

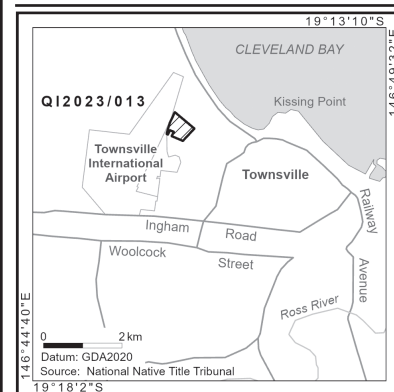
Notice of applications to register area agreements on the Register of Indigenous Land Use Agreements in Queensland



National Native Title Tribunal

Notification day: 21 February 2024

Relevant LGA: Townsville City Council



QI2023/013 Royal Flying Doctor Service (Qld) – Townsville ILUA

Description of the agreement area:

The agreement area covers about 25.1 ha, located adjacent to the eastern boundary of the Townsville International Airport

The agreement contains the following statements:

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

5.1 Statements for Purposes of Section 24EB of the NTA

- Clauses 4.2 (consent to the doing of the Agreed Acts and validation of any Agreed Acts done prior to registration) and 4.3 (consent to Surrender) are statements for the purposes of section 24EB(1)(b) of the NTA.
- For the purposes of section 24EB(1)(c) of the NTA and regulation 7(5)(b) of the Regulations, the Parties acknowledge that Subdivision P of Part 2 Division 3 of the NTA is not intended to apply to the Agreed Acts or the Surrender.
- For the purposes of section 24EB(1)(d) of the NTA, the Surrender is intended to extinguish all Native Title Rights and Interests in the Agreement Area.

'Agreed Acts' means any:

- Development Approval; or
- Regulatory Approval, that is a future act done in the Agreement Area.

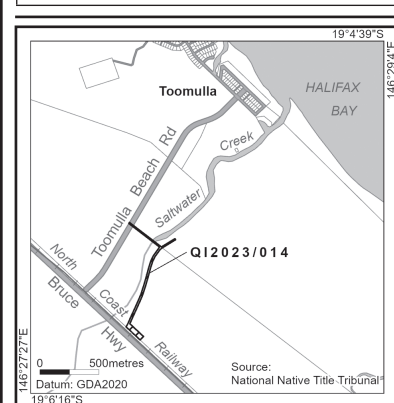
'Agreement Area' means all the land and waters comprising: Lot 1 on EP836092 comprising 4.94ha; Lot 2 on EP836092 comprising 0.9122ha; Lot 3 on EP836092 comprising 18.10ha; Lot 775 on EP2221 comprising 1.2ha; all located in the Townsville Local Government Area and shown coloured blue on the Queensland Government (Department of Resources) SmartMap and also shown coloured blue on the Survey Plan prepared by Brazier Matti Pty Ltd surveyors, both of which (SmartMap and Survey Plan) form Attachment 1 to this Agreement.

'Project' means the development and use of [a Royal Flying Doctor Service – (RFDS)] base of operations on the Agreement Area, comprising patient transfer, maintenance and storage facilities, buildings and related infrastructure required to operate the RFDS base.

'Surrender' means the surrender to the State of all Native Title Rights and Interests in or over the Agreement Area on the Completion Date by the Native Title Party, and the permanent extinguishment of such Native Title Rights and Interests on the Completion Date.

Parties to QI2023/013 and their contact address:

Royal Flying Doctor Service of Australia (Queensland Section) Limited ACN 009 663 478 (Applicant) c/- Corrs Chambers Westgarth GPO Box 9925 Brisbane QLD 4001	Virginia Wyles, Christina George, Brenton Creed, Florence Watson, Lynette Forbes-Beitsch, Pam Petrina Hegarty, Gail Ambrym and Esalyn Ambrym on their own behalf and on behalf of the Native Title Claim Group (Native Title Party) c/- North Queensland Land Council (NQLC) PO Box 679N, Cairns North QLD 4870	State of Queensland acting through the Department of Resources (State) c/- Crown Law State Law Building Level 11, 50 Ann Street Brisbane QLD 4000
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QI2023/014 Toomulla Beach Aquaculture Facility ILUA

Description of the agreement area:

The agreement area covers about 2.2 hectares in the vicinity of Toomulla, about 40 km north west of Townsville

The agreement contains the following statements:

4.4 Subdivision P of Division 3 of Part 2 of the NTA is not intended to apply to any Future Acts for which the Native Title Party has given consent under this ILUA.

7.1 For the purposes of section 24EB(1)(b), the Parties consent to the Agreed Acts.

"Agreed Acts" means:

- the grant of a licence in the ILUA Area by the Chief Executive to the Corporation under s34 of the *Nature Conservation Act 1992* (Qld) covering the Existing Access Track as depicted in Schedule 2;
- use, access and maintenance of the Existing Access Track referred to in (a) above;
- construction of a new intersection adjacent to the Bruce Highway, including vegetation clearing and all works associated with construction and maintenance of the intersection and connection to the existing access track, in that part of the ILUA Area as shown in Schedule 2A;
- the grant of a license in the ILUA Area by the Chief Executive to the Corporation under s35 of the *Nature Conservation Act 1992* (Qld) covering the proposed Water Pipeline as shown in Schedule 3;
- use, access and maintenance of the proposed Water Pipeline referred to in (d) above.

"Existing Access Track" means the track shown in Schedule 2 nominally being 750m in length and 7.5m in width including the area to be cleared for the intersection upgrade adjacent to the Bruce Highway as shown in Schedule 2.

"Water Pipeline" means the proposed water pipeline being a 100mm diameter polyethylene pipe which is to be buried a minimum of 900mm under the ground as depicted in Schedule 3.

Parties to QI2023/014 and their contact address:

Tasmanian Lobster Hatchery Pty Ltd (Applicant) c/- Moray & Agnew Lawyers PO Box 7068, Cairns Qld 4870	Virginia Wyles, Christina George, Brenton Creed, Florence Watson, Petrina Pam Hegarty, Gail Ambrym, Esalyn Ambrym on their own behalf and on behalf of the Gurambilbarra Wulgurukaba People (Native Title Group) c/- NQLC, PO Box 679N, Cairns North QLD 4870
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Responses to an application to register an ILUA—where the application has not been certified:

Any person claiming to hold native title in relation to land or waters in the area covered by any of the agreements may wish, in response to this notice, to make a native title determination application or equivalent application under a law of a state or territory in respect of any part of the area. **The application must be made by 21 May 2024.** If that application is registered on the Register of Native Title Claims, the registered native title claimants must be a party to the relevant agreement before it can be registered.

Details of the terms of the agreement are not available from the National Native Title Tribunal.

For assistance and further information about these applications, call Sylvia Jagtman on (07) 3052 4248 or visit www.nntt.gov.au.