



Extract from Register of Indigenous Land Use Agreements

NNTT number	QI2016/037
Short name	Darumbal People Tenure Resolution ILUA
ILUA type	Area Agreement
Date registered	02/12/2016
State/territory	Queensland
Local government region	Banana Shire Council, Rockhampton Regional Council, Livingstone Shire Council

Description of the area covered by the agreement

The agreement area is defined in clause 1 as the land and waters depicted and described in 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:

The agreement area covers about 265 sq km, located in the vicinity of Rockhampton. The multiple parts surround Rockhampton, extending approx. 122 km to the north, 39 km to the south, 30 km to the east and 70 km to the west.]

Parties to agreement

Applicant

Party name	State of Queensland
Contact address	c/- Crown Law GPO Box 5221 Brisbane QLD 4001

Other Parties

Party name	Alan Douglas Hatfield, Warren John Malone, Rodney William Mann, Vanessa Ross, Amanda Meredith and Pauline Cora on their own behalf and on behalf of the Darumbal People
Contact address	c/- Queensland South Native Title Services PO Box 10832 Adelaide Street

Party name	Darumbal People Aboriginal Corporation
Contact address	c/- Queensland South Native Title Services PO Box 10832 Adelaide Street Brisbane QLD 4001

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 16 (Registration) commence on the Execution Date [14 June 2016].

3.2 The remaining clauses of this Agreement commence on Registration.

3.3 Subject to clause 3.4, 3.5 and 3.6 this Agreement will continue in force in perpetuity.

3.4 Subject to clause 3.5, this Agreement may be terminated by written agreement executed by the Parties.

3.5 The Parties acknowledge that on and from the date the Darumbal Corporation becomes the RNTBC for the Darumbal Determination, under the PBC Regulations, the Darumbal Corporation will have the function of managing the Native Title Rights and Interests of the Darumbal People, and the power to enter into agreements to perform that function and that as a result this Agreement may be terminated by written agreement executed by the Darumbal Corporation and the State.

3.6 If there is a determination by the Federal Court of Australia that Native Title does not exist in part of the Agreement Area or that Native Title in part of the Agreement Area is held by people other than the Darumbal People, this Agreement expires in relation to that part of the Agreement Area subject to that determination, but remains in force in relation to the balance of the Agreement Area.

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 or Surrender; and

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

5.2 The parties consent to the validation of any Future Acts done prior to the Execution Date by the State in the Agreement Area to the extent that they were done invalidly for the purpose of Native Title and can be validated in this Agreement.

5.5 The parties agree that any Surrender permanently extinguishes all Native Title Rights and Interests in the area of the Surrender from the date the Surrender takes effect.

Agreed Acts are defined in clause 1 as 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 6 [a copy of Schedule 6 is attached to this register extract].

Surrender Area is defined in clause 1 as the Land Exchange Lots [described in Schedule 2] and Revenue Share Lots which are sold in accordance with the process set out in clause 8 [described in Schedule 3]. [A copy of Schedules 2 and 3 is attached to this register extract].

Attachments to the entry

[QI2016_037 Darumbal People Tenure Resolution ILUA - Schedule 1 Agreement Area.pdf](#)

[QI2016_037 Darumbal People Tenure Resolution ILUA - Schedule 2 Land Exchange Lots.pdf](#)

[QI2016_037 Darumbal People Tenure Resolution ILUA - Schedule 3 Revenue Share Lots.pdf](#)

[QI2016_037 Darumbal People Tenure Resolution ILUA - Schedule 6 Agreed Acts.pdf](#)