



# Extract from Register of Indigenous Land Use Agreements

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<b>NNTT number</b>	QI2021/004
<b>Short name</b>	Koa People Tenure Resolution ILUA
<b>ILUA type</b>	Area Agreement
<b>Date registered</b>	13/08/2021
<b>State/territory</b>	Queensland
<b>Local government region</b>	McKinlay Shire Council, Winton Shire Council

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## Description of the area covered by the agreement

"Agreement Area" means the land and waters described in Schedule 1 and depicted in Schedule 2.

*[Copies of Schedules 1 and 2 are attached to this 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 multiple land parcels in the vicinities of Kynuna, Middleton and Winton, covering a combined area of approx. 32.7 sq km.]*

## Parties to agreement

### Applicant

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<b>Party name</b>	State of Queensland
<b>Contact address</b>	c/- Crown Law Level 11, State Law Building 50 Ann Street Brisbane QLD 4000

### Other Parties

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<b>Party name</b>	Frank Button, Natasha Duncan, William Gorham, Pamela Hegarty and Michael Mace on their own behalf and on behalf of the Koa People
<b>Contact address</b>	c/- Queensland South Native Title Services Ltd PO Box 10832, Adelaide Street Brisbane QLD 4000

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<b>Party name</b>	Guwa-Koa Aboriginal Corporation
<b>Contact address</b>	c/- Queensland South Native Title Services Ltd PO Box 10832, Adelaide Street Brisbane QLD 4000

## Period in which the agreement will operate

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**Start date** not specified

**End Date** not specified

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### 3. Commencement and Expiry

3.1 Clauses 1 (Definitions), 2 (Interpretation), 3 (Commencement and Expiry), 4 (Authority) and 17 (Registration of Agreement) commence on the Execution Date.

3.2 The remaining clauses of this Agreement commence on Registration.

3.3 Subject to clauses 3.4 to 3.6, this Agreement will continue in force in perpetuity.

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

#### 5. Consents

5.1 The parties:

- (a) consent to the doing of the Agreed Acts to the extent that they are Surrenders or Future Acts; and
- (b) agree to the validating of any of the Agreed Acts, which are also Future Acts, done prior to Registration.

5.2 The parties consent to the validation of any Future Acts done prior to the Execution Date by the State in the Agreement Area to the extent they were done invalidly for the purposes of Native Title and can be validated in this Agreement.

5.5 The parties agree that any Surrender permanently extinguishes all Native Title Rights and Interests in the area of the Surrender from the date the Surrender takes effect.

"**Aboriginal Land**" means a grant in fee simple under section 38 of the ALA;

"**Agreed Acts**" means all acts necessary to give effect to this Agreement including but not limited to any acts done as part of, or in relation to, the acts specified in Schedule 9 [a copy of Schedule 9 is attached to this extract];

"**ALA**" means the *Aboriginal Land Act 1991* (Qld);

"**ALA Lots**" means those lots identified in Schedule 5 and depicted in Schedule 6 [copies of Schedules 5 and 6 are attached to this extract];

"**Future Act**" has the meaning given in the NTA;

"**NTA**" means the *Native Title Act 1993* (Cth);

"**Reserve Area**" means the lots identified in Schedule 7 and depicted on the map at Schedule 8 [copies of Schedules 7 and 8 are attached to this extract];

"**Revenue Share Lots**" means those USL lots identified in Schedule 3 and depicted in Schedule 4 [copies of Schedules 3 and 4 are attached to this extract];

"**Surrender**" means the surrender to the State (and the permanent extinguishment of) all Native Title Rights and Interests in the Surrender Area.

"**Surrender Area**" means any Revenue Share Lot which is sold in accordance with the process set out in clause 7;

"**Transferable Land**" has the meaning given in the ALA;

#### Attachments to the entry

[QI2021\\_004 Schedules 1 and 2 – written description and map of the Agreement Area.pdf](#)

[QI2021\\_004 Schedules 3 and 4 – written description and map of the Revenue Share Lots.pdf](#)

[QI2021\\_004 Schedules 5 and 6 – written description and map of ALA Lots.pdf](#)

[QI2021\\_004 Schedules 7 and 8 – written description and map of Reserve Area.pdf](#)

[QI2021\\_004 Schedule 9 – Agreed Acts.pdf](#)