



Extract from Register of Indigenous Land Use Agreements

NNTT number	QI2020/002
Short name	Gkuthaarn and Kukatj People Tenure Resolution ILUA
ILUA type	Area Agreement
Date registered	02/07/2020
State/territory	Queensland
Local government region	Carpentaria Shire Council

Description of the area covered by the agreement

"Agreement Area" means the land and waters described in Schedule 1 and depicted 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 covers approx. 16,436 sq km and is located approx. 28 km east of Burketown, 1 km west of Karumba and extending approx. 121 km south from the Gulf of Carpentaria.]

Parties to agreement

Applicant

Party name	State of Queensland, acting through the Department of Natural Resources, Mines and Energy
Contact address	c/- Crown Law State Law Building Level 11, 50 Ann St Brisbane QLD 4000

Other Parties

Party name	Gkuthaarn and Kukatj Aboriginal Corporation
Contact address	c/- Carpentaria Land Council Aboriginal Corporation PO Box 6662 Cairns QLD 4870

Party name	Phillip George and Leanne Edwards on their own behalf and on behalf of Gkuthaarn and Kukatj People
Contact address	c/- P&E Law PO Box 2337 Cairns QLD 4870

Period in which the agreement will operate

Start date not specified

End Date not specified

3.1 Clauses 1 (Definitions), 2 (Interpretation), 3 (Commencement and Expiry), 4 (Authority) and 20 (Registration of Agreement) commence on the Execution Date.

3.2 The remaining clauses of this Agreement commence on Registration.

3.3 Subject to clauses 3.4 and 3.5, this Agreement will continue in force in perpetuity.

3.4 This Agreement may be terminated by written agreement executed by:

- (a) the parties if prior to the Determination;
- (b) the State and the PBC after the Determination.

3.5 If there is a determination by the Federal Court of Australia that Native Title in any part of the Agreement Area is held by people other than Gkuthaarn and Kukatj People, this Agreement expires in relation to that part of the Agreement Area subject to that determination, but remains in force in relation to the balance of the Agreement Area.

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

5.1 The parties consent to the validation of any acts done prior to the Execution Date by the State in the Agreement Area to the extent they were done invalidly for the purposes of Native Title and can be validated in this Agreement.

5.2 The parties: (a) consent to the doing of the Agreed Acts to the extent that they are Surrenders or Future Acts; and (b) agree to the validating of any of the Agreed Acts, which are also Future Acts, done prior to Registration.

5.5 The parties agree that any Surrender permanently extinguishes all Native Title Rights and Interests in the area of the Surrender from the date the Surrender takes effect.

6.1 In accordance with clause 5.2(a), the Native Title Parties Surrender all Native Title Rights and Interests in relation to the Surrender Area.

"**Agreed Acts**" means all acts necessary to give effect to this Agreement including but not limited to the acts specified in Schedule 21, and any acts done as part of, or in relation to, the acts specified in Schedule 21;

"**Surrender Area**" means:

- (a) the Southern Surrender Area identified in Part A of Schedule 7 and depicted in Schedule 8;
- (b) the Northern Surrender Lots identified in Part B of Schedule 7 and depicted in Schedule 8;
- (c) the Land Bank Lots identified in Schedule 3 and depicted in Schedule 4; and
- (d) the Revenue Share Lots identified in Schedule 5 and depicted in Schedule 6;

"**Land Bank Lots**" means those lots identified in Schedule 3 and depicted in Schedule 4;

"**Revenue Share Lots**" means those lots identified in Schedule 5 and depicted in Schedule 6;

Attachments to the entry

[QI2020_002 Schedule 1 Written Description of Agreement Area.pdf](#)

[QI2020_002 Schedule 2 Map of Agreement Area.pdf](#)

[QI2020_002 Schedule 3 Land Bank Lots.pdf](#)

[QI2020_002 Schedule 5 Revenue Share Lots.pdf](#)

[QI2020_002 Schedule 7 Southern Surrender Area and Northern Surrender Lots.pdf](#)

[QI2020_002 Schedule 21 Agreed Acts.pdf](#)