



# Extract from Register of Indigenous Land Use Agreements

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<b>NNTT number</b>	QI2018/017
<b>Short name</b>	Girramay People #2 and Cassowary Coast Regional Council ILUA
<b>ILUA type</b>	Area Agreement
<b>Date registered</b>	08/01/2019
<b>State/territory</b>	Queensland
<b>Local government region</b>	Cassowary Coast Regional Council

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## Description of the area covered by the agreement

ILUA Area is defined in Schedule 1 of the agreement as the area described in writing in Schedule 2 being all of the land and waters within the Claim Area shown on the map marked "ILUA Area" in Schedule 3 which does not overlap with any other native title claim.

[A written description of the ILUA area is contained in Schedule 2 of the agreement and maps showing the ILUA area are contained in Schedule 3. A copy of Schedules 2 and 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:

The agreement covers about 836 sq km centred approx. 27 km south of Tully.]

## Parties to agreement

### *Applicant*

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<b>Party name</b>	Cassowary Coast Regional Council
<b>Contact address</b>	c/- MacDonnells Law GPO Box 79 Brisbane QLD 4001

### *Other Parties*

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<b>Party name</b>	Abraham Muriata and Claude Frank Beeron as the applicants for Girramay People #2 Native Title Determination Application QUD741/2015
<b>Contact address</b>	c/- North Queensland Land Council PO Box 5296 Townsville QLD 4810

## Period in which the agreement will operate

Start date	not specified
End Date	not specified

Parts 1, 2, 4 and 5 of the ILUA commence on the Execution Date.

Part 3 of the ILUA commences on the Registration Date with the exception of clause 30, which commences on the Execution Date.

'Execution Date' means the date that the last party signs the Agreement.

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

28.(b) Part 2 Division 3 Subdivision P of the Native Title Act (which relates to the right to negotiate) does not apply to any Future Acts covered by the Agreement.

31.1 A Future Act is covered by the Agreement where it is expressly or impliedly done in a manner consistent with the Agreement.

31.2 A Future Act is not covered by the Agreement where:

- (a) it is not done in a manner consistent with the Agreement; or
- (b) the Local Government states, or otherwise indicates, that it is not covered by the Agreement.

31.3 Where a Future Act is not covered by the Agreement, the Local Government may seek to proceed with the Future Act in any other way that the Native Title Act allows.

33.1 The Parties consent to any Activity which has a Low Native Title Impact (they are described in Schedule 6). [A copy of Schedule 6 is attached to this register extract].

33.3 Where the conditions in the immediately following sub-clause are satisfied, the Parties consent to any Activity which has a High Native Title Impact (they are described in Schedule 7). [A copy of Schedule 7 is attached to this register extract].

33.4 The conditions are that the Local Government satisfies one of the following:

- (a) The Local Government:
  - (i) gives a Notice to the Native Title Party in accordance with paragraph 35.1(a); and
  - (ii) completes Consultation in accordance with paragraph 35.1(b).
- (b) Where the Activity involves a capital work dealt with at a Capital Works Forum (provisions about a Capital Works Forum are contained in clause 50), the Local Government:
  - (i) gives a list of capital works involving the Activity under paragraph 50.6(e); and
  - (ii) consensus is reached under paragraph 50.6(f) about the Activity being carried out.

34.1 The Parties agree that Acts Already Done in the classes described in Schedule 8:

- (a) have been done validly and are valid for Native Title purposes; and
- (b) have not Extinguished any Native Title.

[Schedule 8 is attached to this register extract]

34.2 A Future Act which was invalidly done before the Execution Date and which is not an intermediate period act under the Native Title Act, is validated.

## Attachments to the entry

[QI2018\\_017 Schedule 2 Written Description of ILUA Area.pdf](#)

[QI2018\\_017 Schedule 3 Maps of ILUA Area.pdf](#)

[QI2018\\_017 Schedule 6 Low NT Impact Activities.pdf](#)

[QI2018\\_017 Schedule 7 High NT Impact Activities.pdf](#)

[QI2018\\_017 Schedule 8 Acts Already Done.pdf](#)