



Extract from Register of Indigenous Land Use Agreements

NNTT number	QI2016/036
Short name	Darumbal People Protected Areas ILUA
ILUA type	Area Agreement
Date registered	02/12/2016
State/territory	Queensland
Local government region	Rockhampton Regional Council, Livingstone Shire Council

Description of the area covered by the agreement

Clause 1 defines the ILUA Area as the land and waters described in Schedule 1 and shown on the maps in Schedule 1.

[A copy of Schedule 1 is attached to this register extract.

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

The agreement area covers about 438 sq km, located in the vicinity of Rockhampton. The multiple parts surround Rockhampton, extending approx. 136 km to the north, 40 km to the south, 28 km to the east and 74 km to the west.]

Parties to agreement

Applicant

Party name	State of Queensland
Contact address	GPO Box 2454 Brisbane QLD 4001

Other Parties

Party name	Alan Douglas Hatfield, Warren John Malone, Rodney William Mann, Vanessa Ross, Amanda Meredith and Pauline Cora on their own behalf and on behalf of the Darumbal People (Darumbal Parties)
Contact address	PO Box 8581 Allenstown QLD 4700

Party name	Darumbal People Aboriginal Corporation
Contact address	PO Box 8581 Allenstown QLD 4700

Period in which the agreement will operate

Start date not specified

End Date not specified

3.1 Clauses 1 (Definitions), 2 (Interpretation), 3 (Commencement and Expiry), 4 (Authority) and 12 (Registration as an Area Agreement) commence on the Execution Date [14 June 2016].

3.2 The remaining clauses of this Agreement commence on Registration.

3.3 Subject to clause 3.4 to 3.8, this Agreement will continue in force in perpetuity.

3.4 This Agreement may be terminated by written agreement executed by the Parties.

3.5 The Parties acknowledge that on and from the date the Darumbal Corporation becomes the RNTBC for the Darumbal Determination, under the PBC Regulations, the Darumbal Corporation will have the function of managing the Native Title Rights and Interests of the Darumbal People, and the power to enter into agreements to perform that function and that as a result this Agreement may be terminated by written agreement executed by the Darumbal Corporation and the State.

3.6 If there is a determination by the Federal Court of Australia that Native Title does not exist in part of the Agreement Area or that Native Title in part of the Agreement Area is held by people other than the Darumbal People, this Agreement expires in relation to that part of the Agreement Area subject to that determination, but remains in force in relation to the balance of the Agreement Area.

3.7 If a Regulated Management Plan comes into effect:

(a) which regulates the exercise of Native Title Rights and Interests in relation to part of the ILUA Area in terms substantially the same as clauses 5.2, 5.4 and 5.5; and

(b) for which an ILUA has been Registered in relation to the regulation of Native Title Rights and Interests under the Regulated Management Plan

this Agreement expires in relation to that part of the ILUA Area to which the Regulated Management Plan relates and continues in force in relation to the remainder of the ILUA Area.

3.8 If a Substitute ILUA is Registered in relation to all or part of the ILUA Area, this Agreement expires in relation to that part of the ILUA Area covered by the Substitute ILUA and continues in force in relation to any part of the ILUA Area not covered by the Substitute ILUA.

3.9 A Party may only notify the Registrar in writing pursuant to s 199C(l)(c)(i) of the NTA that this Agreement has expired due to the operation of clause 3.6, 3.7 or 3.8 if:

(a) each Party has agreed in writing that this Agreement has so expired; or

(b) if the Parties are unable to agree that this Agreement has so expired, the Dispute has been resolved in accordance with clause 14.

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

The agreement includes no statements mentioned in subsection 24EB(1) or 24EBA(1) or (4)

Attachments to the entry

[QI2016_036 Darumbul People Protected Areas ILUA - Schedule 1.pdf](#)