

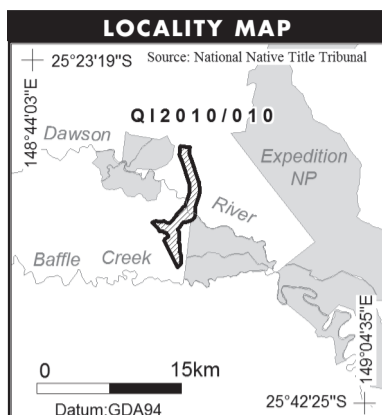
Notice of an application to register an area agreement on the Register of Indigenous Land Use Agreements



National
Native Title
Tribunal

State of Queensland

Notification day: 14 July 2010



The notice was previously published on 30 June 2010. It contained errors, please disregard that notice.

QI2010/10 Santos/Petronas/Iman People GLNG ILUA

Description of the agreement area:

The area subject to this agreement covers about 16 square kilometres, located approximately 43 kilometres northeast of Injune north of Baffle Creek in the vicinity of the Dawson River as shown on the locality map.

The parties to agreement and their contact address are:

Santos GLNG Pty Ltd
C/- Tony Denholder
Blake Dawson, Lawyers
Level 36 Riverside Centre
123 Eagle Street
Brisbane Qld 4000

Russell Tatow, Patrick Silvester, Cynthia Kemp,
Eve Fesl, Troy Noble, Fred Tull, Fergus Waterton,
Richard Doyle and Madonna Barnes on their own
behalf and on behalf of the Iman People Native
Title Claim Group
C/- Michael Owens
Michael Owens & Associates
PO Box 1989
Aitkenvale Qld 4814

Petronas Australia Pty Limited
C/- Tony Denholder
Blake Dawson, Lawyers
Level 36 Riverside Centre
123 Eagle Street
Brisbane Qld 4000

The agreement contains the following statements:

[Explanatory notes in brackets inserted by the National Native Title Tribunal]

Statements of the kind mentioned in ss. 24EB(1) or 24EBA(1) or (4)

3.1 Consent to Grant or doing of Project Approvals and undertaking of Project Activities

The Native Title Applicants and the Native Title Claim Group:

- consent to the Grant or doing of all Project Approvals; and
- consent to the undertaking of all Project Activities.

3.6 Consent to Future Acts

The Parties consent, for the purposes of section 24EB(1)(b) of the NTA and regulation 7(5) of the Native Title (Indigenous Land Use Agreement) Regulations 1999 (Cth), to the doing of any of the acts referred to in this clause 3 that are Future Acts.

3.7 Acts excluded from the right to negotiate

Subdivision P, division 3 of part 2 of the NTA is not intended to apply and does not apply to the Future Acts authorised by this Agreement.

3.8 Non-extinguishment principle

In accordance with section 24EB(3) of the NTA, the non-extinguishment principle in section 238 of the NTA applies to the Future Acts which the Native Title Applicants' consent to under this Agreement to the extent that the Future Acts are capable of having the non-extinguishment principle apply.

Definitions:

Future Act has the same meaning as in the NTA.

Native Title Applicants means the living Registered Native Title Claimants in the Native Title Claim who, at the date of this Agreement, are Russell Tatow, Patrick Silvester, Cynthia Kemp, Eve Fesl, Troy Noble, Fred Tull, Fergus Waterton, Richard Doyle and Madonna Barnes in their capacity as the Registered Native Title Claimants.

Native Title Claim Group means the Iman People, being the Native Title Claim Group represented in the Native Title Claim.

NTA means the *Native Title Act 1993* (Cth)

Parties means:

- Santos GLNG Pty Ltd;
- Petronas Australia Pty Limited; and
- the Native Title Applicants on their own behalf and on behalf of the Native Title Claim Group.

Project means the construction and operation by the GLNG Project Entities of:

- one approximately 435 km gas transmission pipeline corridor between upstream gas fields in Central Queensland and Curtis Island, near Gladstone;
- a natural gas liquefaction and export facility on Curtis Island; and
- all other necessary infrastructure associated with the pipeline and facility.

Project Activities means all activities and operations proposed or undertaken by the GLNG Project Entities, their contractors, servants, or agents relating to the Project within the ILUA Area including:

- access and entry to the Pipeline Land;
- the construction, operation, use, maintenance, repair, further development, decommissioning and rehabilitation of the Pipeline on the Pipeline Land; and
- any other activities conducted pursuant to the Project Approvals within the ILUA Area.

Project Approval means:

- the Grant of the Pipeline Licence;
- any Approval Granted or proposed to be Granted to any person or entity which in the GLNG Project Proponents' reasonable opinion is necessary or desirable for the construction, operation, use, maintenance, repair, further development, decommissioning or rehabilitation of the Project within the ILUA Area.
- for the purpose of the Grant of any Approval, where it is necessary to obtain the grant of tenure from or by any Government Agency or other competent authority or as a consequence of the grant of a Part 5 Permission, the compulsory acquisition of Native Title pursuant to the P&G Act or the *State Development and Public Works Organisation Act 1971* (Qld); and
- the approval of the Grant of easements, and where applicable to the registration of such easements, as public utility easements or otherwise under the *Land Act 1994* (Qld).

Objections to the registration of an ILUA where the application for registration has been certified

This application for registration of an indigenous land use agreement (ILUA) has been certified by the Queensland South Native Title Services Ltd, the representative body for the area. Any person claiming to hold native title to any part of the area covered by the ILUA may object in writing within the notice period to the registration of this agreement if they think that the application to register the ILUA has not been properly certified.

If you wish to object to the registration of this agreement (and you hold or claim to hold native title in any part of the area covered by the agreement) you may only object for one reason: in your view, the application to register the ILUA has not been properly certified, as stated in section 203BE(5)(a) and (b) of the *Native Title Act 1993* (Cwlth).

You must make this objection in writing and send it to the **Native Title Registrar, National Native Title Tribunal, GPO Box 9973, Brisbane QLD 4001 by 14 October 2010.**

Generally procedural fairness will require that the material you provide is given to certain other persons or organisations for comment. It may also be taken into account in the registration of other ILUAs and claimant applications and thus be provided to relevant persons or organisations for comment.

Data statement: agreement area boundary compiled by the National Native Title Tribunal. Search and photocopy fees may apply. Details of the terms of the agreement are not available from the National Native Title Tribunal.

**For assistance and further information about this application, contact Ann Stokes
on freecall 1800 640 501 or visit www.nntt.gov.au**

Facilitating timely and effective outcomes.