



# Extract from Register of Indigenous Land Use Agreements

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<b>NNTT number</b>	QI2019/020
<b>Short name</b>	The Rocks Quarry ILUA
<b>ILUA type</b>	Area Agreement
<b>Date registered</b>	14/02/2020
<b>State/territory</b>	Queensland
<b>Local government region</b>	Burdekin Shire Council

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## Description of the area covered by the agreement

"**ILUA Area**" means Lot 18 on SP SP178779 and Lot 122 on SP SP178779 being all of the land and waters shown on the map in Schedule 1 of this Agreement.

[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 approx. 4 sq km and is located approx. 17 km south west of Ayr along the Ayr-Dalbeg Road.]

## Parties to agreement

### *Applicant*

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<b>Party name</b>	Colevale Estates Pty Ltd
<b>Contact address</b>	c/- Marrawah Law GPO Box 3333 Brisbane QLD 4001

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<b>Party name</b>	M & T Populin Pty Ltd
<b>Contact address</b>	c/- Marrawah Law GPO Box 3333 Brisbane QLD 4001

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<b>Party name</b>	Twin Rock Pty Ltd
<b>Contact address</b>	c/- Marrawah Law GPO Box 3333 Brisbane QLD 4001

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### *Other Parties*

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<b>Party name</b>	Alec Illin, Eddie Smallwood, Della Gibson, Jasmine Stanley, Christine Skeene, Eddie Savage, Fred Stanley Snr., Marlene Singleton, Kim Neal on their own behalf and on behalf of the Bindal People #2
<b>Contact address</b>	c/- North Queensland Land Council 61 Anderson Street Cairns QLD 4870

## Period in which the agreement will operate

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**Start date** not specified

**End Date** not specified

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3.1 The Agreement commences on the Execution Date.

3.2 The Agreement may only be Terminated in the way provided for in this clause, but in the event of breach, any Party may pursue any other remedy available to them at Law.

"**Execution Date**" means the date on which the last party executes the Agreement.

"**Terminate**" or "**Terminated**" means that the Agreement has come to, or is brought to, an end.

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

10.2 Part 2 Division 3 Subdivision P of the Native Title Act (which relates to the right to negotiate) does not apply to any Project Activities covered by the Agreement.

11. For Native Title purposes, the Parties consent to all Project Activities where they are done after the Registration Date.

"**Project**" means planning, preparation, construction, operation, maintenance, repair and remediation of any development, action or use of land or waters necessary for or incidental to:-

- (a) the exploration for and the extraction of Quarry Material;
- (b) the collection and transportation of Quarry Material;
- (c) the stockpiling and storage of Quarry Material; and
- (d) the use of Quarry Material in any value adding process.

"**Project Activities**" means any one or more activities pertaining to the Project done by any Person which include, but are not limited to, the following:-

- (a) Amending or varying any existing Sales Permit in a way that removes any Native Title Restriction.
- (b) Re-issuing any existing Sales Permit in a way that removes any Native Title Restriction.
- (c) Issuing a new Sales Permit to the Proponent that does not contain any Native Title Restriction.
- (d) All Future Acts by, for, on behalf of or for the benefit of the Proponent, any Related Bodies Corporate of the Proponent, any Co-Venturers, an Assignee and any other Person entitled to benefit under this Agreement, which are necessary for, or incidental to, a Project and done in, or in relation to, the ILUA Area (including an part of the ILUA Area).

"**Proponent**" means Colevale Estates, Populin and Twin Rock and their respective successors in partnership currently trading as BQC Quarries (ABN14 440 726 153).

"**Quarry Material**" has the meaning given in the Forestry Act.

"**Sales Permit**" means the sales permit under the Forestry Act in respect of the ILUA Area and Lot 27 GS870 and includes the Proponent's existing sales permit No 087986 and any new or replacement sales permit.

## Attachments to the entry

[QI2019\\_020 Schedule 1 Maps of ILUA Area.pdf](#)