



Extract from Register of Indigenous Land Use Agreements

NNTT number	QI2024/008
Short name	Indara Telecommunications Tower Body Corporate ILUA
ILUA type	Body Corporate
Date registered	14/10/2024
State/territory	Queensland
Local government region	Yarrabah Aboriginal Shire Council

Description of the area covered by the agreement

"**ILUA Area**" means the area described in Schedule 1A, as shown on the maps in Schedule 1B;

[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 260 sq m over Lease P over part of Lot 303 on SP284220 and is located approximately 12 km east of Cairns in the vicinity of Yarrabah.]

Parties to agreement

Applicant

Party name	Indara Corporation Pty Ltd (formerly known as Australia Tower Network Pty Ltd) ACN 643 875 165
Contact address	Level 1, 110 Pacific Highway St Leonards NSW 2065

Other Parties

Party name	Gunggandji Aboriginal Corporation RNTBC ICN 7421
Contact address	c/- North Queensland Land Council NTRB Aboriginal Corporation PO Box 679 Cairns QLD 4870

Period in which the agreement will operate

Start date not specified

End Date not specified

3. COMMENCEMENT

3.1. Clauses 1 to 6 and 9 to 24 commence on the Commencement Date.

3.2. Clauses 7 to 8 commence on the registration of the ILUA on the Register.

"Commencement Date" means the date this ILUA is signed by the last of the Parties;

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

4.4. Subdivision P of Division 3 of Part 2 of the Native Title Act is not intended to apply to any Future Acts for which the Parties have given consent under this ILUA.

4.5. The Non-Extinguishment Principle applies to each Future Act for which the Parties have given consent under this ILUA.

4.6. If this ILUA is removed from the Register under s199C of the Native Title Act, the Parties agree that any Future Act validated under this ILUA will not be affected, and this ILUA will continue to act as a contract between the Parties.

7.1. The Prescribed Body Corporate on its own behalf and on behalf of the Native Title Holders consents to:

7.1.1. the grant and registration of the Term Lease;

7.1.2. subject to the terms of the CHMA, the construction and installation by the Lessee of the telecommunications network and telecommunications service under the Term Lease; and

7.1.3. any activity done in accordance with the conditions or the purpose of the Term Lease.

7.2. The Parties acknowledge that, once this ILUA is registered on the Register, the Future Acts in clause 7.1 are Valid.

"CHMA" means the Cultural Heritage Management Agreement between the Parties executed on 21 February 2022;

"Determination of Native Title" means the Combined Gunggandji People Determination of Native Title made by the Federal Court of Australia on 19 December 2011 in Native Title Determination Application QUD 6013/2001 which determined that Native Title exists over the Land;

"Future Act" has the meaning given in the Native Title Act;

"ILUA" means this document and all Schedules and Annexures to it;

"Land" means Lot 303 on Survey Plan 284220, Title Reference 51044536;

"Lessee" means Indara Corporation Pty Ltd (formerly known as Australia Tower Network Pty Ltd) ACN 643 875 165;

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

"Native Title Holders" means the Gunggandji People for their respective communal, group and individual rights and interests in the ILUA Area in accordance with the traditional laws acknowledged and the traditional customs observed by them, as identified in the Determination of Native Title;

"Non-Extinguishment Principle" has the meaning given in the Native Title Act;

"Parties" means the Lessee and the Prescribed Body Corporate;

"Prescribed Body Corporate" means Gunggandji Aboriginal Corporation RNTBC ICN 7421;

"Register" means the Register of Indigenous Land Use Agreements established and maintained under Part BA of the Native Title Act;

"Term Lease" means a lease of the Land under the *Land Act 1994* (Qld) granted by the Prescribed Body Corporate to the Lessee for the permitted use of constructing, maintaining and operating a telecommunications network and telecommunications service. The terms of the Term Lease are attached at Annexure A [of the agreement];

"Valid" has the meaning given in the Native Title Act.

Attachments to the entry

[QI2024_008 Schedule 1.pdf](#)