



Extract from Register of Indigenous Land Use Agreements

NNTT number	QI2016/038
Short name	Kwokkunum Access ILUA
ILUA type	Body Corporate
Date registered	09/12/2016
State/territory	Queensland
Local government region	Aurukun Shire Council

Description of the area covered by the agreement

The agreement area is defined in clause 2.2 as the Kwokkunum Access Track.

[A copy of the description and map of the agreement area 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 covers about 4.3 sq km, being a corridor about 200m wide north of the Aurukun Rd on the Cape York Peninsula, located about 38 km southeast of Weipa].

Parties to agreement

Applicant

Party name	Ngan Aak-Kunch Aboriginal Corporation RNTBC
Contact address	c/- Cape York Land Council 32 Florence Street Cairns QLD 4870

Other Parties

Party name	RTA Weipa Pty Ltd
Contact address	123 Albert Street Brisbane QLD 4000

Period in which the agreement will operate

Start date	23/05/2016
End date	not specified

10.1 End date

(a) RTAW must notify NAK that RTAW no longer requires the Activities Licence and the Approvals Consent by the date which is 20 Business Days after RTAW is on a permanent basis no longer authorised to enter the area which as at the date of this document is the part of ML7024 which is known as Kwokkunum.

(b) If NAK, within 10 Business Days after receiving a notice under clause 10.1(a), notifies RTAW that NAK requires the structures installed as part of the Track Activities, or specified parts thereof, to be removed, RTAW must within 30 Business Days after receiving the notice:

(i) remove the structures or the specified parts thereof; and

(ii) make good any damage to Lot 211 caused by such removal.

(c) RTAW must notify NAK as soon as practicable after it has complied with its obligations under clause 10.1(b).

10.2 This document [ILUA] will terminate on the earliest of:

(a) the date when the parties agree in writing to terminate this document;

(b) if RTAW does not receive a notice from NAK under clause 10.1(b), the date which is 12 Business Days after NAK receives a notice under clause 10.1(a); and

(c) if RTAW receives a notice from NAK under clause 10.1(b), the date when NAK receives a notice under clause 10.1(c).

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

2.5(c) For the purposes of section 24EB(1)(c) and regulation 6(5) of the ILUA Regs, if this document is registered on the Register, Subdivision P of Division 3 of Part 2 of the Native Title Act is not intended to apply to the Access Variation Recording or any other grants, consents or permissions provided to RTAW or its Personnel under this document.

3.4(a) NAK gives the Approvals Consent and any further consents necessary to give effect to the Approvals Consent and the parties agree that, for the purposes of section 24EB(1) of the Native Title Act, such consents are the parties' consent.

Access Variation Recording means the recording of the Access Variation by the chief executive as referred to in section 317(9)(a)(i) of the MRA [Mineral Resources Act 1989 (Qld)].

Access Variation means the variation of the land used as access in relation to the area of ML7024, to include the Kwokkunum Access Track.

Activities Licence means authority and a licence to RTAW and its Personnel to undertake the Track Activities.

Approvals Consent means consent to the Access Variation Recording and the grant of all Approvals required or desired by RTAW for the Track Activities.

Track Activities means the use of the Kwokkunum Access Track by RTAW and its Personnel as contemplated by this document including for:

(a) the activities permitted under clause 3.1; and

(b) activities reasonably incidental to the activities referred to in paragraph (a) of this definition.

Attachments to the entry

[QI2016 038 Map of ILUA Area.pdf](#)

[QI2016 038 External Boundary Description of ILUA Area.pdf](#)