

# Australia Pacific LNG Project

## Notice of infrastructure project approved as an Infrastructure Facility of Significance and commencement of ILUA negotiation process

The Governor in Council has approved by Gazette Notice elements of the proposed Australia Pacific LNG Project (the **Facility**), in accordance with section 125(1)(f) of the *State Development and Public Works Organisation Act 1971 (SDPWO Act)*, to be an infrastructure facility having the significance mentioned in section 125(1)(f)(i) of the SDPWO Act. The decision was published in the Queensland Government Gazette on 27 August 2010.

This notice about the Facility is given in accordance with the requirements of the Guidelines made pursuant to section 174 of the SDPWO Act.

Australia Pacific LNG Pty Limited (**APLNG**) is the proponent of the Facility. The Facility comprises the construction and operation of both a high pressure underground gas transmission pipeline system (from APLNG's gas fields in South Central Queensland to the LNG facility on Curtis Island near Gladstone) and an LNG plant and associated marine infrastructure on and off the coast of Curtis Island near Gladstone to enable the gas to be liquefied and exported to international markets. The area of the Facility consists of a nominal 40 to 50 metre wide corridor for the gas transmission pipeline system, involving approximately 2,350 hectares, and a site of approximately 270 hectares on Curtis Island for the LNG plant and associated marine infrastructure.

The land and waters affected by the Facility (**Affected Area**) are shown on the map in this notice.

APLNG is committed to holding good faith negotiations with Native Title Parties (that is, registered native title claimants and other persons who claim to hold native title in relation to the Affected Area) about the impact of the Facility on their claimed native title rights and interests. In this regard, APLNG proposes to commence consultation and negotiation with the relevant Native Title Parties in relation to the Affected Area with a view to entering into a series of registered indigenous land use agreements (**ILUAs**), pursuant to Subdivision C of Division 3 of Part 2 of the *Native Title Act 1993 (Cth)*, that incorporate the non-extinguishment principle. It is proposed that the ILUAs will provide for the consent of the Native Title Parties to certain Agreed Acts to be set out in the ILUA, including the grant of all approvals and land tenure for the Facility.

APLNG intends to conduct separate consultation and negotiation processes with Native Title Parties in respect of each of the following areas (also shown on the map):

- Area A - the majority of the part of the Affected Area that is in Area A is covered by the Port Curtis Coral Coast (PCCC) registered native title claim (NNTT No. QC01/29, Federal Court No. QUD6026/01). The PCCC native title claim group is described in the claim as the descendants of Dina, Jessie, Johnson Matemate and George Swain, Sandy and Fanny, Dulhu/Doolan, Buller Tolsen (Norman Buller), Alice

Murray, Jane, Betsy, Rosie, Elsie Myers, Maggie Little, Rosie Blackman, Emma Jones and Mary Anne. Part of the proposed Area A located between the Queensland mainland and Curtis Island is not currently covered by any registered native title claim. While APLNG will generally be seeking that the non-extinguishment principle apply to the proposed Agreed Acts, APLNG will be seeking the extinguishment (by surrender to the State) of native title rights and interests (if any) in, and the conversion to freehold land of, a small part of the unclaimed area adjacent to Curtis Island that will be required for the LNG plant;

- Area B - comprises an area in respect of which there is currently no registered native title claim;
- Area C - comprises the part of the Affected Area covered by the Wulli Wulli People registered native title claim (NNTT No. QC00/7, Federal Court No. QUD6006/00). The Wulli Wulli People native title claim group is described in the claim as the descendants of Tommy (father of Wonga Pope), Jessie Fuller, Grace (mother of Fanny Joyce), Tilly (mother of Harry Blucher), Jack (father of Hack Hornet), Jackanapes, Thomas Clancy, John/James Serico, Maria (mother of Isabella Hooper), Mary Ann (mother of Maggie McLean), Billy Buttons & Mergwin, Amy (wife of John Bond), Rosie Ah Sue, Maggie (wife of Harry West), Billy & Selina (parents of Jacob), Jinnie (wife of George Logan) and Ginalene (mother of Ernest Pope);
- Area D - comprises the part of the Affected Area covered by the Iman People #2 registered native title claim (NNTT No. QC97/55; Federal Court No. QUD6162/98). The Iman People #2 native title claim group is described in the claim as the descendants of Mary Arwa, Jim Waterton, Nellie Dun, Maggie Dun, Sarah Langford, Lizzie Palmtree, Eliza Shields, Maggie Palmtree and Cissy Henry;
- Area E - comprises an area in respect of which there is no registered native title claim; and
- Area F - comprises the part of the Affected Area covered by the Mandandanji People registered native title claim (NNTT No. QC08/10, Federal Court No. QUD366/08). The Mandandanji People native title claim group is described in the claim as the biological descendants of Nellie Edwards, Weribone Jack Senior, Combarngo Bill and Mary Weribone.

It is the intention of APLNG to reach agreement and obtain registration for each ILUA through consultation and negotiation with relevant Native Title Parties. However, if APLNG is unable, despite taking reasonable steps, to secure the agreement or registration of any of the proposed ILUAs, APLNG may apply to the Coordinator-General for the compulsory acquisition of any of the native title rights and interests in relation to the Affected Area in accordance with the *Native Title Act 1993 (Cth)*, the SDPWO Act and the *Acquisition of Land Act 1967*.

Native Title Parties affected by the Facility have a right to:

- be consulted about the proposed infrastructure development;
- (to the extent that they are registered native title claimants) object to a compulsory acquisition process; and
- negotiate with a view to reaching agreement about the proposed infrastructure development.

The consultation and negotiation period for the proposed ILUAs will start on 15 October 2010 and end on 28 February 2011. APLNG may apply to the Coordinator-General to exercise compulsory acquisition powers after 2 months of the consultation and negotiation period.

In order to provide all Native Title Parties with a reasonable opportunity to be given a presentation about the Facility, initial consultation meetings will be held on the dates set out below. The presentations will be directed at providing the Native Title Parties with an understanding of the anticipated nature, extent and impact of the Facility, and will give APLNG an opportunity to discuss the commencement of the consultation and negotiation for the proposed ILUAs dealing with native title rights and interest in relation to the Facility.

For further information about the Facility, please use the contact details listed below.

### Notice of meetings and registration of interest

In accordance with the requirements of the Native Title Guidelines made pursuant to section 174 of the SDPWO Act, APLNG invites persons who claim to hold native title in the Affected Area to attend the appropriate meeting detailed below:

**Area A** 31 October 2010, 10:30 am, Bundaberg PCYC, 37D Maryborough Street, Bundaberg Qld 4670

**Area B** 24 October 2010, 12:00 pm, Leichhardt Hotel, Cnr Bolsolver & Denham Streets, Rockhampton Qld 4700

**Area C** 26 October 2010, 3:00 pm, Mundubbera Shire Hall, Lyons Street, Mundubbera Qld 4626

**Area D** 25 October 2010, 9:00 am, Leichhardt Hotel, Cnr Bolsolver & Denham Streets, Rockhampton Qld 4700

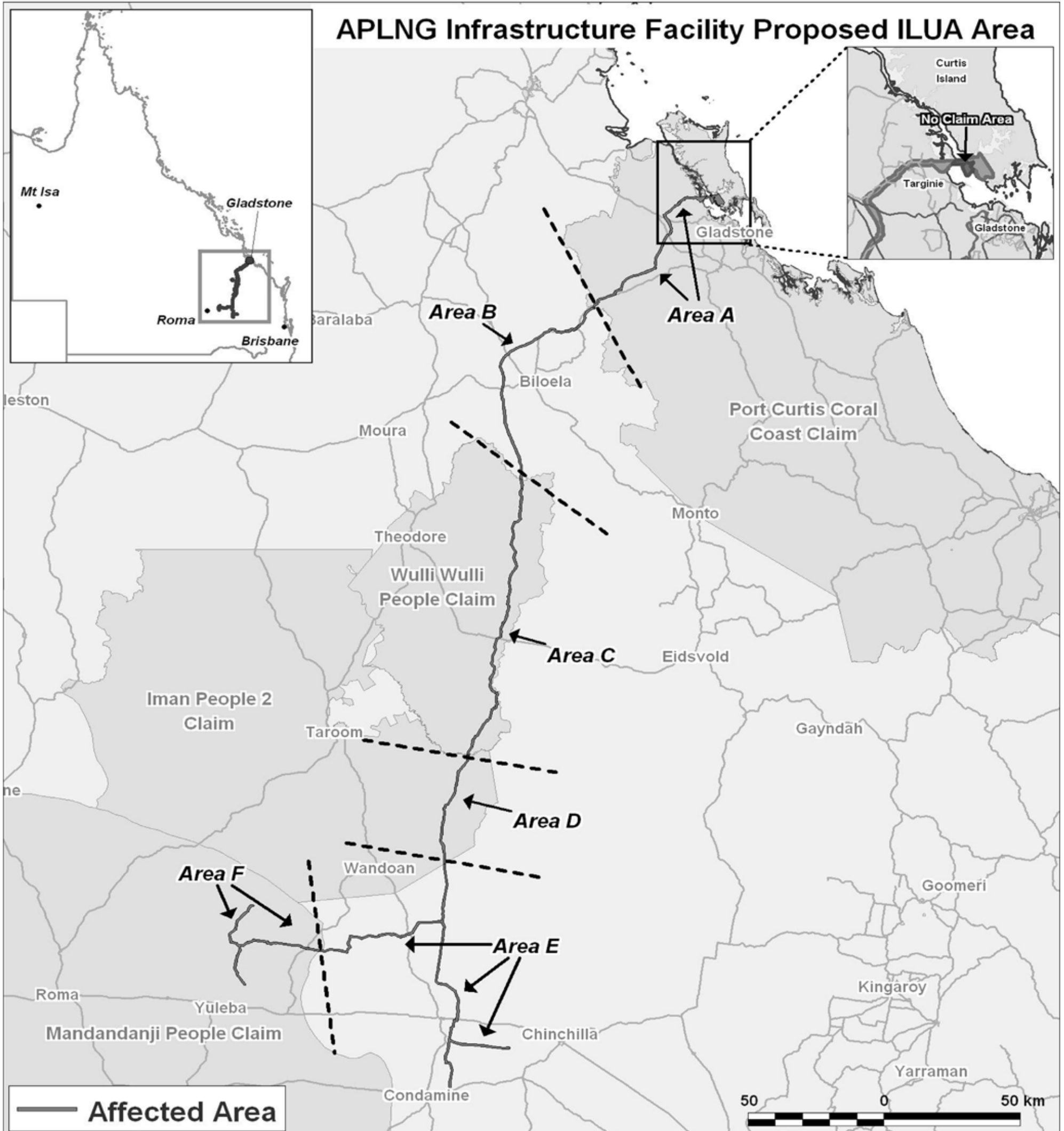
**Area E** 18 October 2010, 9:00 am, Chinchilla RSL Memorial Club, 61 Heeney Street, Chinchilla Qld 4413

**Area E** 28 October 2010, 2:00 pm, Kedron Wavell Services Club Inc, 375 Hamilton Rd, Chermerside Qld 4032

**Area F** 19 October 2010, 9:00 am, Roma Bungil Cultural Centre, Bungil Street, Roma Qld 4455



## APLNG Infrastructure Facility Proposed ILUA Area



The venues and times of the consultation meetings have been nominated in order to maximise attendance.

Further information about the Facility and about the meetings can be obtained by using the contact details referred to below.

Persons who claim to hold native title in relation to land or waters within the above areas, including members of the native title claim groups referred to above, are also invited to register their interest in being part of the negotiations for the ILUAs with APLNG in respect of any of the above areas by contacting:

Rebecca Robson  
Native Title and Cultural Heritage Co-ordinator  
Australia Pacific LNG Pty Limited

GPO Box 148  
BRISBANE QLD 4001

**Telephone:** (07) 3867 0550 | **Facsimile:** (07) 3369 7840.

Registrations of interest must be received not later than 1 October 2010, and should clearly set out:

- your name and details of how you can be contacted;
- the basis upon which you claim to hold native title rights and interests in the Affected Area; and
- whether you propose to attend any of the meetings referred to in this notice.

