EXHIBIT 237

Redland Hor. Barrett Centre.



Department of
Environment and Resource
Management

GOVERNMENT REPONSE TO THE 2008 REPORT OF THE PREMIER'S KOALA TASKFORCE

CONSIDERATION OF PROPOSALS TO CLEAR OR DISPOSE OF QUEENSLAND GOVERNMENT LAND

Definitions for the purposes of this document

Clearing - per Schedule 10, Integrated Planning Act 1997.

Disposal of land – to relinquish control of a parcel of land by gift, sale, bestowal or assignment. The term *excludes* a transfer from one State tenure to another *providing* the transfer does not materially erode the protection of any koala habitat present on the land.

Fire access track - A track constructed and/or maintained expressly for fire management purposes.

Fireline - A natural or constructed barrier, or treated fire edge, used in fire suppression and prescribed burning to limit the spread of fire.

Government agency – a Queensland Government department, statutory authority or other agency constituted under State legislation.

Koala habitat - (a) a woodland where koalas currently live; or

- (b) a partially or completely cleared area that is used by koalas to cross from one woodland where koalas currently live to another woodland where koalas currently live; or
- (c) a woodland where koalas do not currently live, if the woodland -
 - (i) primarily consists of koala habitat trees; and
 - (ii) is reasonably suitable to sustain koalas.

Koala habitat tree - a tree of any of the following genera:

- (a) Angophora;
- (b) Corymbia;
- (c) Eucalyptus;
- (d) Lophostemon;
- (e) Melaleuca.

Land under contract – a parcel of land that is subject to an agreement, which is enforceable at law, between a person representing a Government agency and at least one other person.

SEO – see South East Queensland.

South East Queensland – per Section 6.8.1 of the *Integrated Planning Act 1997*. State Government land – land located in South East Queensland and controlled by a Government agency, including leasehold and easement interests.

Urgent social infrastructure – the proposed use of a parcel of land for the purpose of developing essential community facilities involving primary medical care, aged care, emergency ambulance or fire response, or the provision of water, power or transport infrastructure, for which no alternative is reasonably available to reduce the risk of loss of human life or significant detriment to human health, or an educational institution for which planning is well advanced and there is no reasonable alternative.

Assessment

The following process aids assessment of a proposal by a Government agency to proceed with the clearing of a koala habitat tree on a parcel of State Government land, or the disposal of a parcel of State Government land.

- 1. Is the parcel of land less than 0.5 hectare (5,000 m²) in area?
 - a. No go to 2.
 - b. Yes felling of trees or disposal of land may proceed without approval under these procedures. Government agency is to write to the DERM as soon as is practicable to advise of location and size of the parcel of land. END
- 2. Are trees to be felled or cleared from the parcel of land under State forestry operations? (that is, there is no intention to dispose of the land).
 - a. No go to 3.
 - b. Yes felling of trees or clearing of land may proceed without approval under these procedures. END
- 3. Are trees to be felled or cleared from the parcel of land to establish a fire access track or fireline:
 - required by State or Local Government law? or
 - directed or explicitly endorsed by the Queensland Fire and Rescue Service or a Local Government? or
 - undertaken in accordance with a project approved under the Bushfire Mitigation Fund?
 - a. No go to 4.
 - b. Yes-felling of trees or clearing of land may proceed without approval under these procedures. END
- 4. Was the land under a contract to dispose on or prior to 6 December 2008?
 - a. No go to 5.
 - b. Yes disposal of land may proceed without approval under these procedures. Government agency is to write to the DERM as soon as is practicable to advise of location and size of the parcel of land. END
- 5. Is the land the subject of an application for a permanent road closure?
 - a. No go to 6.
 - b. Yes does the application relate to a dedicated road in an urbanised or built-up area (whether or not the road is formed or constructed)?
 - i. No go to 6.
 - ii. Yes disposal or clearing of land may proceed without approval under these procedures. Government agency is to write to the DERM as soon as is practicable to advise of location and size of the parcel of land. END
- 6. Details of the proposed clearing or disposal action must be submitted to the DERM for further evaluation. Please email details to
- 7. Is the land the subject of a lease renewal application under the Land Act 1994?
 - a. No go to 8.
 - b. Yes if the proposed lease renewal is for the same purpose as the current lease and if there is a condition in the proposed new lease that specifies a prohibition on vegetation clearing on the land, the lease renewal may not be subject to the freeze.
 In any case, details of the renewal application must be submitted to the DERM for further evaluation. For example, it may be preferable that a particular area not be re-leased for an extended period to facilitate potential future acquisition. END

- 8. Is the land mapped as koala habitat under the *Nature Conservation (Koala) Conservation Plan 2006 and Management Program 2006 2016*, or as an Interim Koala Protection Area under the *draft South East Queensland Koala State planning regulatory provisions?*
 - a. Yes DERM conducts either a records review or an abbreviated site inspection to confirm the presence of koala habitat on the land.

Is koala habitat confirmed?

- i. Yes go to 10.
- ii. No -go to 9.
- b. No DERM conducts either a records review or a more detailed site inspection to determine the koala habitat values of the land.

Does the land contain koala habitat?

- i. Yes go to 10.
- ii. No -go to 9.
- 9. Is the land important for koala movement between adjacent koala habitat? (Assessment criteria will include width of movement corridors and number and type of trees)
 - a. Yes go to 10.
 - b. No disposal or clearing of land may proceed with Ministerial approval go to 11.
- 10. Does the requesting Government agency claim the land clearing or disposal is necessary for urgent social infrastructure?
 - a. No -go to 11.
 - b. Yes DERM obtains substantiating details. *Decision by Minister* go to 12.
- 11. DERM drafts a Briefing Note to the Minister for Climate Change and Sustainability, including details of any claim regarding land under contract, to recommend:
 - a. Denial of the request to clear or dispose of the land, or
 - b. Defer further consideration until the mapping of koala habitat in SEQ is complete, or
 - c. Acceptance of the request to clear or dispose of the land, under specified conditions (eg. offset), or
 - d. Acceptance of the request to clear or dispose of the land, subject to the prior development by the requesting Government agency of an offset proposal and its acceptance by the Minister for Climate Change and Sustainability, or
 - e. Acceptance of the request to clear or dispose of the land, without conditions, or
 - f. Immediate purchase of the land.

END

- 12. DERM drafts a Briefing Note to the Minister for Climate Change and Sustainability, including details of any claim regarding urgent social infrastructure. Should DERM agree that the proposal involves urgent social infrastructure, the recommendation will be to accept the request without conditions. Should DERM not concur, one of the following will be recommended:
 - a. Denial of the request to clear or dispose of the land, or
 - b. Defer further consideration until the mapping of koala habitat in SEQ is complete,
 - c. Acceptance of the request to clear or dispose of the land, under specified conditions (eg. retention of a proportion of on-site koala habitat trees), or
 - d. Acceptance of the request to clear or dispose of the land, subject to the prior development by the requesting Government agency of an offset proposal and its acceptance by the Minister for Climate Change and Sustainability, or
 - e. Immediate purchase of the land.

END

Government response to koala taskforce report

- The Premier and the Minister for Sustainability, Climate Change and Innovation announced in August 2008
 that there was a crisis in koala numbers in South-east Queensland (SEQ), primarily in the urban footprint of
 the South East Queensland Regional Plan 2005 2026 (SEQ Regional Plan). The Premier also announced
 the formation of a specialised Koala Taskforce to investigate and report on this issue.
- 2. A Koala Response Strategy has been developed based on an analysis of the Koala Taskforce report recommendations.
- 3. Part of the Cabinet endorsed (Cabinet Directive 8632, attached) Government koala crisis response plan includes a freeze on the disposal and clearing of State-owned land in SEQ not needed for urgent social infrastructure until an assessment is made of the koala habitat values on each site.
- 4. A protocol (attached) has been developed to provide guidance on the process to be followed to obtain approval to clear trees or dispose of land from Department of Environment and Resource Management (DERM) under the Directive. It lists information necessary to provide to DERM to allow a decision to be made on whether or not the proposed clearing or disposal of land will be permitted and what conditions may apply. It also contains guidance on the limited circumstances in which approval is not required to fell trees or dispose of land. Exemptions include where the parcel of land is less than 5,000m² in area and where clearing is required to establish a fire access track or fireline under law or Queensland Fire and Rescue Service directive.
- 5. Urgent social infrastructure is defined under the protocol developed as the proposed use of a parcel of land for the purpose of developing essential community facilities involving primary medical care, aged care, emergency ambulance or fire response, or the provision of water, power or transport infrastructure, for which no alternative is reasonably available to reduce the risk of loss of human life or significant detriment to human health, or an educational institution for which planning is well advanced and there is no reasonable alternative.
- 6. It is noted that an application to clear or dispose of land must still be made to DERM even where the project is considered to be urgent social infrastructure.
- 7. There are currently no statutory timeframes governing how quickly requests for approval will be processed. Briefing Notes are prepared by DERM staff and sent to the Minister for Climate Change and Sustainability for endorsement. It is currently estimated that 6–8 weeks should be allowed for obtaining a response to an application to clear or dispose of land.



- 8. It is noted that the Cabinet Directive will remain in place until a new State Planning Policy for koalas is developed later this year. It is currently estimated by DERM staff that this will be in place by early 2010. Hence, clearing or disposal of land after this date may be governed by different regulatory provisions.
- 9. Notwithstanding the requirements of the Directive, it is strongly recommended by DERM that impact on koalas is addressed in project planning and design stages. The *Nature Conservation (Koala) Conservation Plan 2006 and Management Program 2006-2016* (the Koala Plan) provides guidance on koala friendly design elements.
- 10. Please direct any questions regarding this to Tarla Jocumsen, Principal Environmental Engineer

 If required, the Environmental Engineering Unit can prepare submissions to DERM under this directive.

Attachments

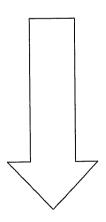
- Cabinet Directive 8632
- Government Response to the 2008 Report of the Premier's Koala Taskforce, Consideration of Proposals to Clear or Dispose of Queensland Government Land (protocol discussed in Point 4 above).

The draft South East Queensland Koala State Planning Regulatory Provisions came into effect on 12 December 2008. The Department of Infrastructure and Planning is now the concurrence agency under the Integrated Planning Act 1997 for defined development in Urban Koala Areas and in Koala Sustainability Areas that are within the Urban Footprint as defined in the South East Queensland Regional Plan 2005-2026. You can find out if your property is within the Urban Footprint by using the Department of Infrastructure and Planning interactive mapping tool at http://www.dip.qld.gov.au/regional-planning/land-use-categories.html

Please contact the Department of Infrastructure and Planning regarding assessing applications within the Urban Footprint at www.dip.gld.gov.au or

Department of Infrastructure and Planning

Copies of the draft State Planning Regulatory Provisions are available for inspection and collection free of charge from the Department of Infrastructure and Planning Brisbane Office, Ground Level at 63 George Street, and from the EPA Customer Service Centre, Ground Level, 160 Ann Street, Brisbane.



See next page

Development in Koala Habitat Areas in the South East Queensland Region

Fact sheet Koala conservation









Introduction

The Environmental Protection Agency (EPA) has finalised a Koala Plan that may affect the types of development that can occur in koala habitat areas.

The Koala Plan consists of the *Nature Conservation (Koala) Conservation Plan 2006 and Management Program 2006–2016* and has been prepared
under the *Nature Conservation Act 1992*.

The Koala Plan comes into effect on 2 October 2006.

Koalas are currently listed as a 'vulnerable' species in the South East Queensland Bioregion under the Nature Conservation Act 1992.

Koala conservation criteria

The Koala Plan includes criteria for development assessment. These are referred to as the koala conservation criteria and are 'called up' by the South East Queensland Regional Plan 2005–2026 (SEQ Regional Plan).

The SEQ Regional Plan requires development in Koala Habitat Areas

to be assessed against the koala conservation criteria.

The koala conservation criteria have differing requirements depending on what kind of development is proposed, whether the proposal is a development commitment, and in what type of Koala Habitat Area it occurs. The criteria address a range of issues relevant to conserving koalas and koala habitat including:

- vegetation clearing;
- degradation of habitat;
- generation of additional vehicle traffic; and
- the effect of the proposed development on koalas traversing the landscape.

The koala conservation criteria contained within the *Nature Conservation (Koala) Conservation Plan 2006 and Management Program 2006–2016* replace the Interim
Guideline: Koalas and Development referred to in the SEQ Regional Plan.

Where do the koala conservation criteria apply?

The koala conservation criteria apply only in the South East Queensland region in Koala Habitat Areas. Koala Habitat Areas consist of:

- Koala Conservation Areas;
- Koala Sustainability Areas; and
- Urban Koala Areas.

Maps of Koala Habitat Areas can be found by visiting www.epa.qld.gov. au/koalaconservation/

The koala conservation criteria are applicable to developers, which is made assessable by schedule 8 of the *Integrated Planning Act 1997*; local government planning schemes or the regulatory provisions of the SEQ Regional Plan and when designating community infrastructure.

Applicable development under the Integrated Planning Act

The koala conservation criteria apply to the following types of development in Koala Habitat Areas:

- A material change of use of premises if the development involves
 - a) the clearing of native vegetation; or
 - b) a new building and any reasonably associated structure with a total footprint greater than 500m2; or
 - c) an extension to an existing building and any reasonably associated structure if the extension has a footprint greater than 500m2; or
 - d) extracting gravel, rock, sand or soil from an area greater than 5000m2, or
 - e) excavating or filling an area greater than 5000m2; or
 - f) additional traffic in an area between 6pm and 6am on the following day.
- Reconfiguring a lot if the development involves
 - a) increasing the number of lots: or
 - b) clearing of native vegetation.
- Carrying out operational work if the development involves
 - a) the clearing of native vegetation; or
 - b) extracting gravel, rock, sand or soil from an area greater than 5000m2, or
 - c) excavating or filling an area greater than 5000m2.

Koala conservation criteria do not apply to development for a domestic activity1.

Effect of the koala conservation criteria in Koala Conservation and Koala Sustainability Areas

The koala conservation criteria are most stringent on applications proposing uncommitted development within Koala Conservation and Koala Sustainability Areas. Applications must demonstrate that the proposed future

use of the land is compatible with the protection of koalas and koala habitat for it to satisfy the requirements of the koala conservation criteria.

However, the koala conservation criteria will not prevent development that is already approved or development commitments (being development that is consistent with either an existing development approval, the local government planning scheme or SEQ Regional Plan²).

In defined circumstances, certain uncommitted extractive industry or community infrastructure development may be approved within Koala Conservation or Koala Sustainability Areas despite likely negative impacts on koalas. In such cases, the koala conservation criteria require the impacts of the development be offset by providing a net benefit for koalas. The determination of suitable offsets will be based on Policv 2 of the Koala Plan, offsets for net benefit to koalas and koala habitat. Additionally, uncommitted community infrastructure will be required to demonstrate an overriding need in the public interest to justify its location within a Koala Conservation or Koala Sustainability Area.

Effect of the koala conservation criteria on Urban Koala Areas

The koala conservation criteria do not apply to the following types of development occurring in Urban Koala Areas:

- Where the premises are
 - a) subject to an approved structure plan; or
 - b) located in a Local Area Plan, Development Control Plan, Master Plan, precinct plan or other similar local planning instrument which contains koala management measures; or
 - c) located within a Regional Activity Centre.

- Material change of use for a
 - a) domestic activity; or
 - b) development which is consistent with an existing preliminary approval.

Other than the above cases, the koala conservation criteria apply to the same types of development outlined under the heading, Applicable development.

Urban Koala Areas are recognised as having both koala habitat values and an urban purpose planning intent as defined within local government planning schemes. Consequently, the koala conservation criteria require that development in these areas include measures to assist the koala's survival, where these measures do not compromise the ability of the development to effectively achieve its urban purpose. Such measures may include (but are not limited to) the retention of habitat linkages, koala habitat trees, landscaping with native vegetation, and koala-friendly fencing.

Similarly, where the koala conservation criteria do not apply, the focus is on the incorporation of strategic koala management or conservation measures into the structure plan's (or other strategic planning document) framework. It is also desirable for additional measures to be incorporated that will assist the koala's survival, where these measures do not compromise the ability of the development to effectively achieve its urban purpose.

Environmental Protection Agency as a concurrence agency

The EPA has nominated to become a concurrence agency under the Integrated Planning Act for certain development in Koala Conservation and Koala Sustainability Areas.

The referral triggers outlining when applications must be referred to the EPA are contained in the Integrated Planning Regulation 1998 and include applications for:

1. Domestic activity means the construction or use of a single residence on a lot and any reasonably associated building or structure.

^{2.} See the Koala Plan, Section 5 Koala conservation criteria for development assessment, Annex 2 for a precise definition of development commitment.

- Reconfiguring a lot in a koala conservation area or koala sustainability area that will result in
 - a) an increased number of lots: or
 - b) clearing of native vegetation over an area greater than 2500m²; or
 - c) extracting gravel, rock or sand from an area greater than 5000m²; or
 - d) excavating or filling an area greater than 5000m².
- A material change of use of premises in a koala conservation area or koala sustainability area that
 - a) is not for a domestic activity; and
 - b) will result in-
 - (i) clearing of native vegetation over an area greater than 2500m²; or
 - (ii) a new building and any reasonably associated structure with a total footprint greater than 1000m²; or
 - (iii) an extension to an existing building and any reasonably associated structure if the extension has a total footprint greater than 1000m²; or
 - (iv) extracting gravel, rock or sand from an area greater than 5000m²; or
 - (v) excavating or filling an area greater than 5000m²;
 - (vi) additional traffic, in a koala conservation area or koala sustainability area, between 6pm on a day and 6am on the following day.
- Operational work in a Koala
 Conservation Area or Koala
 Sustainability Area that is the clearing of native vegetation that —

- a) is made assessable under the Integrated Planning Act, schedule 8, part 1, table 4, items 1A to 1G; and
- b) is not for a domestic activity or associated with a reconfiguration mentioned above; and
- c) will result in the clearing of native vegetation over an area greater than 2500m².
- d) In undertaking this role, the EPA will consider the Nature Conservation Act and the Koala Plan including the koala conservation criteria, consistent with section 3.3.15 of the Integrated Planning Act when assessing development applications.

State government infrastructure

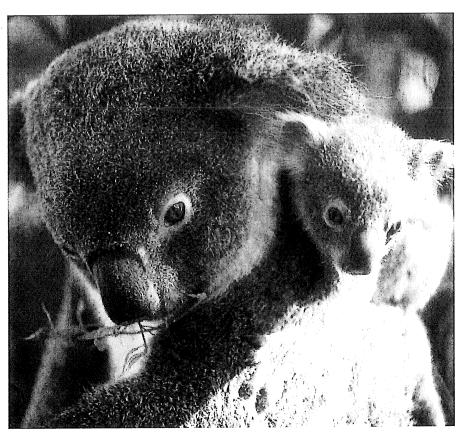
All community infrastructure provided by the State will address the Koala Plan, irrespective of whether the particular development is assessable, subject to community infrastructure designation, or exempt development under the Integrated Planning Act. This approach is a reflection of the State's commitment to the protection of koalas and koala habitat and the intention to address threatening processes.

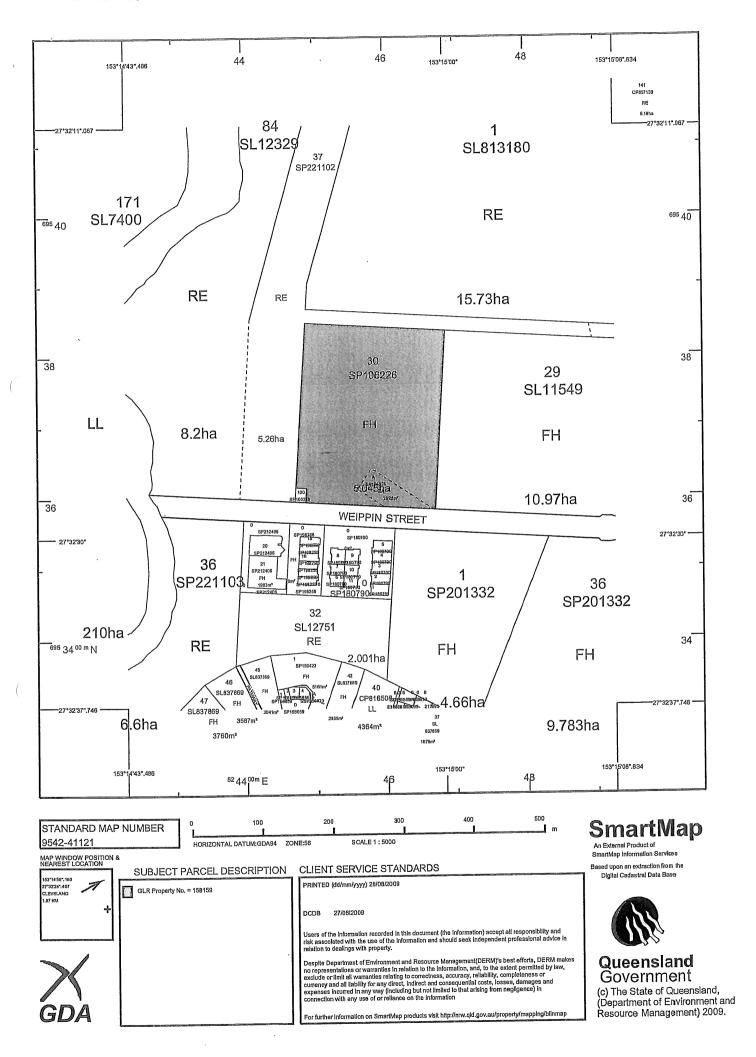
Local government roads

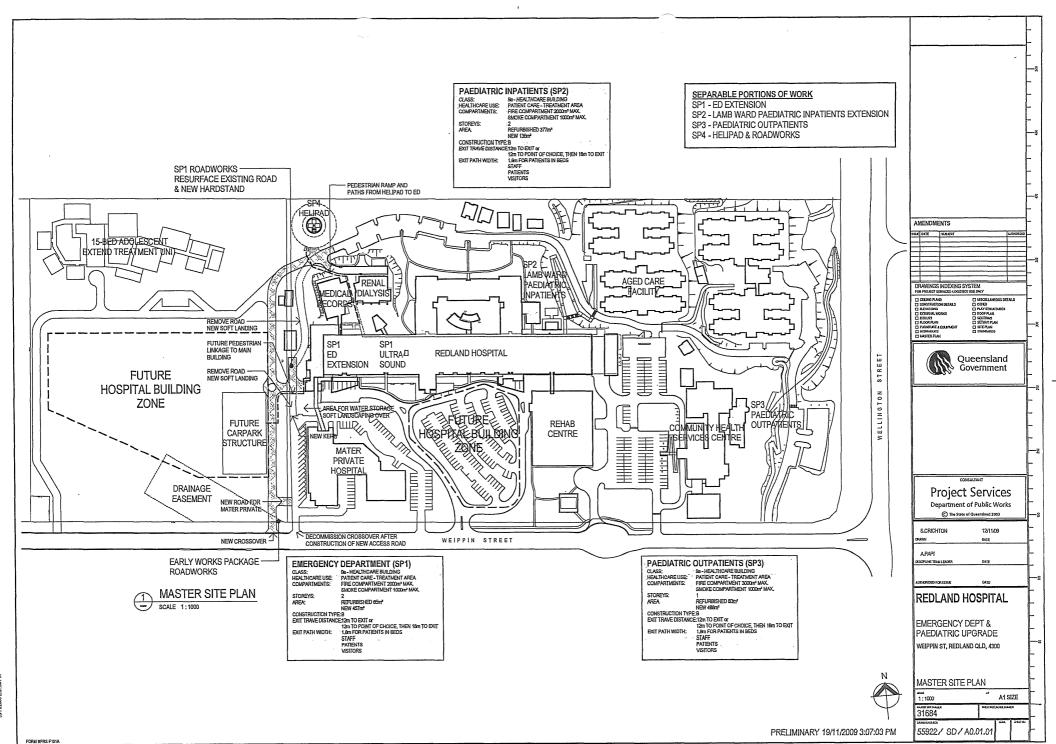
The upgrading of existing, and development of new local government roads is exempt development under the Integrated Planning Act. However, local governments are encouraged to address the purpose of the Koala Plan and use a best practice approach to the construction and/or upgrading of local road networks.

Further information

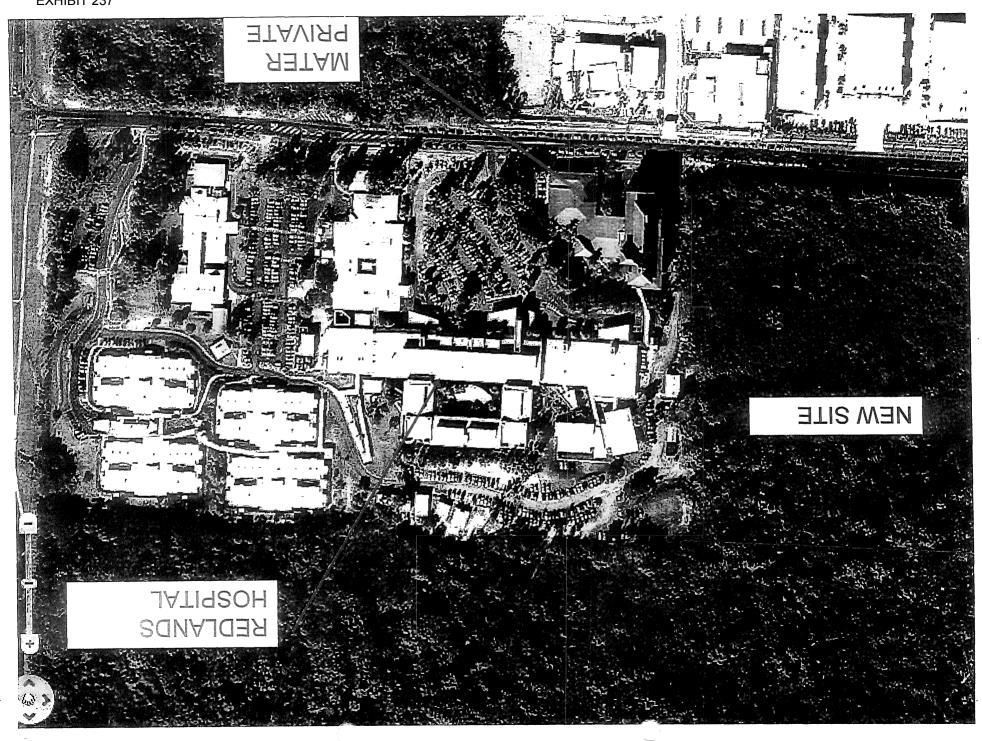
Further information on the koala conservation criteria or the Koala Plan can be found by visiting: www.epa.qld.gov.au/koalaconservation/; by visiting the EPA Customer Service Centre at 160 Ann Street, Brisbane; or by calling the EPA Customer Services Centre on

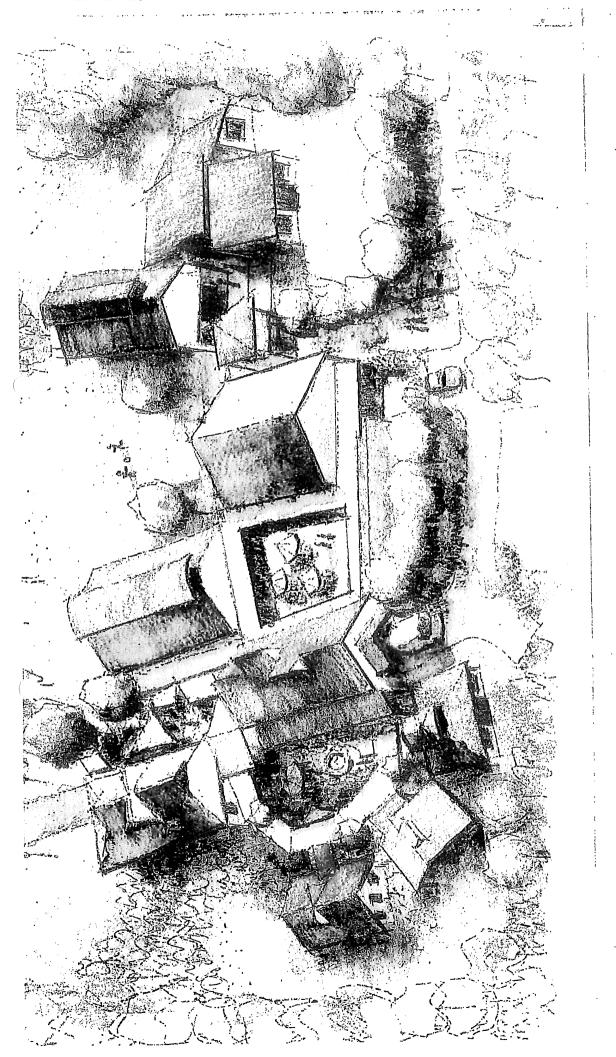




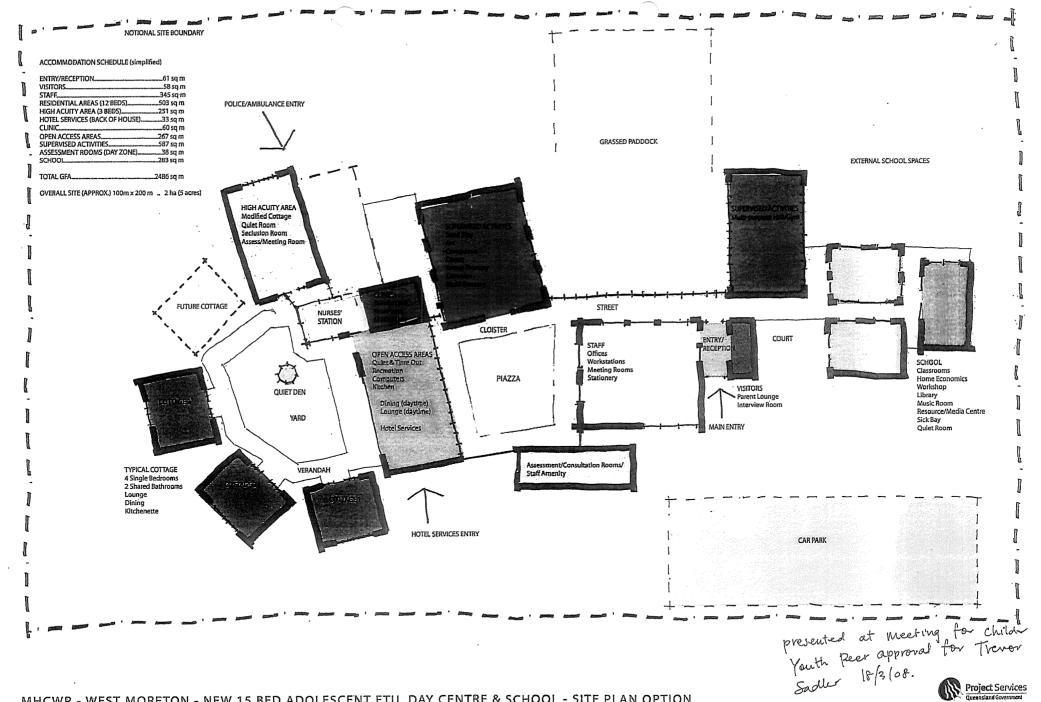


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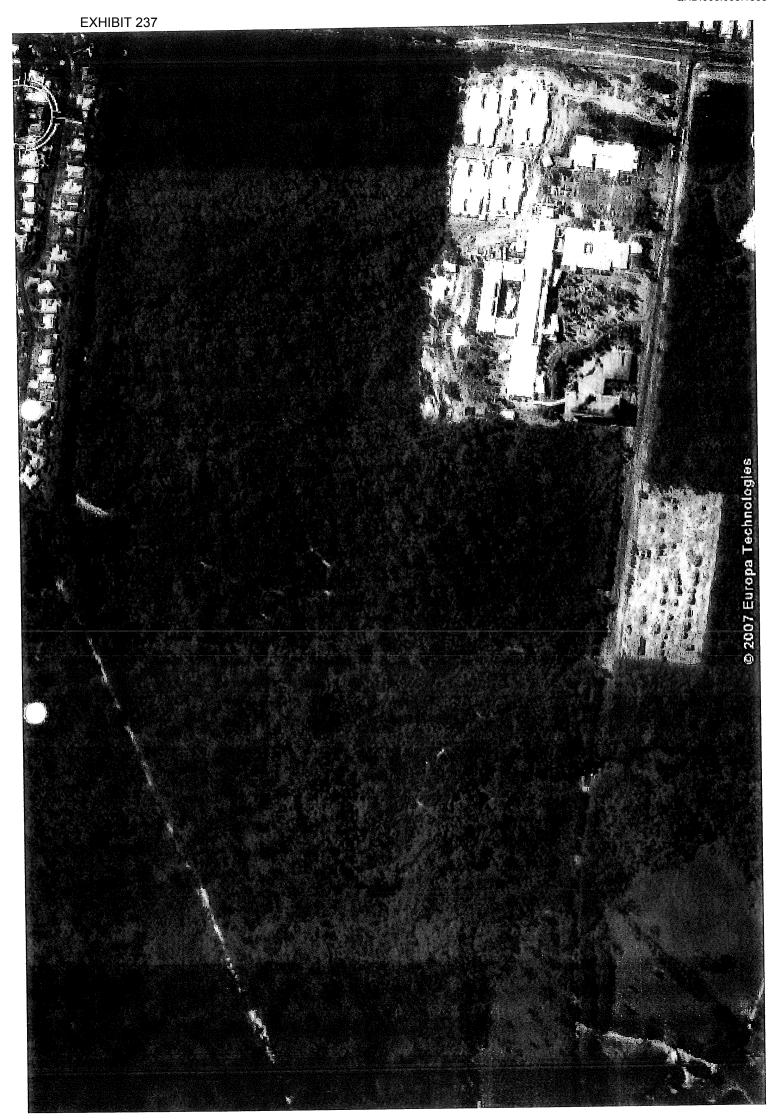


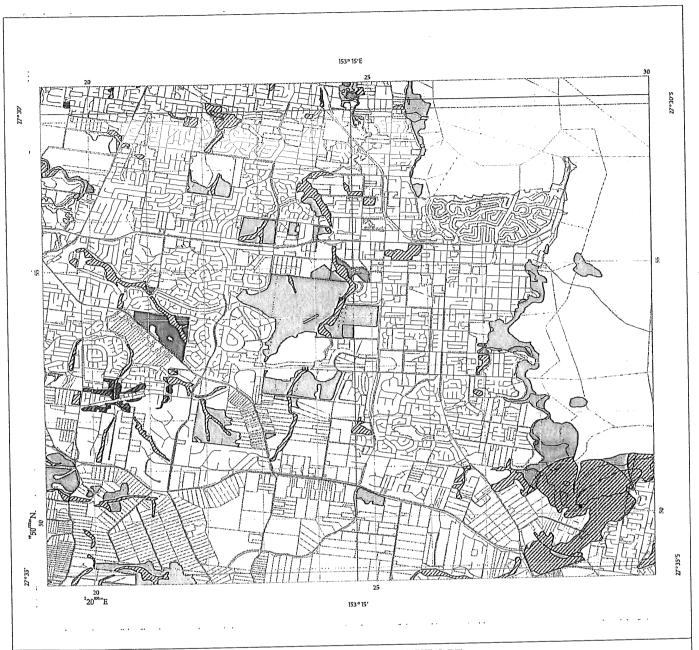


Department of Public Works



MHCWP - WEST MORETON - NEW 15 BED ADOLESCENT ETU, DAY CENTRE & SCHOOL - SITE PLAN OPTION





VEGETATION MANAGEMENT ACT **ESSENTIAL HABITAT MAP**

Requested By: NEIL PAYNE@HEALTH.QLD.GOV.AU Date: 20 Nov 07 Time: 15.23.44

Centered on Lot on Plan: 30 SP106226

Dominant Sub-dominant 2003 Remnant of concern regional ecosystem Dominant Sub-dominant 2003 Remnant not of concern regional ecosystem Mon-remnant Plantation Forest Dam or Reservoir 2003 Remnant Vegetation Cover (RVC)

2003 Remnant endangered regional ecosystem

Vegetation Management Act Essential Habitat
Area identified as essential habitat by the EPA for a species
of wildlife listed as endangered, vulnerable, near threatened
or rare under the Nature Conservation Act 1992.

Vegetation Management Act Essential Habitat Species Records

Subject Lot

Roads & MapInfo Australia Pty Ltd 2006

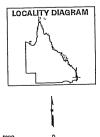
Bioregion boundary

National Park, Conservation Area State Forest and other reserves

Cadastre line Lagastre line
The maximum spatial error of parcels extracted for this map from the Digital Cadastral Data Base(DCDB) range from: 14m to 251m at a 95% confidence level. Property boundaries shown are provided as a locational ald only.



Queensland Government



Regional ecosystem linework has been compiled at a scale of 1:100 000, except in designated areas where a compilation scale of 1:50 000 is available. Linework should be used as a guide only. The positional accuracy of RE data mapped at a scale of 1:100 000 is +1-100 metres. The extent of remnant regional ecosystems as of 2003, depicted on this map is based on rectified 2003 Landsat TM imagery (supplied by SLATS, Department of Natural Reources and Water).

Labels for Vegetation Management Act Essential Habitat are centred on the area of interest (1.1km surrounding and including a Lot on Plan or 2.2km around the selected coordinates). Labels relate to the attached species list.

Disclaimer:
While every care is taken to ensure the accuracy of this product, the Department of Natural Resources and Water, the Environmental Protection Agency and MapInfo Australia Pty Ltd, makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all flability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the product being inaccurate or incomplete in any way and for any reason.

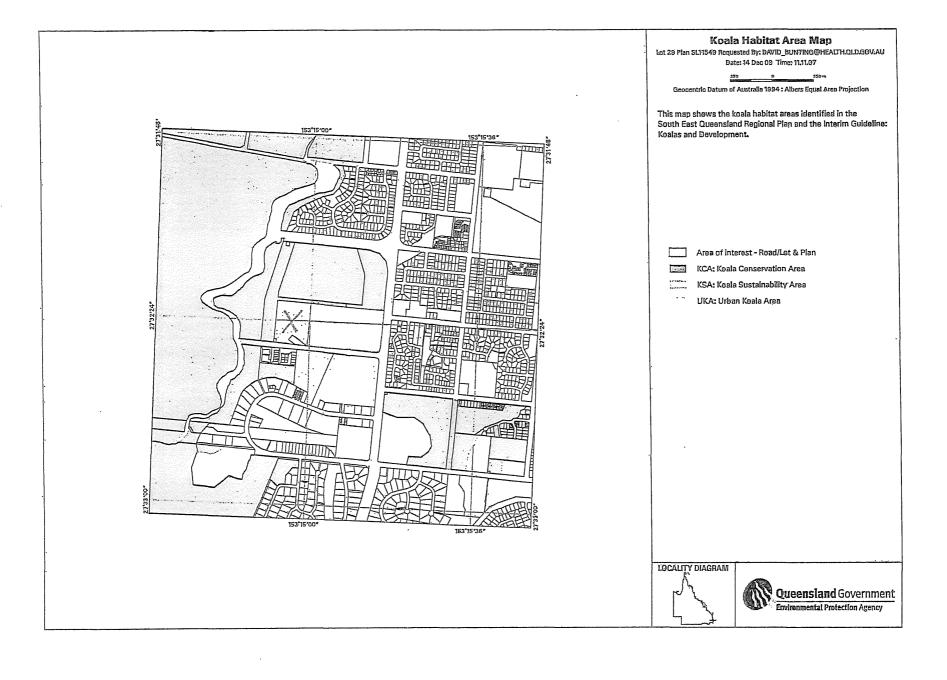
All datasets are updated as they become available to provide the most current information as of the date shown on this map.

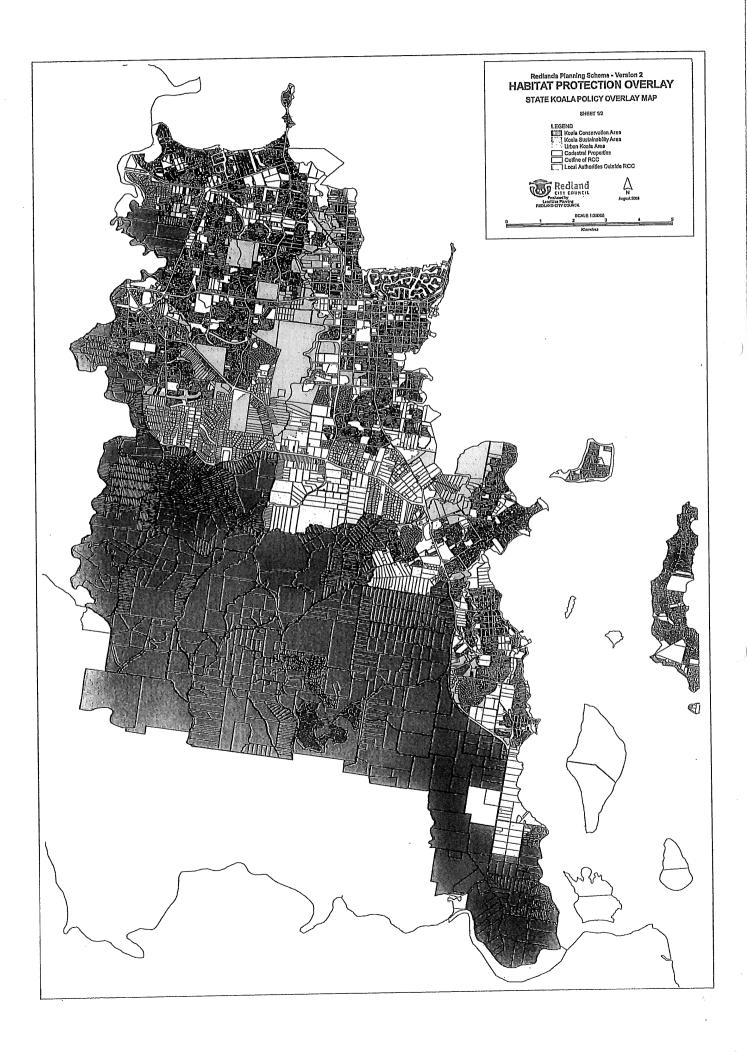
Additional information is required for the purposes of land clearing or assessment of a regional ecosystem map or PMAV applications. For further information go to the web site: www.nrw.qld.gov.au/vegetation or contact the Department of Natural Resources and Water.

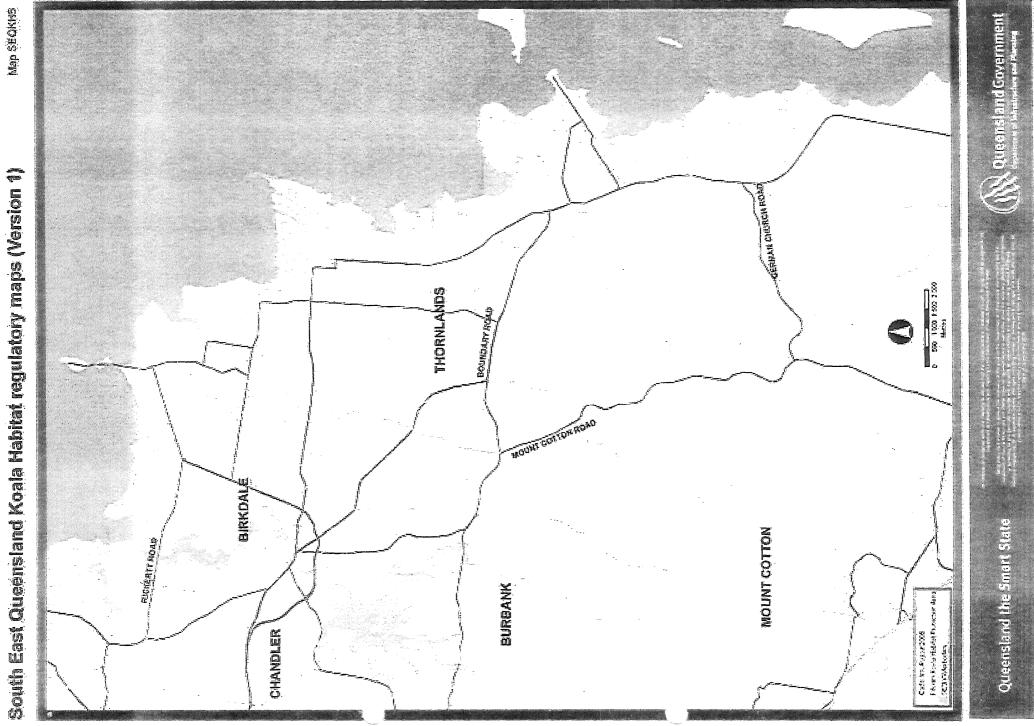
Digital regional ecosystem data is available in shapefile format, for Lot on Plans from www.epa.qld.gov.au/REDATA or from the Queensland Herbarium for larger areas. Email: regional.ecosystem@epa.qld.gov.au

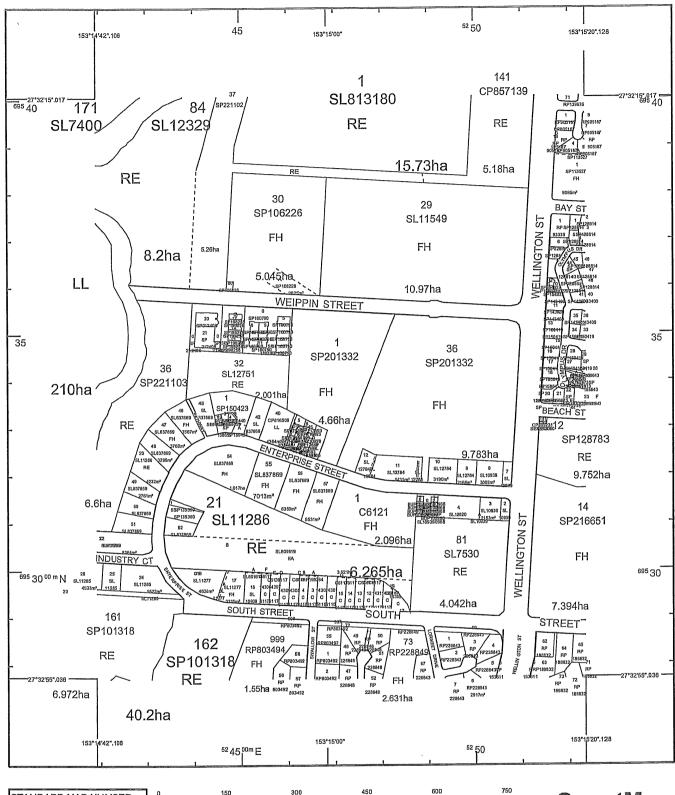
Horizontal Datum: Geocentric Datum of Australia 1994 (GDA94)

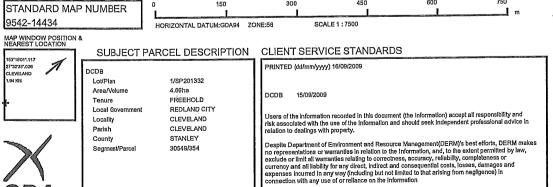
9 The State of Queensland, 2007











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

SmartMap

An External Product of SmartMap information Services

Based upon an extraction from the Digital Cadastral Data Base



Queensland Government

(c) The State of Queensland, (Department of Environment and Resource Management) 2009.