



Extract from Register of Indigenous Land Use Agreements

NNTT number	QI2003/029
Short name	Kalkadoon and Indjilandji/Dithannoi Peoples Backlog Exploration Permit Project ILUA
ILUA type	Area Agreement
Date registered	29/04/2004
State/territory	Queensland
Local government region	Mount Isa City Council

Description of the area covered by the agreement

The Agreement area of approximately 5923 km square is located in the vicinity of Mount Isa, Queensland. The Agreement area is comprised of EPM11586, EPM11636, EPM11637, EPM11649, EPM11660, EPM11661, EPM11663, EPM11669, EPM11670, EPM11713, EPM11777, EPM11897, EPM11898, EPM11961, EPM12283, EPM12306, EPM12323, EPM13174, and part of EPM11714, EPM12920 and EPM13026.

Parties to agreement

Applicant

Party name	State of Queensland C/- Executive Director Native Title and Indigenous Land Services,
Contact address	Locked Bag 40 Coorparoo DC QLD 4151

Other Parties

Party name	Carpentaria Land Council Aboriginal Corporation
Contact address	PO Box 1948 Mount Isa QLD 4825

Party name	James Watts Taylor (Waditja), Richard Percy, Sonny Condren, Ethel Page, Thelma Sullivan, Patricia Kyle and Connie Craigie on their own behalf and on behalf of the Kalkadoon People
Contact address	C/- Sean Sexton, Solicitor 1/377 Brunswick St Fitzroy VIC 3065

Party name	Ruby Saltmere on her own behalf and on behalf of the Indjilandji/Dithannoi People
Contact address	C/- Ebsworth and Ebsworth Solicitors PO Box 7081 Brisbane QLD 4000

Period in which the agreement will operate

Start date 21/07/2003

End Date 21/07/2023

This Agreement will terminate on the later of either the 20th anniversary of the Commencement Date or on the date that the last Exploration Permit granted or renewed in accordance with this Agreement expires or is otherwise terminated." [Clause 1.2]

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

Clause 3 Statements for the Purpose of the NTA

3.1 The Parties state as follows:

3.1.3 the Right to Negotiate procedure is not intended to apply to the Future Acts described in clauses 7.2, 7.3 and 7.4.

Clause 7 Agreement That Future Acts May Be Done

7.1 The Native Title Parties on behalf of their respective Native Title Group consent to the Future Acts described in clauses 7.2, 7.3 and 7.4.

7.2 The Native Title Parties on behalf of their respective Native Title Group consent to the grant of an EP to an Explorer provided that:

7.2.1 the EP is granted for an initial term not exceeding 5 years;

7.2.2 the EP contains the Native Title Conditions; and

7.2.3 the Explorer has paid the amount required to be paid under clause 13.1.

7.3 The Native Title Parties on behalf of their respective Native Title Group consent to the conduct of Work Activities under the EP provided that the Explorer complies with the Native Title Conditions.

7.4 The Native Title Parties on behalf of their respective Native Title Group consent to the renewal of an EP granted in reliance on this Agreement if the renewed EP continues to be subject to the conditions described in clauses 7.2 and 7.3 and provided that the Explorer has paid the amount required under clause 13.1.

[Clause 13.1 sets out conditions for compensation payments to the Native Title Groups for the grant of an EP in reliance on the agreement]

7.9 For the purposes of ensuring the effect of section 24EB of the NTA, the State also consents to the future acts in clauses 7.2 to 7.4 so long as such consent does not fetter its powers under any relevant law, such as the MRA. For the purposes of ensuring the effect of section 24EB of the NTA, the Land Council also consents to the future acts in clauses 7.2 to 7.4.

Clause 22 Dictionary

"EP" means an Exploration Permit

"MRA" means the Mineral Resources Act 1989 (Qld)

"Native Title Conditions" means the conditions contained in Schedule 2

"NTA" means the Native Title Act 1993 (Cth)

"Work Activities" means activities that may be conducted under an Exploration Permit in an EP Area but limited to Level 2 Environmentally Relevant Activities.

[Explanatory notes in brackets inserted by the National Native Title Tribunal]

Attachments to the entry

Nil Attachments