



Extract from Register of Indigenous Land Use Agreements

NNTT number	QI2019/007
Short name	Erub Landfill ILUA
ILUA type	Body Corporate
Date registered	13/05/2019
State/territory	Queensland
Local government region	Torres Strait Island Regional Council

Description of the area covered by the agreement

"Agreement Area" means the Agreement Area identified in Schedule 1 and Schedule 2 of this Agreement.

[A map of the agreement area is contained in Schedule 1. A written description of the agreement area is contained in Schedule 2. Copies of Schedules 1 and 2 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 area consists of all the land and waters within Lot 43 on SP270873, covers an area of 7465 sq m and is located on Erub (Darnley) Island, in the Torres Strait.]

Parties to agreement

Applicant

Party name	Torres Strait Island Regional Council
Contact address	c/- Holding Redlich GPO Box 490 Brisbane Qld 4001

Other Parties

Party name	Erubam Le Traditional Land and Sea Owners (Torres Strait Islanders) Corporation RNTBC
Contact address	c/- Marrawah Law GPO Box 3333 Brisbane Qld 4001

Party name	Mr Selle Thaiday
Contact address	c/- Marrawah Law GPO Box 3333 Brisbane Qld 4001

Party name	The State of Queensland represented by the Department of Natural Resources, Mines and Energy
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Contact address c/- Crown Law
50 Ann Street
Brisbane Qld 4000

Period in which the agreement will operate

Start date	25/02/2019
End Date	not specified

3.1 Subject to clause 3.2, this Agreement commences on the Execution Date.

3.2 Clause 5, 6 and clause 7 commence on the Registration Date.

3.3 This Agreement continues indefinitely unless terminated by written agreement executed by all parties.

“Execution Date” means the day on which this Agreement is executed by the parties and if executed on different days, the latter of those days.

“Registration Date” means the date on which this Agreement is Registered.

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

5.1 The parties agree to the validation of Previous Landfill Related Acts, to the extent that they are Future Acts.

6.1 The parties consent to the doing of any Landfill Related Future Acts.

6.2 To avoid any doubt, Subdivision P, Division 3, Part 2 of the NTA [*Native Title Act 1993 (Cth)*] does not apply to any Future Acts the subject of this Agreement.

“Closure” means the permanent closure of the Landfill to receipt of new rubbish, but does not include Remediation.

“Landfill” means the Erub Community Council tip operated by TSIRC and situated at Erub (Darnley) Island on the Agreement Area as shown in Schedule 1 of this Agreement.

“Landfill Related Future Act” means any Future Act(s) done by any person within the Agreement Area:

- (a) for or in connection with the construction, operation, use, maintenance or repair of the Landfill;
- (b) for or in relation to the Closure of the Landfill; and
- (c) for or in connection with the Remediation of the Landfill, after the Registration date.

“Previous Landfill Related Acts” means any Landfill Related Future Acts done in the Agreement Area on or before the Registration Date.

“Remediation” and **“Remediated”** means the measures that are to be completed to properly and effectively remediate the environmental effects of the Landfill and to rehabilitate the Agreement Area to the reasonable standard required by the Regulatory Authority, including implementation of any Closure and Post Closure Care Plan.

Attachments to the entry

[QI2019_007 Schedule 1 Map of Agreement Area.pdf](#)

[QI2019_007 Schedule 2 Written Description Agreement Area.pdf](#)