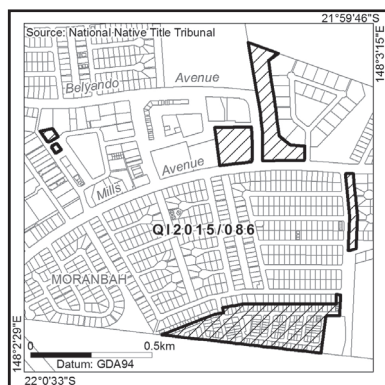


Notice of an application to register an area agreement on the Register of Indigenous Land Use Agreements



National
Native Title
Tribunal

Notification day: 17 February 2016



Q12015/086 Moranbah ILUA

State of Queensland

Description of the agreement area:

The agreement area covers about 15.7 hectares and is located over various lots in the Town of Moranbah.

Relevant LGA: Isaac Regional Council

The agreement contains the following statements:

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

5.1 The parties agree to the validation of any Future Acts done prior to Registration in the Agreement Area to the extent they were done invalidly for the purposes of Native Title and can be validated in this Agreement.

5.2 The agreement in clause 5.1 includes but is not limited to any of the Agreed Acts which are also Future Acts and are done prior to Registration.

5.3 The parties consent to the doing of the Agreed Acts to the extent that they are Future Acts.

5.6 The parties agree that any Surrender permanently extinguishes all Native Title Rights and Interests in the Surrender Area from the date the Surrender takes effect.

5.7 To the extent that any of the Agreed Acts are (apart from Subdivision E, Division 3, Part 2 of the Native Title Act [Native Title Act 1993 (Cth)]) Future Acts to which Subdivision P, Division 3, Part 2 of the NTA applies, the parties agree that Subdivision P is not intended to apply.

5.8 Without limiting clause 5.1, the parties consent to the validation of the compulsory acquisition of native title rights and interests over Lot 52 on SP244534 by the Coordinator-General referred to in Taking of Land Notice (No. 13) 2011 published in the Queensland Government Gazette on 9 December 2011 and Amending Taking of Land Notice (No. 1) 2012 published in the Queensland Government Gazette on 6 January 2012 to the extent it was done invalidly.

6.1 In accordance with clause 5.3 the Native Title Parties consent to a Surrender in relation to the Surrender Area, to take effect immediately upon Registration.

“Agreed Acts” means all acts necessary to give effect to this Agreement including but not limited to any acts done as part of, or in relation to the acts specified in Schedule 3.

“Surrender” means the surrender to the State (and the permanent extinguishment of) all Native Title Rights and Interests in the Surrender Area.

“Surrender Area” means the lots identified in Schedule 2.

Schedule 2 - Surrender Area

Lot 910 on Plan SP230449

Lot 913 on Plan SP179893

Lot 20 on Plan M97351

Lot 28 on Plan CP904232

Lot 29 on Plan CP904232

Schedule 3 - Agreed Acts

1. The Surrender of all native title rights and interests to the State over the Surrender Area.

2. All acts incidental or necessary to give effect to or implement the above acts, including any works required on the Surrender Area in conjunction with the proposed grant of fee simple over those lots including accessing the lots, undertaking soil investigations, geotechnical investigations and analysis and similar works, and the granting of licences, permits or other authorities to third parties to carry out such works.

Parties to the agreements and their contact addresses:

State of Queensland
c/- Crown Law
State Law Building
GPO Box 5221
Brisbane QLD 4000

Les Buddy and Cecil Brown Jnr. on their own behalf and on behalf of the Barada Barna People
c/- Dillon Bowers Lawyers
PO Box 626
Townsville QLD 4810

Barada Barna Limited as trustee for the Barada Barna Charitable Trust
c/- Dillon Bowers Lawyers
PO Box 626
Townsville QLD 4810

Minister for Economic Development Queensland
Director – EDQ Residential Development Major Projects Office
GPO Box 2202
Brisbane QLD 4001

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 the agreement 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 17 May 2016.** If that application is registered on the Register of Native Title Claims, the registered native title claimants must be a party to this 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 this application, call Tracey Jefferies on freecall 1800 640 501 or visit www.nntt.gov.au.