

**Notice of an application to register an area
agreement on the Register of Indigenous
Land Use Agreements
Notification day: 26 June 2019**



National
Native Title
Tribunal

QI2019/011 Mardigan People Claim Resolution ILUA

State of Queensland

Description of the agreement area:

The agreement area covers about 15,403 sq km and is located in the area surrounding Quilpie.

Link to map: <https://bit.ly/2Jr7Dhj>

Relevant LGA: Murweh, Paroo and Quilpie Shire Councils

The agreement contains the following statements:

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

5.1 The parties consent to the Surrender.

5.2 The Surrender will take effect upon Registration.

5.3 The parties agree that the Surrender is intended to extinguish any Native Title that may exist in relation to the Agreement Area.

5.4 Subdivision P, Part 2, Division 3 of the NTA *[Native Title Act 1993 (Cth)]* is not intended to apply to the Surrender.

5.6 The parties consent to the validation of any Future Acts done prior to the Execution Date by the State in the Agreement Area to the extent that they were done invalidly for the purposes of Native Title and can be validated in this Agreement. This clause is a statement for the purposes of section 24EBA(1) (a) of the NTA.

7.1 The State acknowledges that the Native Title Parties have requested that the ALA Lots be transferred as Aboriginal Land.

7.3 The Corporation consents to be the Grantee holding the ALA Lots as Aboriginal Land pursuant to the ALA *[Aboriginal Land Act 1991 (Qld)]*. The parties acknowledge that:

(a) the proposed transfer of the ALA Lots and appointment of the Grantee are subject to the approval of the Minister under the ALA and compliance with section 16 of the Land Act *[Land Act 1994 (Qld)]*; and

(b) survey of the ALA Lots will be required prior to transfer as Aboriginal Land and minor adjustments to the areas proposed for transfer as Aboriginal Land may be required.

8.2 The parties consent to:

(a) the dedication of the Reserve;

(b) the appointment of the Corporation as the trustee of the Reserve;

(c) the grant of any leases, permits, easements or other interests over the Reserve Area for a purpose consistent with the Reserve; and

(d) all other uses and activities over the Reserve Area that are consistent with the purposes of the Reserve.

“**Aboriginal Land**” means a grant in fee simple under section 38 of the ALA.

“**ALA Lots**” means those lots identified in Schedule 6 and depicted in Schedule 7 *[Schedule 6 identifies proposed lots in the vicinity of Cheepie, Quilpie and Toompine. A copy of Schedule 6 and Schedule 7 can be obtained from the National Native Title Tribunal on the contact details below]*.

“**Registration**” means the date on which this Agreement is Registered.

“**Reserve**” means the reserve to be dedicated for Aboriginal and Cultural Purposes over the Reserve Area, or any part of the Reserve Area, under the Land Act.

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

Parties to the agreement and their contact addresses:

State of Queensland
c/- Executive Director
Land and Native Title Services
Department of Natural Resources, Mines and Energy
PO Box 15216
Brisbane QLD 4002

Daphne Jackson and Brian Shillingsworth on their own
behalf and on behalf of the Mardigan People;
Margany Traditional Owners Aboriginal Corporation
c/- Queensland South Native Title Services
PO Box 10832
Adelaide Street
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 26 September 2019.** 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.