



Extract from Register of Indigenous Land Use Agreements

NNTT number	QI2018/005
Short name	Erub (Darnley Island) Torres Strait Social Housing ILUA #2
ILUA type	Body Corporate
Date registered	29/05/2018
State/territory	Queensland
Local government region	Torres Strait Island Regional Council

Description of the area covered by the agreement

"Agreement Area" means the Agreement Area identified in Schedule 1 and Schedule 2 of this Agreement;

[A map of the area agreement is contained in Schedule 1. A written description of the agreement area is contained in Schedule 2. A copy of Schedules 1 and 2 are 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 consists of 944 sq metres of land identified as Lot 92 on Survey Plan 270873 with an additional access area, located on Erub (Darnley Island) in the Torres Strait.]

Parties to agreement

Applicant

Party name	State of Queensland acting through the Department of Aboriginal and Torres Strait Islander Partnerships
Contact address	c/- Crown Law GPO Box 5221 Brisbane QLD 4001

Other Parties

Party name	Erubam Le Traditional Land and Sea Owners (Torres Strait Islanders) Corporation RNTBC
Contact address	c/- Torres Strait Regional Authority PO Box 261 Thursday Island QLD 4875

Party name	Torres Strait Island Regional Council
Contact address	PO Box 7336 Cairns QLD 4870

Period in which the agreement will operate

Start date	22/01/2018
End Date	not specified

- 3.1 Subject to clause 3.2, this Agreement commences on the Execution Date.
3.2 Clause 5 and clause 6 commence on Registration.
3.3 This Agreement may be terminated by written agreement executed by each party.

"Execution Date" means the day on which this Agreement is executed by the parties and if executed on different days, the latter of those days;

"Registration" means the date on which this Agreement is registered;

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

- 5.1 On condition that the Proponent of the Project has given a Project Notice to the Corporation, the parties:
(a) consent to the doing of the Agreed Acts to the extent they are Future Acts; and
(b) agree to the validation of any Agreed Acts done by the State or the Trustee in the Agreement Area and for purposes of the Project after the Execution Date and prior to the Registration.
5.6 To avoid any doubt, Subdivision P, Division 3, Part 2 of the NTA does not apply to the Agreed Acts.

"Agreed Acts" means any of the following:

- (a) The grant by the Trustee of any Social Housing Lease or any amended Social Housing Lease or the grant of any sublease of a Social Housing Lease within the Agreement Area and for purposes of the Project.
(b) The registration of any Social Housing Lease or any amended Social Housing Lease under the Land Title Act 1994 (Qld), the Land Act 1994 (Qld) or the TSILA within the Agreement Area and for purposes of the Project.
(c) The doing of any Activity permitted or contemplated by any Social Housing Lease or any amended Social Housing Lease or any sublease of a Social Housing Lease, including any survey activities, geotechnical investigations, the grant of any permits or authorities, the construction of any Social Houses, the upgrade, renovation and restoration of any Social Houses, the clearing of any land, the use of any Social Houses and land and the creation of any interests (other than a grant of Freehold Title or the renewal or extension of a lease) within the Agreement Area and for the purposes of the Project.
(d) The surrender by the State of any part of any Social Housing Lease in the Agreement Area, to facilitate the grant by the Trustee of any subsequent interest in the land (but not the grant of the subsequent interest itself) or for any other purpose except for purposes of the Project.
(e) The doing of any Social Housing Infrastructure Works within the Agreement Area and for the purposes of the Project.

"Project" means within all or part of the Agreement Area on Erub (Darnley) Island, the grant of a Social Housing Lease and the construction, renovation or repair of any Social House in accordance with the terms of the Social Housing Lease and the doing of any Social Housing Infrastructure Works for the purpose of servicing those Social Houses;

"Social House" means any dwelling house subject to the Social Housing Lease, including any dwelling house upgraded, renovated, restored or constructed pursuant to the Social Housing Lease;

"Social Housing Infrastructure Works" means anything which:-

- (a) permits or requires; or
(b) consists of the construction, operation, use, maintenance or repair of any road, footpath, lighting of streets, water supply, sewerage reticulation, electricity supply, domestic gas supply, communications facility or any other thing that is similar to any of the things in that list, within the Agreement Area and which are accurately specified with particularity in a Project Notice;

"Social Housing Lease" means any lease over all or a part of the Agreement Area (as the case requires) under the TSILA, which lease will be in substantially the same terms as the lease in Schedule 4;

"Trustee" means the Torres Strait Island Regional Council (ABN 15 292 645 165);

"TSILA" means the Torres Strait Islander Land Act 1991 (Qld);

Attachments to the entry

[QI2018_005 Schedule 1 Map of Agreement Area.PDF](#)

[QI2018_005 Schedule 2 Written Description of Agreement Area.PDF](#)