesterday I wish to submit the attached documents.

The Queensland Department of Education was allocated Reserve 98-91 on Lot 130 CTN1818 in 1983 for a secondary state school. A state high school was not built on RES 98-91 but at a separate location in Tannum Sands.

Residents I know in Boyne Island / Tannum Sands have told me over the last 4 weeks that MyCity Church who established Clearview Christian College adjacent to Reserve 98-91 has come to an agreement with the Department of Education to clear Reserve 98-91 for the development of a private non government primary school.

As per the attached letter RES 98-91 contains (Qld) Regional Ecosystem 12.2.2 which is part of the Littoral Rainforest and Coastal Vine Thickets of Eastern Australia Ecological Community a Protected Matter under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

There has been no public notification or information about this development or clearing the remnant vegetation to the community or it appears to native title holders or other government agencies.

I wrote to the Ministers in the attached letter (refer attached) but have not received a response to date.

This matter has been kept very quiet.

The Department of Education are still the trustees of RES 98-91 (Refer attached Title Search).

Clearview College (MyCity Church) details are as per the following:
1 Canoe Point, Tannum Sands Qld 4680
PO Box 3003

P: 07 4910 8822
E: admin@clearview.qld.edu.au

Yours sincerely

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s. 47F(1)

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Queensland Government

Minister for Education and the Arts

1 William Street Brisbane 4000
PO Box 15033 City East
Queensland 4002 Australia
Telephone +61 7 3719 7270
Email: education@ministerial.qld.gov.au
arts@ministerial.qld.gov.au

9 APR 2025

s. 47F(1)
Email: s. 47F(1)

Dear s. 47F(1)

Thank you for your letter dated 12 February 2025 regarding Lot 130 CTN1818 (98-91) in Tannum Sands.

To assist you with your concerns and for me to be able to provide you with a response, I sought clarification from the Department of Education (DoE).

I am advised that DoE has leased part of this parcel of underutilised reserve tenure land to a third party. The proposed use of part of the site has been subject to discussions with the Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development and is considered appropriate as an interim use with the current reserve purpose of the land being a reserve for state school (secondary) purposes.

I can confirm that there is no required or planned change in reserve purpose or conversion to freehold tenure as part of this dealing. The trustee lessee must comply with all environmental and planning laws including undertaking any consultation and relevant approvals under the terms of the lease agreement.

In addition, the third party is required to satisfy its statutory obligations regarding native title and Aboriginal or Torres Strait Islander cultural heritage prior to proceeding with any development activity.

If you would like further information or assistance, please contact s. 22(1)(a)(ii), Executive Director, Strategy and Service Planning, on s. 22(1)(a)(ii) or by email at s. 22(1)(a)(ii)@qed.qld.gov.au.

I trust this information is of assistance.

Yours sincerely

s. 22(1)(a)(ii)

JOHN-PAUL LANGBROEK MP
Minister for Education and the Arts

Ref: 25/159856; M2100

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s. 22(1)(a)(ii)

12 February 2025

The Honourable John-Paul Langbroek MP
Minister for Education and the Arts

The Honourable Andrew Powell MP
Minister for the Environment and Tourism and
Minister for Science and Innovation

The Honourable Dale Last MP
Minister for Natural Resources and Mines,
Minister for Manufacturing, and
Minister for Regional and Rural Development

1 William Street
BRISBANE QLD 4000

Dear Ministers,

RE: Reserve: RES 98-91 - Lot 130 CTN1818

Gazettal date: 22/10/1983

Purpose: STATE SCHOOL

Sub-Purpose: SECONDARY

Trustees: The State of Queensland (Represented by Department of Education)

Area: 12.8 hectares

Address: Tannum Sands QLD 4680

Can you please advise whether the Department of Education has allowed RES 98-91 - Lot 130 CTN1818 (RES 98-91) above to be allocated for another purpose or for a non-government school or has an application been made to freehold RES 98-91 in order to facilitate ownership by a private entity and/or a non-government school?

A Current Reserve Search identifies that RES 98-91 was allocated by the former Lands Department in 1983 for the purpose of a State high school assigning the Department of Education as trustees. To date RES 98-91 has not used for this purpose. In 1998 Tannum Sands State High School was established in a separate location in Tannum Sands servicing the Boyne Island/Tannum Sands community. In addition, Boyne Island/Tannum Sands located 26 km south of Gladstone supports two State primary schools, a private primary school and recently established private secondary school.

At the time of gazettal RES 98-91 was set apart under the repealed *Land Act 1962* when operational reserves could be allocated for public purposes, which included for example, reserves for police, hospitals, electrical works and state schools. Under the current legislation new trust land can no longer be dedicated or granted for community purposes such as schools.

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There is concern in Boyne Island/Tannum Sands community that RES 98-91 is to be allocated or sold to a private entity and/or for the development of a non-government school. Can you please advise if RES 98-91 is to be allocated or sold to MyCity Church Ltd or Clearview Christian College or other private entity? If it is the intention to allocate RES 98-91 to a private interest or an application has been made to freehold RES 98-91 to facilitate private ownership it would suggest that use of State land for a private enterprise is inconsistent with the legislative intent of public reserves and trust land that were allocated according to defined Operational and Community Purposes under the repealed *Land Act 1962* and currently in accordance with the revised Community Purposes as per Schedule 1 of the *Land Act 1994*.

Native Title Determination QUD6026/2001 exists over RES 98-91 (Attachment 2). Native title is held by the Bailai, Gurang, Gooreng Gooreng, Taribelang Bunda People. Development of RES 98-91 and any associated land clearing and building of infrastructure means that the native title holders are not able to have their rights and interests recognised over all areas of their traditional country. Bailai, Gurang, Gooreng Gooreng, Taribelang Bunda People hold non-exclusive rights to access RES 98-91 (and adjoining Council managed reserves) to exercise their recognised rights and interests including:

- access, be present on, move about on and travel over the area;
- hunt, fish and gather on the lands and waters of the area for traditional foods;
- camp and for that purpose build temporary shelters;
- light fires on the area for domestic purposes including cooking, but not for the purposes of hunting or land clearing;
- participate in cultural activities in the area;
- teach on the area the physical and spiritual attributes of the area;
- maintain places of importance and areas of significance to the native title holders under their traditional laws and customs and protect those places and areas from physical harm and;
- be buried and bury native title holders within the area.

A current search of the Aboriginal and Torres Strait Islander Cultural Heritage Database and Aboriginal and Torres Strait Islander Register also identifies that a Cultural Heritage Site exists in RES 98-91 (Attachment 3).

RES 98-91 adjoins Council managed reserves on its northern and eastern boundaries and together comprises an area of intact woodlands, rainforest and wetlands forming the coastal area adjacent to the Boyne River and beaches along this coastline extending from the Boyne River mouth past Canoe Point, Tannum Sands beach SLSC clubhouse to Wild Cattle inlet. Gladstone Regional Council manages these adjoining reserves to protect the environmental values whilst providing for community recreation. The Council managed reserves provide a network of bicycle paths and walkways through the reserves linking the scenic Canoe Point parkland overlooking the beaches and inshore islands with shady trees, BBQs, picnic shelters and boardwalk access to the beaches all surrounded by native vegetation that extends south along the foreshore to Wild Cattle Inlet. The Canoe Point parkland is extremely popular for BBQs, picnics and other recreational activities on weekdays and weekends.

The cycle/walking pathways and Canoe Point parkland are a focal recreation area for the residents of Boyne Island/Tannum Sands and Gladstone. The pathways are used extensively for exercising, walking, running and cycling. Every Saturday around 100 people

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of all ages join in the weekly Parkrun based from Canoe Point parkland. Residents are able to walk their dogs on dedicated beaches and the shallow, sheltered shoreline adjacent to Canoe Point is very popular with families with small children.

Birdwatching enthusiasts and Birdlife Australia undertake monthly bird surveys in the undisturbed ecosystems of the Council managed reserves and RES 98-91 that support a diverse range of bird species and suitable habitat for foraging, roosting and breeding by other native species. Each year Tawny frogmouth and Barking owls nest in forests in these reserves including nests near the Canoe Point parkland. Each summer unfledged Tawny frogmouth and Barking owl chicks can be seen in the roosting trees within the 12.8 ha RES 98-91. The beauty and undisturbed nature of the Council managed reserves and RES 98-91 are utilised and valued by the whole Gladstone community.

RES 98-91 contains significant biodiversity values. Department of Environment, Tourism, Science and Innovation Environmental Reports show that approximately 92% of RES 98-91 is comprised of intact remnant vegetation including diverse woodlands on metamorphics/volcanics and beach ridges, foredune communities and littoral rainforest. Biodiversity Status mapping (based on the Queensland Herbarium) shows that the vegetation over a large portion of RES 98-91 is Endangered containing Regional Ecosystem 12.2.2 Microphyll/notophyll vine forest on beach ridges which forms the dominant vegetation (Attachment 4). This endangered vegetation is also reflected by the Broad Vegetation Group BVG 3a Rainforests and scrubs encompassing the same area (Attachment 5).

Regional Ecosystem 12.2.2 is also listed as Critically Endangered under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) as part of the Littoral Rainforest and Coastal Vine Thickets of Eastern Australia Ecological Community https://www.dcceew.gov.au/sites/default/files/documents/littoral-rainforest.pdf. This ecological community is a Protected Matter under the EPBC Act and subject to the *2019 National Recovery Plan for the Littoral Rainforest and Coastal Vine Thickets of Eastern Australia Ecological Community* by the (Department of Environment and Energy). This ecological community is listed as Critically Endangered as its distribution has been reduced and severely fragmented due to land clearing and continues to be threatened by land clearance and development, weed invasion, recreational disturbance, fire etc. Accordingly, the EPBC Act requires that any action that may have a significant impact on a Protected Matter must be referred to the Environment Minister.

Department of Environment, Tourism, Science and Innovation Environmental Reports also identify that RES 98-91 is significant for biodiversity at bioregional and State scales:

- State Habitat for EVNT taxa (90.05% of RES 98-91) (Attachment 6);
- State Significance - Remnant vegetation contains at least 1 Endangered or 2 Vulnerable or Near Threatened species and National Threatened Ecological Community (48.99% of RES 98-91);
- State Significance - Remnant vegetation contains at least 1 Endangered or 2 Vulnerable or Near Threatened species (41.06% of RES 98-91);
- State Significance – Remnant vegetation contains Core Habitat for Priority Taxa and remnant vegetation forms part of a bioregional corridor (41.06% of RES 98-91);
- State Significance – Remnant vegetation contains Core Habitat for Priority Taxa and remnant vegetation contains Special Biodiversity Values and remnant vegetation forms part of a bioregional corridor (48.99% of RES 98-91);

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An expert panel assigned Special Biodiversity Values to RES 98-91 (Attachment 7) as per the following:
    - State Significance - Riparian bioregional corridors providing connectivity through lowland areas;
    - State and Regional Significance - Terrestrial bioregional corridors; and
    - State Significance – Lowland rainforest and wet sclerophyll rainforest with VERY HIGH under the wildlife refugia criteria.
- HIGH for Aquatic conservation significance (riverine wetlands) (99.98% of RES 98-91) (Attachment 9);
- Regional Ecosystem 12.11.6 is known to provide suitable habitat for koalas (41.83% of RES 98-91);
- Regional Ecosystem 12.11.6 and Regional Ecosystem 12.2.2 is habitat for threatened flora species (68.78% of RES 98-91);
- Regional Ecosystem 12.2.11 is potential habitat for *Nature Conservation Act* 1992 listed species (17.15% of this RES 98-91); and
- Regional Ecosystems 12.1.3 is habitat for threatened fauna species False water-rat *Xeromys myoides* (0.73% of RES 98-91).

In addition the Department of Environment, Tourism, Science and Innovation has identified the following Matters of State Environmental Significance (MSES) are present in the RES 98-91:

- 7a Threatened (endangered or vulnerable) wildlife (91.6% of RES 98-91) (Attachment 10);
- 7b Special least concern animals (91.6% of RES 98-91) (Attachment 11);
- 8a Regulated Vegetation – Endangered/Of concern in Category B (remnant vegetation) (49% of RES 98-91) (Attachment 12); and
- 8d Regulated Vegetation – Essential habitat (91.6% of RES 98-91) (Attachment 13).

Given that a very successful state high school currently operates in Boyne Island/Tannum Sands which annually attracts 95% of Grade 7 students from local schools with an average of 213 students per grade together with two State primary schools, may I suggest that it would be timely to consider whether RES 98-91 would better serve the community and native title holders with a new Community Purpose (as per Schedule 1 of the *Land Act 1994)* where both community and native title interests can co-exist.

RES 98-91 has very high natural values that if managed in a similar manner to the adjoining Council reserves would provide long term benefits to the entire Gladstone community (63,515 people, 2021 census). Protecting the natural values whilst allowing residents to enjoy similar recreational activities in RES 98-91 would be compatible with the native title rights and interests of the Bailai, Gurang, Gooreng Gooreng, Taribelang Bunda People who hold native title.

Given the above may I request that the Department of Education, Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development and Department of Environment, Tourism, Science and Innovation give due consideration to the future management of RES 98-91 towards co-existence between the native title holders and the Gladstone community.

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If it remains the intention of a Queensland Government department to pursue this unusual action to allocate or sell State land to a private entity, can you advise if there will be an opportunity provided for public consultation where the community can relay their concerns prior to approval of intended development activities?

Yours sincerely

s. 22(1)(a)(ii)

s. 47F(1)

cc. First Nations Bailai, Gurang, Gooreng Gooreng, Taribelang Bunda People Aboriginal Corporation RNTBC
c/- Port Curtis Coral Coast Trust,
PO Box 537 BUNDABERG QLD 4670
Email: reception@pccctrust.com.au

Enclosed:

Attachment 1: Locality Map (Department of Environment, Science, Tourism and Innovation (DETSI)).

Attachment 2: QUD6026/2001 – Native Title Determination Area (Federal Court of Australia).

Attachment 3: Map of Cultural Heritage Sites - Cultural Heritage Database and Register Search Report (Department of Seniors, Disability Services and Aboriginal and Torres Strait Island Partnerships).

Attachment 4: Remnant 2021 Regional Ecosystems – Biodiversity Status (DETSI).

Attachment 5: Remnant 2021 Regional Ecosystems by Broad Vegetation Groups (DETSI).

Attachment 6: Biodiversity Planning Assessment – State Habitat for EVNT taxa (DETSI).

Attachment 7: Corridors – State and Regional Significance (DETSI).

Attachment 8: Wetlands and Waterways (DETSI).

Attachment 9: Aquatic Conservation Assessment – riverine (VERY HIGH) (DETSI).

Attachment 10: MSES – 7a Threatened (endangered or vulnerable) wildlife (DETSI).

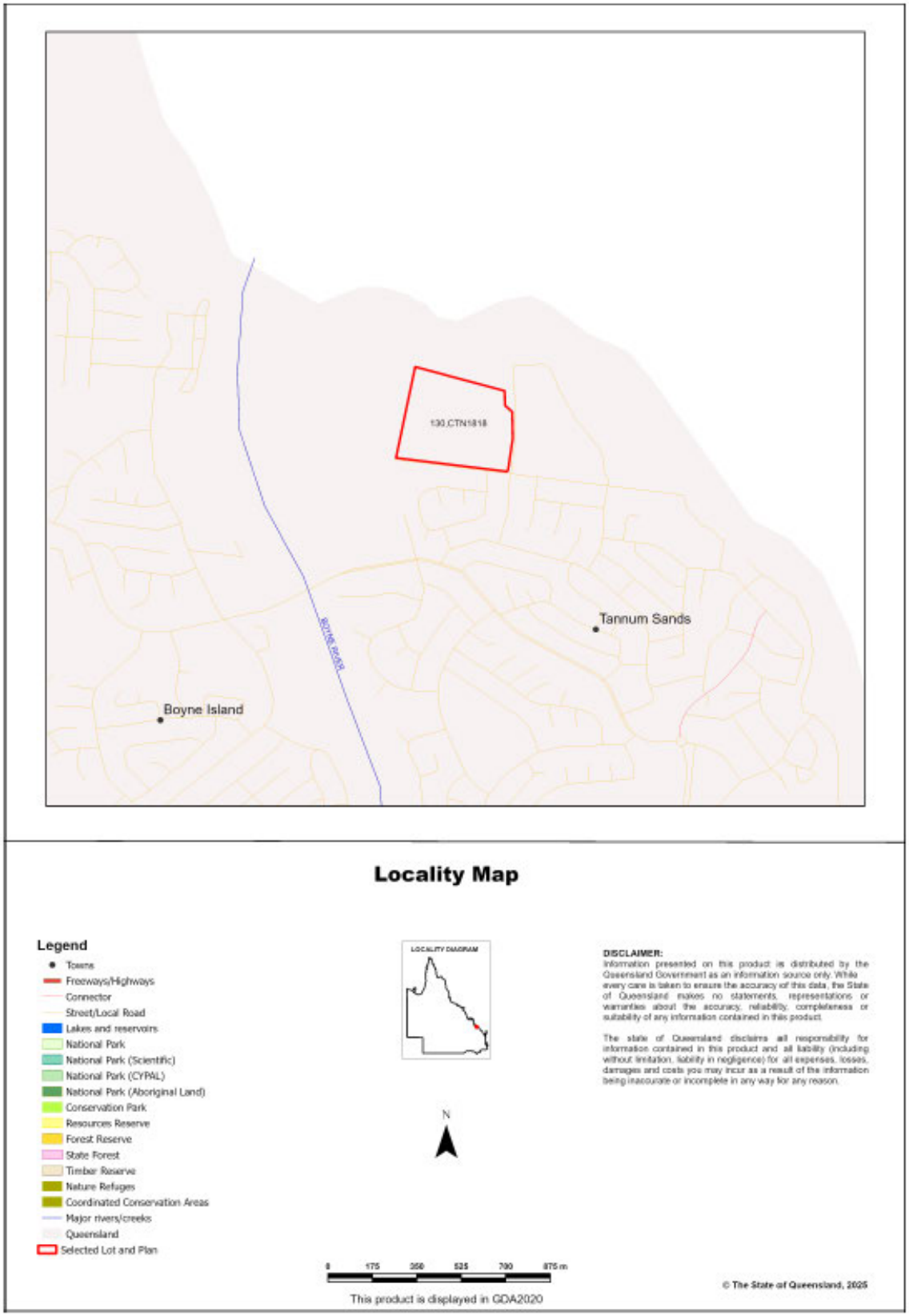
Attachment 11: MSES – 7b Special least concern animals (DETSI).

Attachment 12: MSES – 8a Regulated Vegetation (DETSI).

Attachment 13: MSES - Regulated Vegetation - Essential habitat (DETSI).

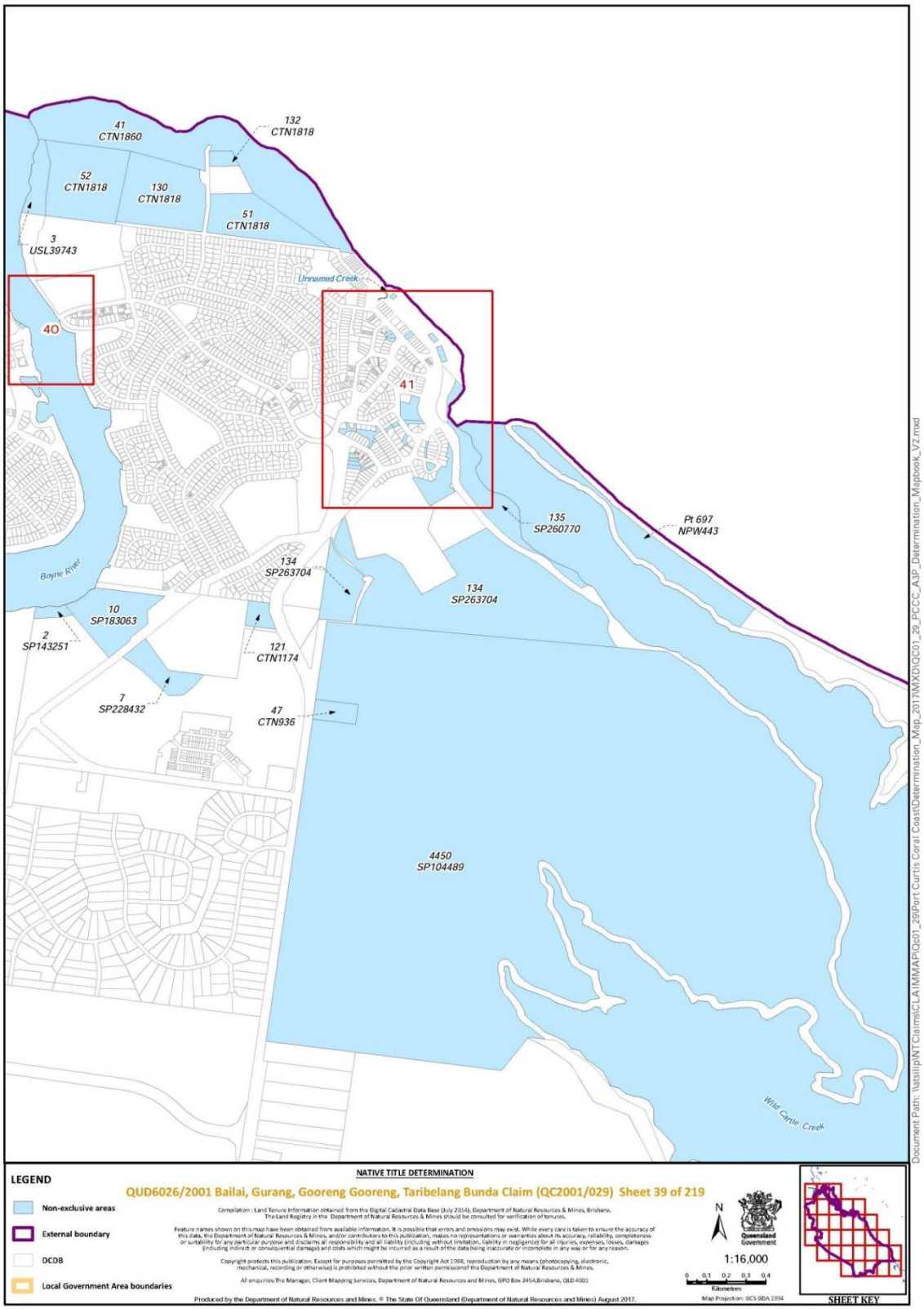
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Attachment 1: Locality Map.



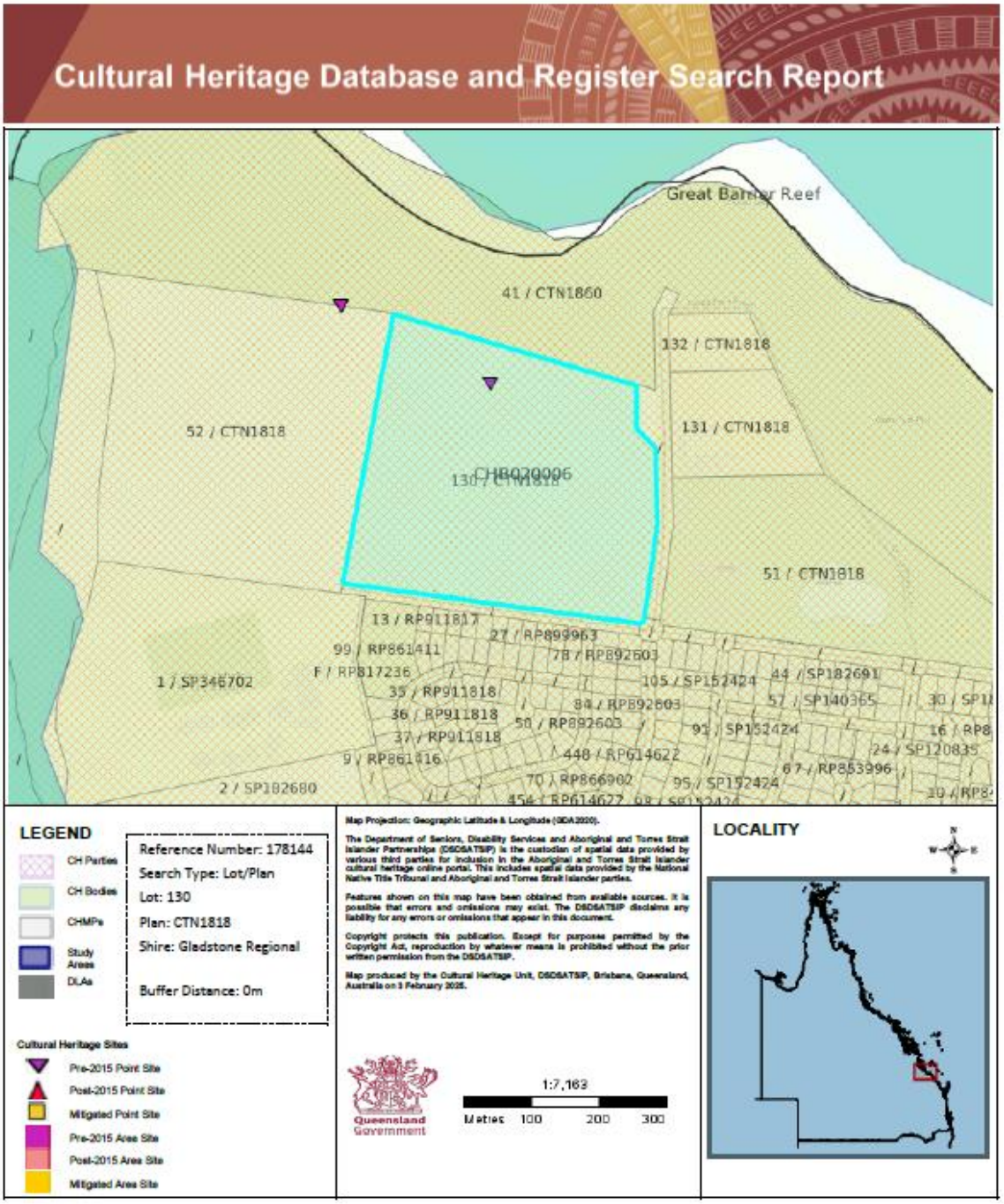
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Attachment 2: QUD6026/2001 – Native Title Determination Areas.



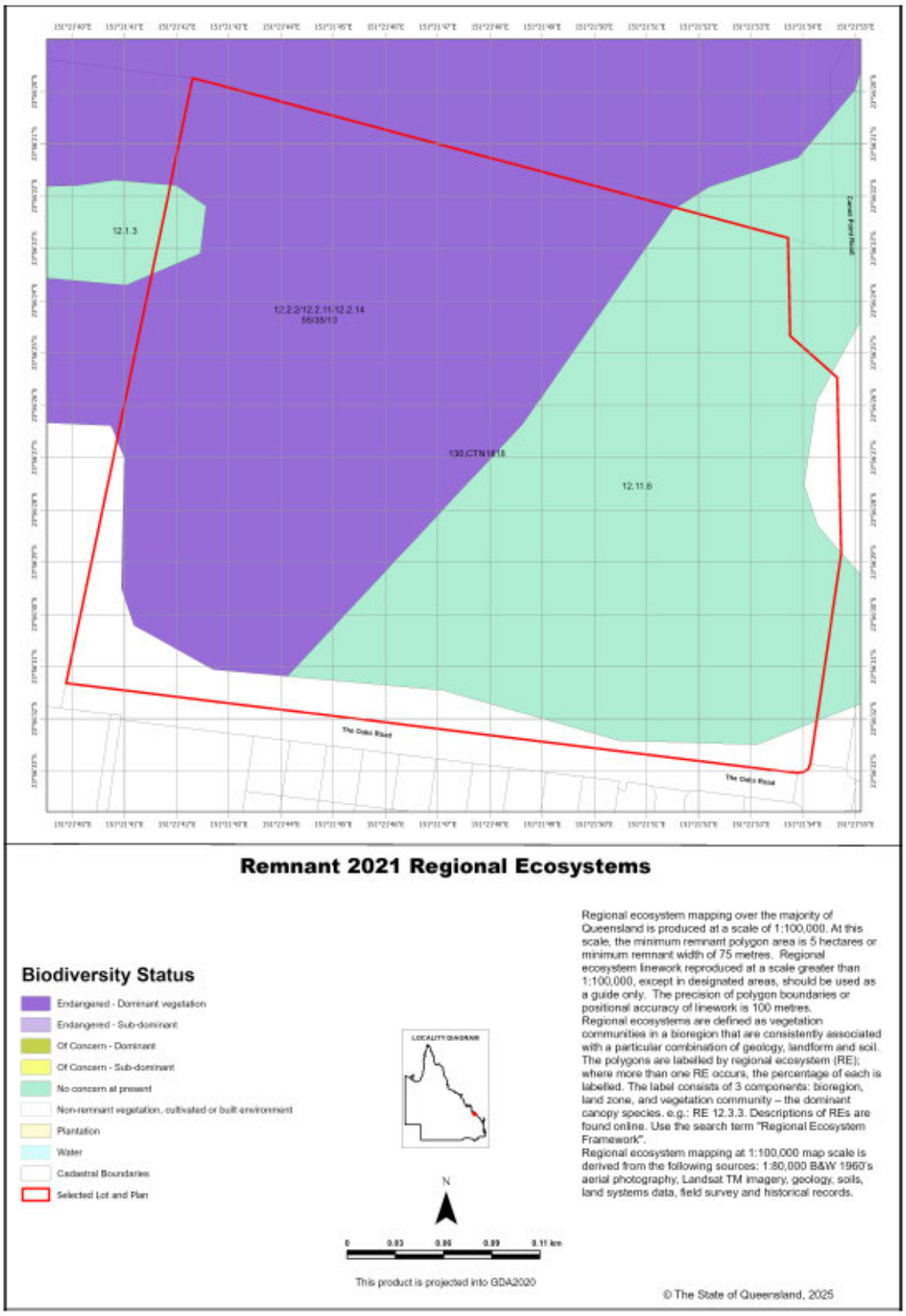
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Attachment 3: Map of Cultural Heritage Sites - Cultural Heritage Database and Register Search Report.



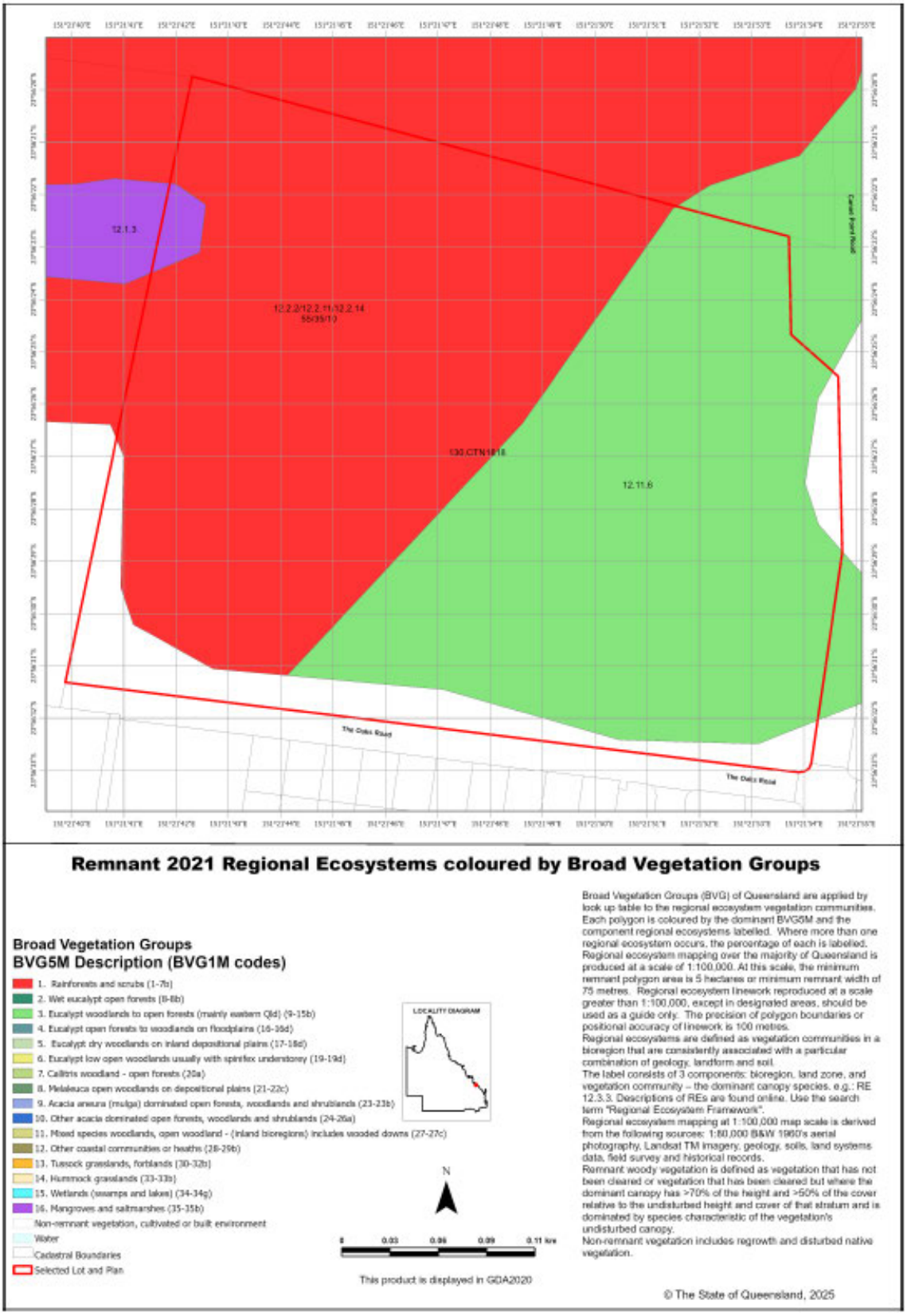
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Attachment 4: Remnant 2021 Regional Ecosystems – Biodiversity Status.



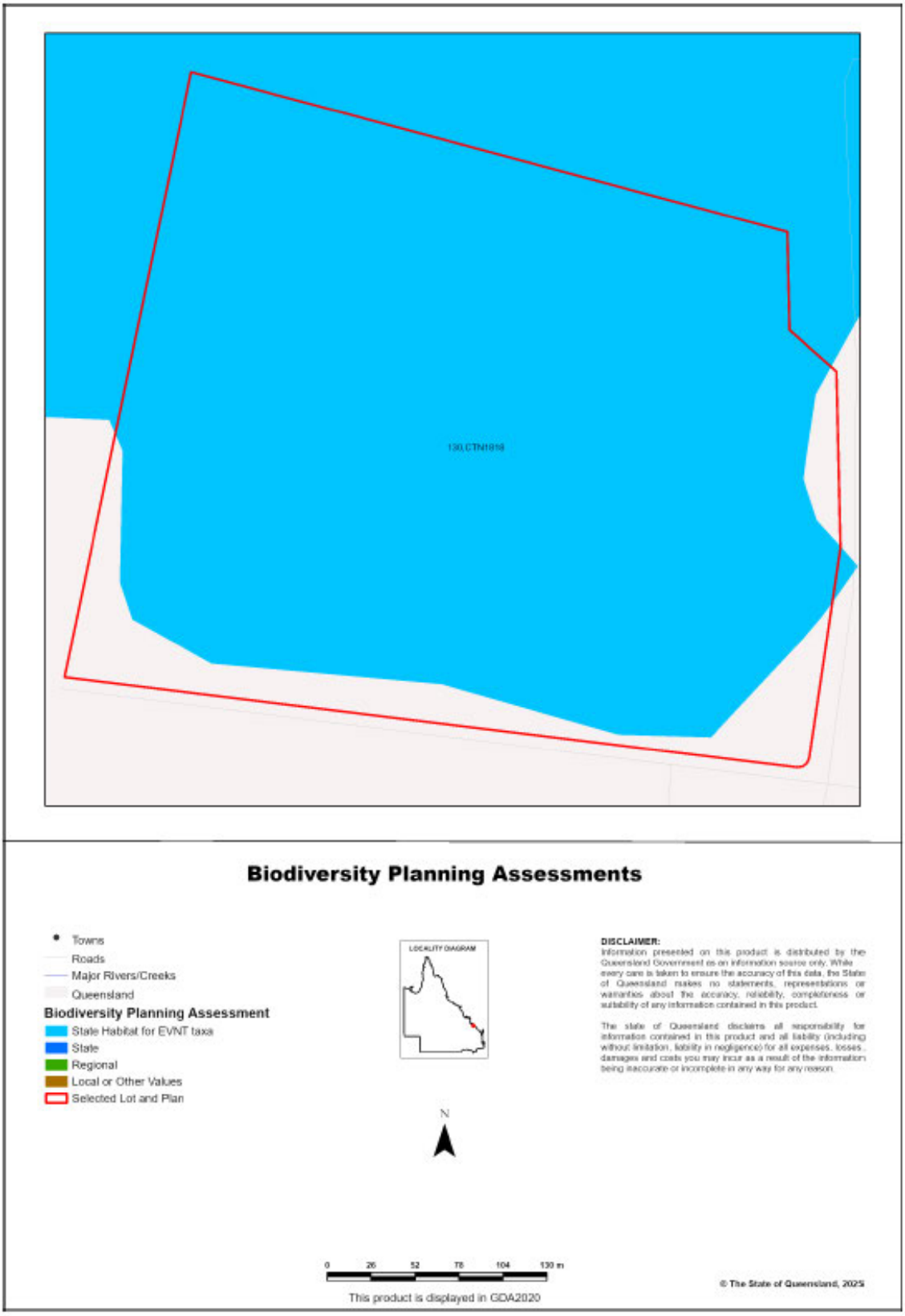
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Attachment 5: Remnant 2021 Regional Ecosystems by Broad Vegetation Groups.



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Attachment 6: Biodiversity Planning Assessment – State Habitat for EVNT taxa.

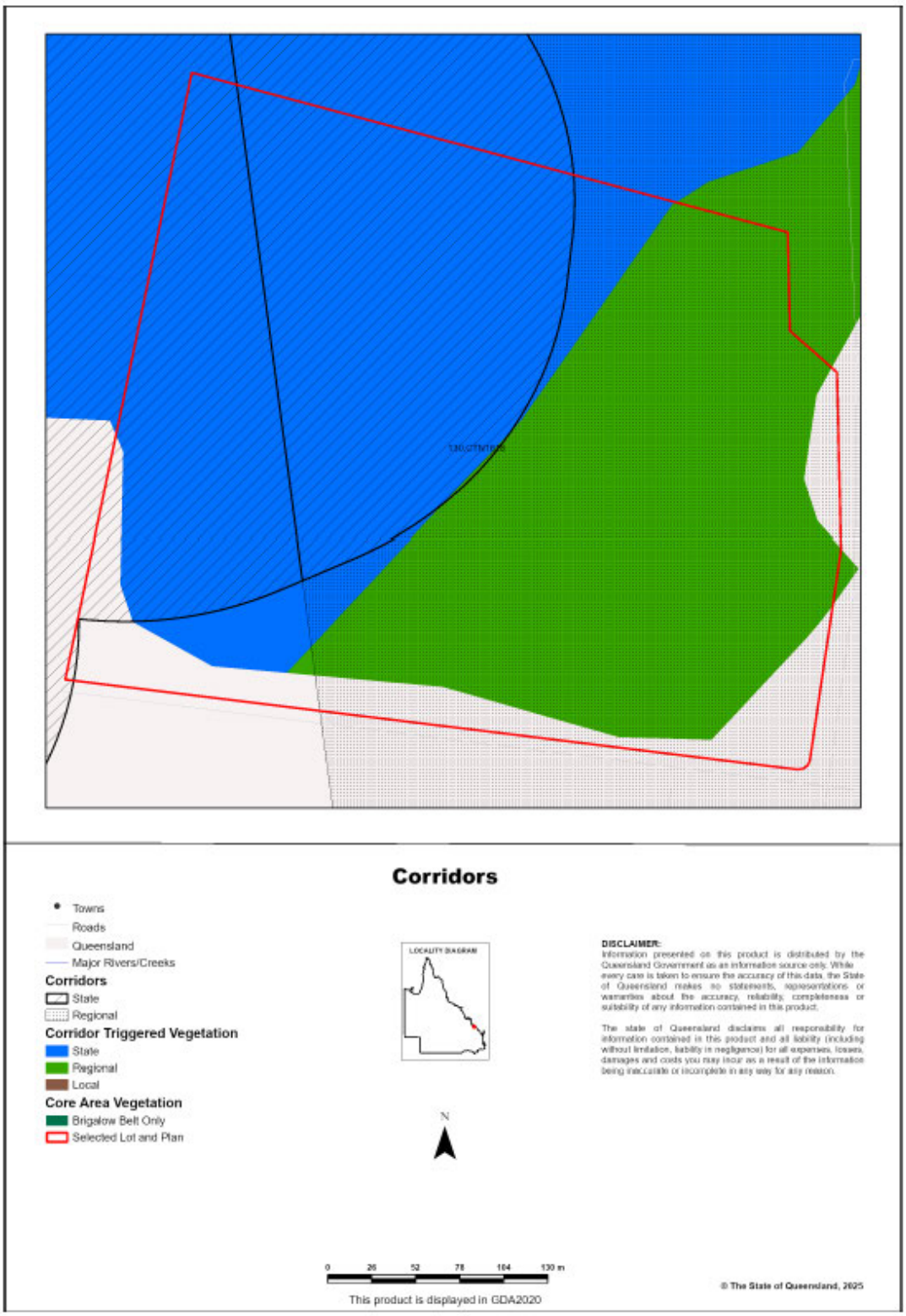


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Attachment 7: Corridors – State and Regional Significance.

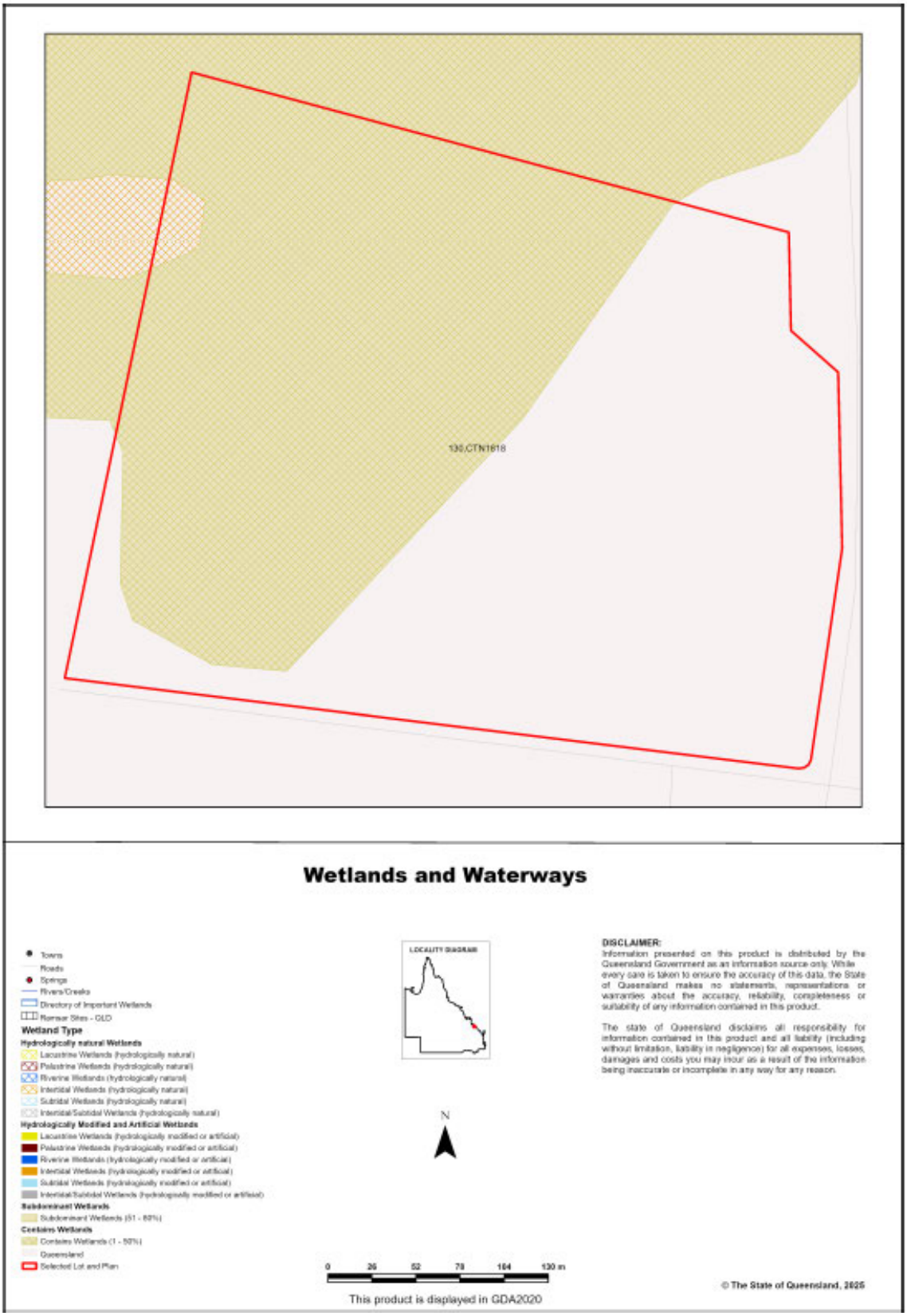
Special Biodiversity Values (48.99% of RES 98-91

1. Riparian bioregional corridors (State Significance)
2. Terrestrial bioregional corridors (State and Regional Significance)
3. Lowland rainforest and wet sclerophyll rainforest with VERY HIGH (wildlife refugia criteria)



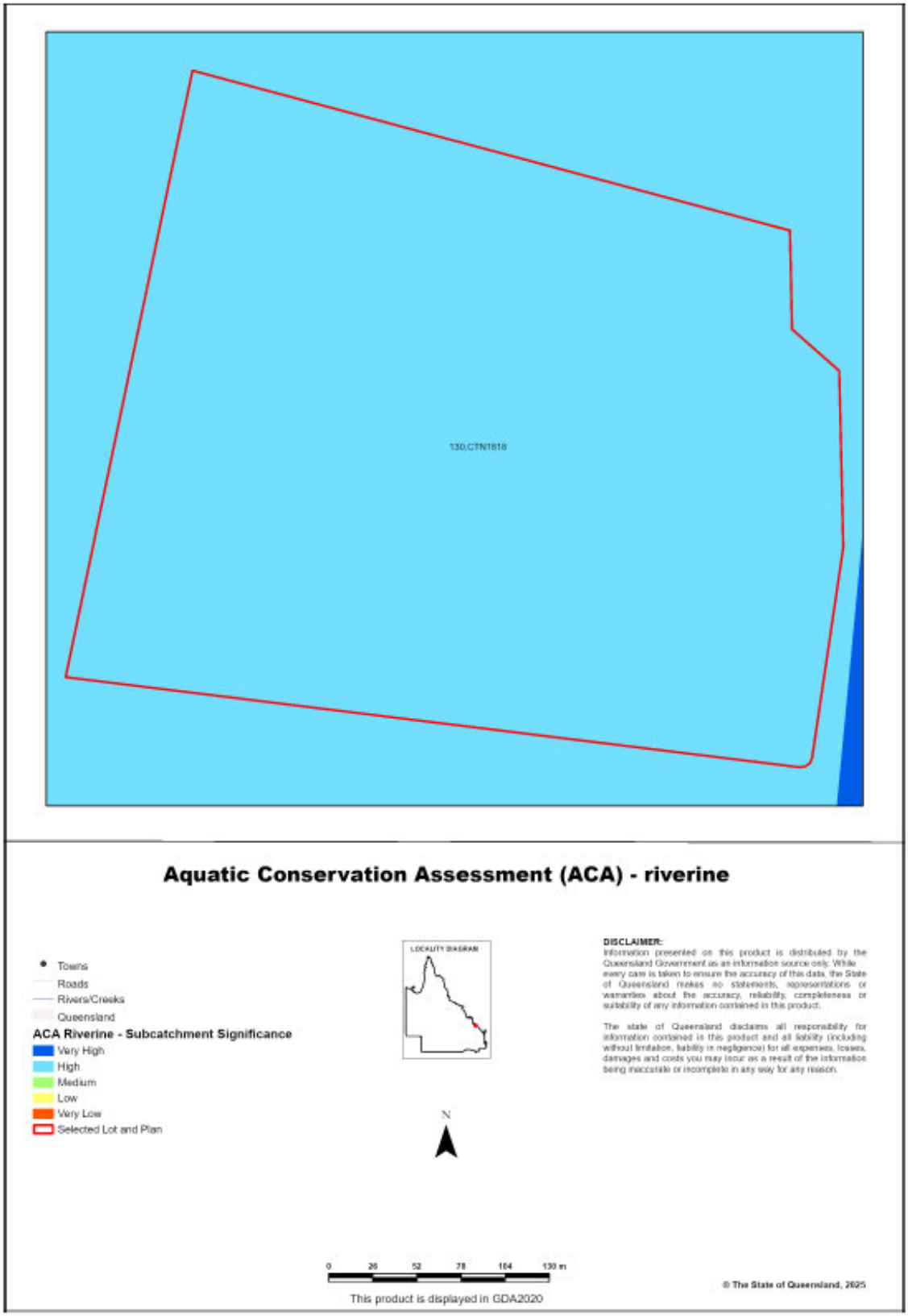
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Attachment 8: Wetlands and Waterways.



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Attachment 9: Aquatic Conservation Assessment – riverine (VERY HIGH).



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Attachment 10: MSES – 7a Threatened (endangered or vulnerable) wildlife.

(91.6% of RES 98-91).

Threatened (endangered or vulnerable) wildlife species records

Page 9

Matters of State Environmental Significance 24/01/2025 10:31:14

Scientific name	Common name	NCA status	EPBC status	Migratory status
Numenius madagascariensis	eastern curlew	E	CE	M-C/J/R/B/E
Limosa lapponica baueri	Western Alaskan bar-tailed godwit	V	V	M-C/J/R/B/E
Charadrius mongolus	lesser sand plover	E	E	M-C/J/R/B/E
Crocodylus porosus	estuarine crocodile	V	None	M-B/E
Natator depressus	flatback turtle	V	V	M-B/E
Chelonia mydas	green turtle	V	V	M-B/E

Attachment 11: MSES – 7b Special least concern animals.

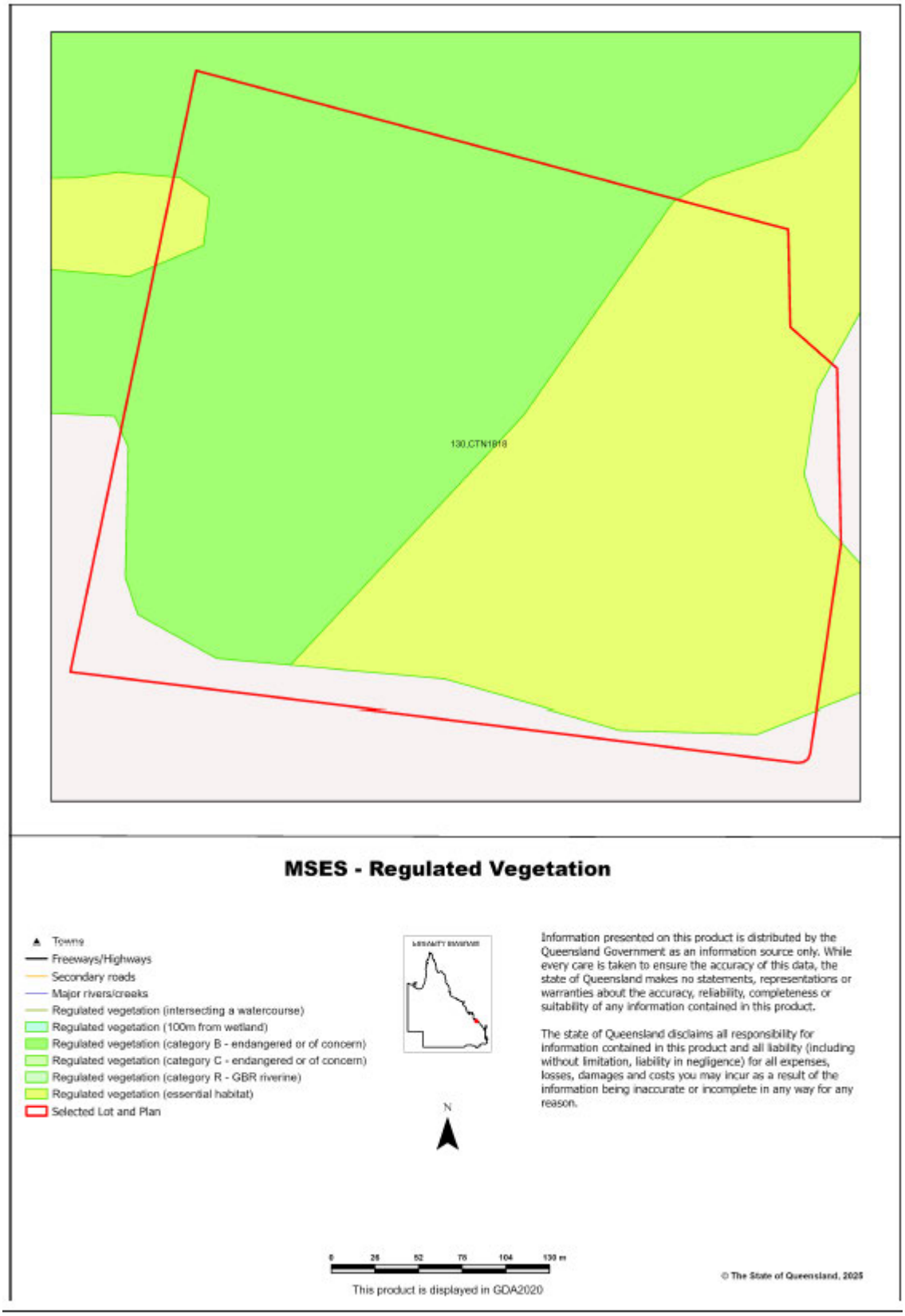
(91.6% of RES 98-91).

Special least concern animal species records

Scientific name	Common name	Migratory status
Numenius phaeopus	whimbrel	M-C/J/R/B/E
Tringa brevipes	grey-tailed tattler	M-C/J/R/B/E
Actitis hypoleucos	common sandpiper	M-C/J/R/B/E
Arenaria interpres	ruddy turnstone	M-C/J/R/B/E
Pluvialis fulva	Pacific golden plover	M-C/J/R/B/E

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Attachment 12: MSES – 8a Regulated Vegetation - Endangered/Of concern in Category B (49% of RES 98-91)



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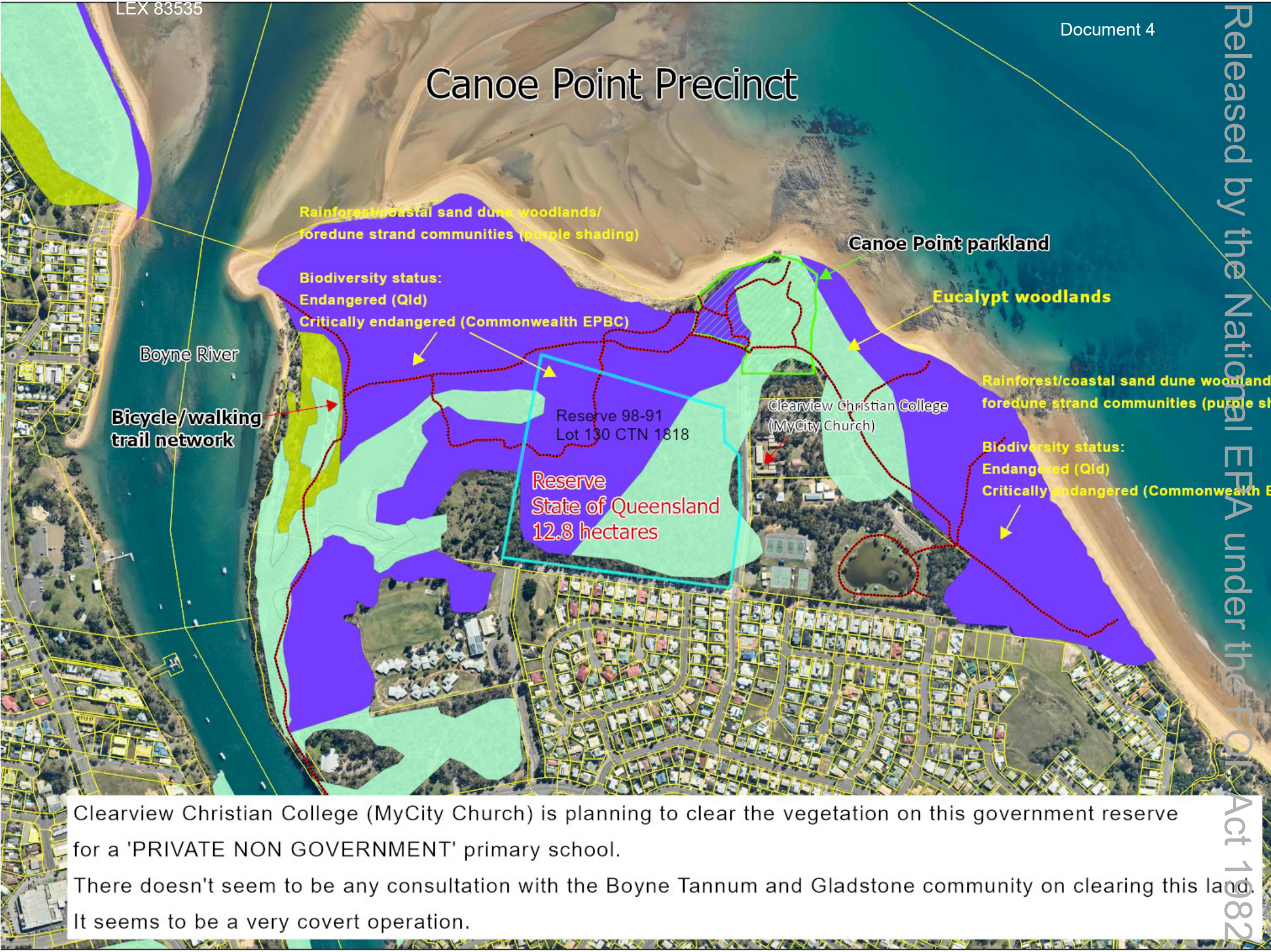
Attachment 13: MSES - Regulated Vegetation - Essential habitat.

(91.6% of RES 98-91).



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LEX 83535



Clearview Christian College (MyCity Church) is planning to clear the vegetation on this government reserve for a 'PRIVATE NON GOVERNMENT' primary school.

There doesn't seem to be any consultation with the Boyne Tannum and Gladstone community on clearing this land. It seems to be a very covert operation.

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Titles QUEENSLAND

Current Reserve Search

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	**49015449**
Date Reserve Gazetted:	22/10/1983
Page:	683
Search Date:	19/02/2025 20:56
Request No:	50953390

DETAILS

Opening Ref:	RES 98-91
Purpose:	STATE SCHOOL
Sub-Purpose:	SECONDARY
Local Name:	
Address:	TANNUM SANDS
County (R) No:	R586
File Ref:	RES 20857

LAND DESCRIPTION

LOT 130 CROWN PLAN CTN1818 GAZETTED ON 22/10/1983 PAGE 683
Local Government: GLADSTONE

Area: 12.800000 Ha. (SURVEYED)

TRUSTEES

THE STATE OF QUEENSLAND (REPRESENTED BY DEPARTMENT OF EDUCATION) GAZETTED ON 22/10/1983 PAGE 683

EASEMENTS AND ENCUMBRANCES

NIL

ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status
718775840	NT DETERM NATIVE TITLE ACT 1993 (CTH)	29/05/2018 16:28	CURRENT

UNREGISTERED DEALINGS

NIL

** End of Current Reserve Search **

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Requested by: D-ENQ TITLES QUEENSLAND