



Extract from Register of Indigenous Land Use Agreements

NNTT number	QI2020/004
Short name	Yuwibara People Interim ILUA
ILUA type	Area Agreement
Date registered	02/07/2020
State/territory	Queensland
Local government region	Mackay Regional Council

Description of the area covered by the agreement

"ILUA 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 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. 0.3 sq km and consists of land parcels located in the vicinity of Mackay, Eungella, Mirani, St Helen Beach and Sarina].

Parties to agreement

Applicant

Party name	State of Queensland (acting through the Department of Natural Resources, Mines and Energy)
Contact address	c/- Crown Law Level 11, State Law Building 50 Ann Street Brisbane QLD 4000

Other Parties

Party name	Gary Andrew McDermott
Contact address	c/- CJ Cooper & Associates, Solicitors GPO Box 513 Brisbane QLD 4001

Party name	Mackay Regional Council
Contact address	c/- Marrawah Law, Solicitors GPO Box 3333 Brisbane QLD 4001

Party name	Matthew McDonnell, Jennifer Van Der Starre, Irene Adams, Hayley Mann, Madeline Jones, Bernard Tonga and Pamela Young
Contact address	c/- North Queensland Land Council 61 Anderson Street Cairns QLD 4870

Party name Melanie Roseveen Kemp on her own behalf and on behalf of the Yuwibara People
Contact address c/- North Queensland Land Council
61 Anderson Street
Cairns QLD 4870

Party name Norman George Ladley and Sharon Lillian Ladley
Contact address c/- CJ Cooper & Associates, Solicitors
GPO Box 513
Brisbane QLD 4001

Party name Yuwi Aboriginal Corporation
Contact address c/- North Queensland Land Council
61 Anderson Street
Cairns QLD 4870

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 13 (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.

3.4 This Agreement may be terminated by written agreement executed by:-

(a) the parties, if prior to the Determination taking effect for the whole of the Agreement Area; or

(b) the PBC once it is the RNTBC for any part of the Agreement Area, and all parties other than the Native Title Party and the Other Claimant Party.

3.5 A party may only notify the Registrar in writing pursuant to section 199C(1)(c)(i) of the NTA that this Agreement has expired if:

(a) each party has agreed in writing that the Agreement has so expired; or

(b) if the parties are unable to agree that the Agreement has expired in whole or in part, any Dispute about that disagreement has been resolved in accordance with clause 15; or

(c) the Federal Court has ordered that the details of the Agreement be removed from the Register of Indigenous Land Use Agreements.

3.6 If this Agreement is terminated or expires after the Agreement is Registered, or if this Agreement is removed from the Register of Indigenous Land Use Agreements, it does not affect any rights or obligations that may have accrued before expiration or termination or the validity of any Agreed Acts that took effect while this Agreement was Registered.

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

5.1 The parties:

(a) consent to the doing of the Agreed Acts to the extent that they are Future Acts; and

(b) agree to the validating of any of the Agreed Acts, which are also Future Acts, done prior to Registration.

"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 3;

Attachments to the entry

[QI2020_004 Schedule 1 Written Description of Agreement Area.pdf](#)

[QI2020_004 Schedule 2 Map of Agreement Area.pdf](#)

[QI2020_004 Schedule 3 Agreed Acts.pdf](#)