



## Extract from Register of Indigenous Land Use Agreements

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<b>NNTT number</b>	QI2014/007
<b>Short name</b>	Badu Island Transfer ILUA
<b>ILUA type</b>	Area Agreement
<b>Date registered</b>	07/07/2014
<b>State/territory</b>	Queensland
<b>Local government region</b>	Torres Strait Island Regional Council

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### Description of the area covered by the agreement

'Agreement Area' is defined in clause 1.1 of the agreement.

[A written description of the agreement area is contained in Part 1 of Schedule 1 of the agreement, and plans of the agreement area are contained in Part 2 of Schedule 1. 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:

Agreement covers about 101 sq km over Badu Island.]

### Parties to agreement

#### *Applicant*

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<b>Party name</b>	State of Queensland Aboriginal and Torres Strait Islander Land Services Department of Natural Resources and Mines
<b>Contact address</b>	c/- Crown Law Principal Lawyer GPO Box 5221 Brisbane QLD 4001

#### *Other Parties*

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<b>Party name</b>	Mura Badulgal (Torres Strait Islanders) Corporation RNTBC
<b>Contact address</b>	c/- Bottoms English Lawyers PO Box 5196 Cairns QLD 4870

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**Party name** Horace Baira on his own behalf and on behalf of the Badjgal People

**Contact address** c/- Bottoms English Lawyers  
PO Box 5196  
Cairns QLD 4870

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**Party name** Torres Strait Island Regional Council

**Contact address** c/- Torres Strait Island Regional Council  
Chief Legal Officer  
PO Box 7336  
Cairns QLD 4870

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#### **Period in which the agreement will operate**

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**Start date** not specified

**End date** not specified

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[The ILUA does not specify a time period during which it will operate. Details regarding commencement are set out in clauses 4.1 to 4.3.]

4.1 Subject to clauses 4.2 and 4.3, this Agreement commences on the Execution Date [being 13 January 2014].

4.2 Clause 5 commences upon Registration.

4.3 Clauses 6 and 8 commence upon the Transfer Date.

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

5.1 The parties consent to the doing of the Agreed Acts to the extent they are Future Acts.

5.2 If any of the Agreed Acts done prior to Registration are invalid Future Acts, the parties agree to the validating of those Agreed Acts.

5.4 The parties consent to the validation of any invalid acts done by either the State or TSIRC in the Agreement Area prior to the Execution Date to the extent they can be validated in this Agreement. The effect of any such validation is that the Non-Extinguishment Principle applies.

These acts include:

(a) the building of the Queensland Health Staff Residence; and

(b) the dedication of the Proposed Reserve following the making of a regulation to declare the Airstrip transferable land under the TSILA.

5.5 Subdivision P, Division 3, Part 2 of the NTA is not intended to apply to the doing of the Agreed Acts.

#### **Definitions:**

“Agreed Acts” means any acts done as part of, or in relation to:

(a) the Transfer;

(b) the grant by the Corporation of the TSIRC Leases;

(c) the grant by the Corporation of the State Infrastructure Leases;

(d) the grant by the Corporation of any Residential Leases;

(e) any Amendment;

(f) the dedication, use and management of the Roads under the Land Act;

(g) the dedication of the Proposed Reserve;

(h) access to carry out inspection, maintenance, replacement and repair by TSIRC of TSIRC

Infrastructure;

(i) the grant by the Corporation of the TSIRC Licence;

(j) the giving of Development Approvals by TSIRC of and incidental to the Transfer; and

(k) all Future Acts necessary to give effect to the above acts;

"Transfer" means the issue of a deed of grant in fee simple to the Grantee in respect of the Transfer Area under the TSILA;

"TSILA" means the Torres Strait Islander Land Act 1991 (Qld);

"TSIRC" means the Torres Strait Island Regional Council.

**Attachments to the entry**

[QI2014\\_007 Schedule 1 - Part 1 - Written Description of Agreement Area.pdf](#)

[QI2014\\_007 Schedule 1 - Part 2 - Plans of Agreement Area.pdf](#)