



# Extract from Register of Indigenous Land Use Agreements

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<b>NNTT number</b>	QI2010/038
<b>Short name</b>	Darumbal Stony Creek ILUA
<b>ILUA type</b>	Area Agreement
<b>Date registered</b>	16/05/2011
<b>State/territory</b>	Queensland
<b>Local government region</b>	Rockhampton Regional Council

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## Description of the area covered by the agreement

The ILUA Area is the area within and inclusive of the beds and banks of Stony Creek, an area of 13.36 hectares, within the land described as Lot 44 on SP 140243, County of Livingstone, Parish of Stanwell, State of Queensland, as shown on the plan in Part B of Schedule One (attached to the Register).

## Parties to agreement

### *Applicant*

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<b>Party name</b>	Mr Alan Douglas Hatfield, Mr Robert Michael Muir, Mr Rodney William Mann, Mr Warren John Malone and Ms Vanessa Ross
<b>Contact address</b>	C/- Mr (Alan) Douglas Hatfield 133 Dee Street North Rockhampton QLD 4701

### *Other Parties*

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<b>Party name</b>	Stanwell Corporation Limited
<b>Contact address</b>	C/- Company Secretary Level 12, Waterfront Place 1 Eagle Street Brisbane QLD 4000

## Period in which the agreement will operate

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<b>Start date</b>	not specified
<b>End Date</b>	not specified

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### Clause 5 Commencement

- (a) This clause 5 and clauses 1, 2, 3, 4, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24 of this Agreement commence on the Execution Date.
- (b) The remaining provisions of this Agreement commence on the date of Registration of this Agreement.
- (c) Clauses 11, 12, 13, 14, 15, 16, 19 and 20 survive termination of this Agreement.

### Clause 6 Term of ILUA

The term of this Agreement shall commence on the Execution Date and shall continue in operation thereafter until the Stanwell Power Station permanently ceases to operate.

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

### Clause 3 Statements for the Purpose of the NTA

- (a) For the purposes of s24EB1(c) of the NTA and Regulation 7(5) of the Native Title (Indigenous Land Use

Agreement) Regulations 1999 (Cth), the Parties state that Subdivision P, Division 3, Part 2 of the NTA is not intended to apply to any act that is covered by this ILUA when it is registered.

(b) For the purposes of section 24EBA(1)(a) of the NTA and Regulation 7(5) of the Native Title (Indigenous Land Use Agreement) Regulations 1999 (Cth), the Parties agree to the validating of any Future Act (that is not an intermediate period act) (if any) within the ILUA Area that has already been done invalidly.

#### Clause 11 Consent to Acts

##### 11.1 Consents

(a) The parties consent to:

- (i) any Future Act in the ILUA Area for the purposes of the Project;
  - (ii) the grant, issue and exercise of any Project Rights;
  - (iii) the construction, maintenance, operation and ongoing use of any infrastructure; and
  - (iv) any other act necessary or desirable to give effect to the Project;
- in relation to the ILUA area.

"Future Act" has the meaning given in section 233 of the NTA.

"Non-Extinguishment Principle" has the meaning given in section 238 of the NTA.

"NTA" means the Native Title Act 1993 (Cth).

"Project" means, in relation to the ILUA Area:

- (a) the construction, operation, maintenance and use of any infrastructure; and
- (b) carrying out any activities which are related to the Stanwell Power Station and the associated supporting infrastructure for the Stanwell Power Station.

"Project Activities" or "Project Rights" means all and any:

- (a) rights, consents, renewals, permits, authorisations, leases, titles, tenures, easements, licences or approvals and any other entitlements whatsoever (Approvals) required for the Project in the ILUA Area, including but not limited to any Approvals for any act done by Stanwell for the purposes of the Project; and
- (b) any works necessary or desirable for the construction, operation and maintenance, of facilities for any part of the Project.

"Stanwell Power Station" means the power station and any associated infrastructure required for the purpose of the power station, located on Lot 44 on SP140243, County of Livingstone, Parish of Stanwell.

#### **Attachments to the entry**

[QI2010\\_038 Schedule 1 - Description of ILUA Area and Map.pdf](#)