



Extract from Register of Indigenous Land Use Agreements

NNTT number	QI2003/062
Short name	Waanyi ILUA for Backlog Exploration Permits
ILUA type	Area Agreement
Date registered	15/06/2004
State/territory	Queensland
Local government region	Burke Shire Council, Mount Isa City Council

Description of the area covered by the agreement

The Agreement area, covering approximately 3003 sq km in total, is located north-east of Camooweal in northwest Queensland.

The Agreement area is comprised of EPM11380, EPM11388, EPM11453, EPM11548, EPM11711, EPM11769, EPM11773, EPM12165, EPM12195, EPM12223, EPM12225, EPM12374, EPM12617, EPM12747, EPM12767, EPM13027 and EPM13171, and part of EPM12324 and EPM13175.

The Agreement area falls within the Mount Isa City Council and Burke Shire Council local government areas.

Parties to agreement

Applicant

Party name	State of Queensland C/- Executive Director
Contact address	Native Title and Indigenous Land Services Department of Natural Resources and Mines Locked Bag 40 Coorparoo DC QLD 4102

Other Parties

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

Party name	Mr Bradley Foster, Mr Charlie Jack (Snr), Mr Danny Fowler, Mr David Darby, Mr Don George, Mr Douglas Willetts, Mr Edwin Jacob, Mr Gordon Douglas, Mr Henry Aplin, Mr Jack Hogan, Mr Kevin Cairns, Mr Maxwell King, Mr Neville Barclay, Mr Peter Bell, Mr Peter O'Keefe, Mr Reggie Carlton, Mr Roy Second, Mr Russell Rockland, Mr Tony Douglas, Mr Troy Hookey, Ms Ada Walden, Ms Del Burgen, Ms Hazel Sewter, Ms Mary Cameron, Ms Maureen Gregory, Ms Nancy George and Ms Shirley Chong on their own behalf and on behalf of the Waanyi People
Contact address	C/- Carpentaria Land Council Aboriginal Corporation PO Box 1948 Mount Isa QLD 4825

Period in which the agreement will operate

Start date 23/12/2003

End Date 23/12/2023

The Agreement commences on the Commencement Date (that date being 23 December 2003) except for clause 7, which commences when this Agreement is registered and entered on the Register. The Agreement will terminate on the 20th anniversary of the Commencement Date (Clause 1).

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 the 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 the Native Title Group consent to the grant of an EP to an Explorer provided that:

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

7.1.2 the EP contains the Native Title Conditions; and

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

7.3 The Native Title Parties on behalf of the 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 the 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