



Extract from Register of Indigenous Land Use Agreements

NNTT number	QI2016/049
Short name	Peninsula Developmental Road ILUA
ILUA type	Area Agreement
Date registered	11/07/2017
State/territory	Queensland
Local government region	Cook Shire Council, Lockhart River Aboriginal Shire Council, Napranum Aboriginal Shire Council

Description of the area covered by the agreement

The Agreement Area is described in Schedule 1 and depicted in the map in Schedule 2 of the agreement.

[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. 6,166 sq km extending about 500km south westerly from about 35km east of Weipa to 85km north west of Mossman along the Cape York Peninsula].

Parties to agreement

Applicant

Party name	Michael Ross, Silva Blanco, James Creek, Jonathan Korkaktain, Reginald Williams, Wayne Butcher, Clarry Flinders, Philip Port and Hogan Shortjoe
Contact address	c/- Cape York Land Council PO Box 2496 Cairns QLD 4870

Other Parties

Party name	Cape York Land Council Aboriginal Corporation
Contact address	PO Box 2496 Cairns QLD 4870

Party name	State of Queensland
Contact address	GPO Box 1549 Brisbane QLD 4001

Period in which the agreement will operate

Start date	not specified
End date	not specified

4. Commencement, Duration and Termination

4.1 Subject to clause 4.2, this Agreement commences on the Execution Date.

4.2 Clauses 9, 11, 12, 14.2, 18 and 20 commence on the Registration Date.

4.3 Subject to its earlier termination in accordance with this clause, this Agreement continues on an indefinite basis.

4.4 This Agreement may be terminated at any time by agreement in writing between the Parties.

Statements of the kind mentioned in ss. 24EB(1) or 24EBA(1) or (4)**8. Consent to the PDR Agreed Acts**

The Parties consent to the doing of the PDR Agreed Acts to the extent that they are Future Acts.

10. Right to Negotiate

To avoid any doubt, Part 2, Division 3, Subdivision P (Right to Negotiate) of the NTA is not intended to apply to the doing of the PDR Agreed Acts.

11. Validation

11.1 Subject to compliance with this Agreement, if any of the PDR Agreed Acts done prior to the Registration Date are invalid Future Acts, the Parties agree to the validating of those PDR Agreed Acts.

Definitions

“PDR” means the State-controlled road called the “Peninsula Developmental Road”

“PDR Agreed Acts” includes the following within the PDR Agreement Area:

- (a) the construction, maintenance, operation, upgrade and use of the PDR;
- (b) the declaration of a State-controlled road under the TIA;
- (c) Road Works;
- (d) accommodation works, as that term is defined in the TIA;
- (e) the extraction and use of quarry material reserved to the State and administered under the Forestry Act 1959 (Qld);
- (f) the construction of any public works which are necessary or incidental to the completion of the PDR Project;
- (g) access to land necessary for the acts described in items (a) to (f);
- (h) the grant of any authority, licence or permit required by Law for the acts described in items (a) to (g); and
- (i) all other acts which are necessary or incidental to the completion of the PDR Project.

“Road Works” has the meaning given in the TIA and includes, but is not limited to:

- (a) road clearing;
- (b) construction of culverts;
- (c) drainage inlet and outlet works;
- (d) embankment extraction;
- (e) pavement investigation;
- (f) use and construction of water storage sites;
- (g) water extraction from watercourses and sub-surface water;

- (h) construction of access roads or tracks;
- (i) installing and maintaining site facilities and hard stand areas;
- (j) installing and maintaining diversion drains;
- (k) installing and maintaining and operating water bores;
- (l) installing and maintaining and operating roadside rest areas or stopping places;
- (m) reinstating side drains; and
- (n) structure upgrades.

“TIA” means the Transport Infrastructure Act 1994 (Qld).

Attachments to the entry

[QI2016 049 Schedule 1 PDR Agreement Area.pdf](#)

[QI2016 049 Schedule 2 PDR Agreement Area Map.pdf](#)