



Extract from Register of Indigenous Land Use Agreements

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| NNTT number | QI2015/085 |
| Short name | Masig (Yorke Island) Defence Facilities ILUA |
| ILUA type | Body Corporate |
| Date registered | 17/02/2016 |
| State/territory | Queensland |
| Local government region | Torres Strait Island Regional Council |

Description of the area covered by the agreement

'ILUA Area' is defined in clause 1.1 as the land or waters as described in Schedule 2 and delineated by the map annexed to the lease in Schedule 3.

[A copy of Schedule 2 and Schedule 3 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:

Agreement area covers about 730 sq metres on Lease Z in Lot 10 on TS179 Masig (Yorke Island).]

Parties to agreement

Applicant

| | |
|------------------------|--|
| Party name | Commonwealth of Australia acting through the Department of Defence |
| Contact address | c/- MinterEllison Level 22, Waterfront Place, 1 Eagle St Brisbane QLD 4000 |

Other Parties

| | |
|------------------------|--|
| Party name | Masigalgal (Torres Strait Islanders) Corporation RNTBC |
| Contact address | c/- Torres Strait Regional Authority PO Box 261 Thursday Island QLD 4875 |

| | |
|------------------------|--|
| Party name | Torres Strait Island Regional Council |
| Contact address | 46 Victoria Parade Thursday Island QLD 4875 |

Period in which the agreement will operate

| | |
|-------------------|---------------|
| Start date | 16/10/2015 |
| End date | not specified |

2.1 This agreement commences on the Commencement Date.

'Commencement Date' means the date this agreement is executed by the last of the parties to execute it.

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

5. For the purposes of:

(a) section 24EB(1)(c) of the NTA; and

(b) regulation 6(5)(b) of the NT Regulations,

the Parties state that Subdivision P, Division 3, Part 2 of the NTA is not intended to apply to the grant of the Lease, the Facilities Acts or any other acts consented to under this agreement.

9.1(a) The Parties consent to:

(i) the grant of the Lease; and

(ii) other acts necessary or expedient to give effect to the grant of the Lease, in the ILUA Area and agree not to challenge their validity in the future.

(b) The Parties consent to:

(i) the construction, development, operation and maintenance of the Facilities by or on behalf of Defence; and

(ii) the activities carried out by or on behalf of Defence in the ILUA Area, which took place prior to the Grant Date (Facilities Acts), notwithstanding the Facilities Acts were carried out prior to the Grant Date, and the Parties agree that the Facilities Acts are validated and that they will not challenge their validity in the future.

(c) The Native Title Body Corporate consents to:

(i) Defence accessing the ILUA Area for the purpose of accessing the Facilities; and

(ii) Defence doing any act necessary or desirable to operate and maintain the structures and works that are on the ILUA Area.

'Defence' means the Commonwealth of Australia acting through the Department of Defence.

'Facilities' means the depot constructed, developed, operated and maintained by or on behalf of Defence, in the ILUA Area, prior to the Commencement Date.

'Grant Date' means the date the Lease is granted by the Trustee and otherwise becomes unconditional in accordance with its terms.

'Lease' means a lease over the ILUA Area substantially in the form contained in Schedule 3, and any reissue, substitution, renewal, extension or further or subsequent grant thereof.

'NTA' means the Native Title Act 1993 (Cth).

'NT Regulations' means the Native Title (Indigenous Land Use Agreement) Regulations 1999 (Cth).

Attachments to the entry

[QI2015_085 Schedule 2 Written Description of ILUA Area.PDF](#)

[QI2015_085 Schedule 3 Survey Plan of ILUA Area.pdf](#)