



## Extract from Register of Indigenous Land Use Agreements

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<b>NNTT number</b>	QI2016/042
<b>Short name</b>	Darumbal People/Baven ILUA
<b>ILUA type</b>	Area Agreement
<b>Date registered</b>	02/12/2016
<b>State/territory</b>	Queensland
<b>Local government region</b>	Livingstone Shire Council

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### Description of the area covered by the agreement

Clause 1 defines the Agreement Area as that part of the Lease Area which is contained within the external boundaries of Part A of the Claim Area in the [Darumbal People's] Native Title Claim [QUD6131 of 1998], and which is described in Schedule 1 to this Agreement.

[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 Areas cover about 8 sq km, about 80 km north west of Rockhampton.]

### Parties to agreement

#### *Applicant*

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<b>Party name</b>	Elwyn McDowell Rea, Joanne Belle Rea and Andrew Clyde McDowell Rea
<b>Contact address</b>	c/- Thynne & Macartney GPO Box 245 Brisbane QLD 4001

#### *Other Parties*

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<b>Party name</b>	Alan Douglas Hatfield, Warren John Malone, Rodney William Mann, Vanessa Ross, Amanda Meredith and Pauline Cora on behalf of the Darumbal People
<b>Contact address</b>	c/- Queensland South Native Title Services Level 10 307 Queen Street

**Period in which the agreement will operate**

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<b>Start date</b>	not specified
<b>End date</b>	not specified

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5.1 Subject to clauses 5.4 and 5.5, this Agreement takes effect on the date that a determination of native title in favour of the Darumbal People is made, and continues until:

- (a) the date of expiry of the Lease term; or
- (b) the date of surrender, resumption, forfeiture or termination of the Lease; or
- (c) the date of removal of the Agreement from the Register of Indigenous Land Use Agreements.

5.4 In the event a Determination recognising the right to possession and occupation of the Agreement Area, to the exclusion of all others, is made to:

- (a) persons other than the Darumbal People, the Agreement terminates as at the date of the Determination; or
- (b) the Darumbal People, the Agreement continues unless otherwise determined by the Darumbal People.

5.5 Unless otherwise agreed, this Agreement will end with the valid extinguishment of Native title over the whole of the Agreement Area.

5.7 Subject to the provisions of the Land Act, the Agreement will not terminate if:

- (a) the Lease has expired but application has been made for renewal or other action has been taken under the provisions of the Land Act for continuity of the Lease; or
- (b) land dealings on the Lease in the form of subdivisions, amalgamations, additional areas or conversion to a perpetual tenure result in a new lease being issued; or
- (c) the Lease or part of the Lease is converted to protected area tenure under the NCA.

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

The agreement includes no statements mentioned in subsection 24EB(1) or 24EBA(1) or (4)

**Attachments to the entry**

[QI2016\\_042 Schedule 1 Description and Map of agreement area.pdf](#)