



Extract from Register of Indigenous Land Use Agreements

NNTT number	QI2012/040
Short name	Saibai Island Health
ILUA type	Area Agreement
Date registered	29/06/2012
State/territory	Queensland
Local government region	Torres Strait Island Regional Council

Description of the area covered by the agreement

The Agreement Area is comprised of the Lease Areas and the Infrastructure Areas as shown on the plans in Schedule 1, Part A and described in Schedule 1, Part B. [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 the agreement covers approximately 0.3 hectares over Lease C, D and E on lease plan SP219921 and adjacent areas for the construction of associated infrastructure, located in the north western corner of Saibai Island in the Torres Strait.

The agreement falls within the Local Government Authority of Torres Strait Island Regional Council.

Parties to agreement

Applicant

Party name	The State of Queensland
Contact address	c/- Crown Law State Law Building Level 11, 50 Ann Street BRISBANE QLD 4000

Other Parties

Party name	Keri Akiba on his own behalf and on behalf of the Saibai People
Contact address	c/- Torres Strait Island Regional Council Lot 27 Main Rd SAIBAI ISLAND QLD 4875

Party name	Saibai Mura Buway (Torres Strait Islanders) Corporation
Contact address	c/- Torres Strait Island Regional Council Lot 27 Main Rd SAIBAI ISLAND QLD 4875

Party name	Torres Strait Island Regional Council
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Contact address

PO Box 501
THURSDAY ISLAND QLD 4875

Period in which the agreement will operate

Start date	31/01/2012
End Date	not specified

4.2 Clauses 6 (consent and agreement for the purposes of the NTA, apart from clause 6.6 which commences of the Execution Date) and 11 (compensation) commence on the Registration Date.

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

6. Consent and agreement for the purpose of the NTA.

6.1 The parties Consent to the validation of any Future Acts done up to the Execution Date by the State in the Agreement Area to the extent they were done invalidly for the purposes of Native Title.

6.2 The parties Consent to the doing of the Agreed Acts.

6.3 If any of the Agreed Acts done after the Execution Date and prior to the Registration Date are invalid Future Acts, the parties agree to the validating of those Agreed Acts.

6.8 Part 2, Division 3, Subdivision P of the NTA is not intended to apply to the doing of the Agreed Acts.

"Agreed Acts" means any acts done as part of, or in relation to the:

(a) Construction Acts;

(b) operation and maintenance of the Infrastructure established in the Lease Areas;

(c) occupation, use and control of the Lease Areas by the State for the purpose of operating and maintaining the Primary Health Care Centre, the Temporary Primary Health Care Centre, the Staff Accommodation and the Infrastructure during the term of the Leases;

(d) grant of the Leases;

(e) Grantee becoming the lessor of the Leases in accordance with the TSILA [Torres Strait Islander Act 1991 (Qld)];

"Construction Acts" means any act done in the Agreement Area as part of, or in relation to, the construction of the Facilities, including, but not limited to:

(a) survey activities;

(b) geotechnical investigations;

(c) construction of Infrastructure; and

(d) the grant of any licences, permits or authorities.

"Facilities" means the Primary Health Care Centre, the Staff Accommodation and the Temporary Primary Health Care Centre.

"Future Act" has the meaning given in the NTA.

"Infrastructure" means all utilities, services or other works necessary or incidental to the construction of the Facilities including the works required to establish those structures in the Agreement Area.

Attachments to the entry

[QI2012_040 Schedule 1 Part A Map of Agreement Area.pdf](#)

[QI2012_040 Schedule 1 Part B Written Description of Agreement Area.pdf](#)