



# Extract from Register of Indigenous Land Use Agreements

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<b>NNTT number</b>	QI2011/052
<b>Short name</b>	Rinyirru (Lakefield) National Park (Cape York Peninsula Aboriginal Land) ILUA
<b>ILUA type</b>	Area Agreement
<b>Date registered</b>	06/02/2012
<b>State/territory</b>	Queensland
<b>Local government region</b>	Cook Shire Council

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## Description of the area covered by the agreement

Agreement Area means Lots 10, 15, 20, 25 and 40 of SP208286, as shown on the plan in Schedule 1. [Schedule 1 is attached to the Register Extract].

The following general description of the agreement area has also been provided by the National Native Title Tribunal to assist people to understand the location of the agreement area. It does not replace, and is less precise than, the description of the agreement area contained in the agreement. It is provided for information only and should not be considered part of the Register of ILUAs:

The area subject to this agreement covers about 5451 square kilometres, located approximately 65 km west north-west of Cooktown and north of Laura.

## Parties to agreement

### *Applicant*

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<b>Party name</b>	State of Queensland
<b>Contact address</b>	Department of Environment and Resource Management Cape York Peninsula Tenure Resolution Branch PO Box 2066 CAIRNS QLD 4870

### *Other Parties*

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<b>Party name</b>	Tommy George (Snr), Eric Harrigan (Snr), Elizabeth Lakefield, Francis Lee Cheu, Lewis Musgrave, Hans Pearson and Paul Turpin
<b>Contact address</b>	c/- Cape York Land Council PO Box 2496 CAIRNS QLD 4870

## Period in which the agreement will operate

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<b>Start date</b>	21/06/2011
<b>End Date</b>	not specified

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## 2. Commencement and execution of Agreement

2.1 Subject to clause 2.2, this Agreement commences on the Date of this Agreement.

2.2 Clauses 5, 6, 10 and 11 [which deals with indemnity] commence on the Registration Date.

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

## 5. Agreement Binding

By operation of the NTA, this Agreement is binding on all Native Title Holders with respect to the Agreement Area –  
(a) while details of this Agreement are entered on the Register of Indigenous Land Use Agreements; and  
(b) in the same way as this Agreement binds the Native Title Parties.

## 6. Consent to and Validating of Agreed Acts

### 6.1 The parties -

(a) consent to the doing of the Agreed Acts; and  
(b) agree to the validating of any invalid Agreed Acts done on the Agreement Area prior to the Registration Date, to the extent that they are Future Acts.

6.2 Clause 6.1(a) is a statement for the purposes of section 24EB(1)(b) of the NTA and clause 6.1(b) is a statement for the purposes of section 24EBA(1)(a) of the NTA.

## 7. Right to Negotiate

To avoid any doubt, Part 2 Division 3 Subdivision P of the NTA does not apply to the doing of the Agreed Acts.

## 10. Compensation

10.1 The Native Title Parties acknowledge and agree that any benefits to be provided by the State under this Agreement are –

(a) in full and final satisfaction of any right or entitlement (whether monetary or otherwise) to compensation for the doing of the Agreed Acts and the validating of the Agreed Acts;  
(b) received by them on behalf of all Lamalama people, Kuku Thaypan people, Bagaarmugu clan, Mbarimakarranma clan, Muunydyiwarra clan, Magarrmagarrwarra clan, Balnggarrwarra clan and Gunduurwarra clan for the Agreement Area; and  
(c) compensation for the purposes of section 24EB of the NTA.

10.2 The Native Title Parties release the State from liability for any claim and acknowledge that this Agreement may be pleaded as an absolute bar against any claims by the Lamalama people, Kuku Thaypan people, Bagaarmugu clan, Mbarimakarranma clan, Muunydyiwarra clan, Magarrmagarrwarra clan, Balnggarrwarra clan and Gunduurwarra clan to any further right or entitlement to compensation in respect of the Agreed Acts.

10.3 The Native Title Parties agree that all benefits provided by the State to the Land Trust under this Agreement, are deemed to be benefits provided to the Native Title Parties and to the Lamalama people, Kuku Thaypan people, Bagaarmugu clan, Mbarimakarranma clan, Muunydyiwarra clan, Magarrmagarrwarra clan, Balnggarrwarra clan and Gunduurwarra clan in respect of the Agreed Acts.

## 15. Additional ALA Areas and Additional National Park (CYPAL) Areas

15.1 The State will use its best endeavours to ensure that if any part of the Proposed Resources Reserve Area is no longer required for quarry material and water extraction purposes it will (subject to all relevant statutory discretions and preconditions) become:

(a) Aboriginal Land held by the Land Trust and  
(b) National Park (CYPAL) under the NCA.

### Definitions:

"Additional ALA Areas" means any areas that are intended to become Aboriginal Land under clause 15.

"Additional National Park (CYPAL) Areas" means any areas that are intended to become national Park (Cape York Peninsula Aboriginal land) under clause 15.

"Agreed Acts" means all acts necessary to give effect to this Agreement and the IMA including the –

(a) grant of the Proposed ALA Area and any Additional ALA Areas as Aboriginal Land to the Land Trust;  
(b) State and the Land Trust entering into and complying with the IMA;  
(c) dedication, use and management of the Proposed National Park (CYPAL) Area and any Additional National Park (CYPAL) Areas as a national park (Cape York Peninsula Aboriginal land) under the NCA;  
(d) dedication, use and management of the Proposed Resources Reserve Area as a Resources Reserve under the NCA; and  
(e) variation of the IMA to cover any Additional National Park (CYPAL) Areas when dedicated.

"Agreement Area" means Lots 10, 15, 20, 25 and 40 on SP208286, as shown on the plan in Schedule 1.

"ALA" means the Aboriginal Land Act 1991 (Qld).

"Date of this Agreement" means the date that the last party executes this Agreement.

"Future Act" has the same meaning as in the NTA.

"IMA" means an indigenous management agreement under the ALA on substantially the same terms as the draft agreement in Schedule 2.

"Land Trust" means the Rinyirru (Lakefield) Land Trust.

"NCA" means the Nature Conservation Act 1992 (Qld).

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

"Registration Date" means the date that this Agreement is registered on the Register of Indigenous Land Use Agreements.

"State" means the State of Queensland

**Attachments to the entry**

[QI2011\\_052 - Schedule 1 - Agreement Area.pdf](#)