



Extract from Register of Indigenous Land Use Agreements

NNTT number	QI2010/023
Short name	Tableland Yidinji People and Tablelands Regional Council ILUA
ILUA type	Area Agreement
Date registered	10/12/2010
State/territory	Queensland
Local government region	Tablelands Regional Council

Description of the area covered by the agreement

Schedule 1 of the agreement (entitled the 'Dictionary') defines the "ILUA Area" as the area described in writing in Schedule 2 being all of the land and waters within the Claim Area shown on the map marked "ILUA Area" in Schedule 3, which does not overlap with any other native title claim.

Schedules 2 and 3 are attached to the 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 does not replace, and is less precise than, the description of the agreement area contained in the various schedules to the agreement noted above. It is provided for information only and should not be considered part of the Register of ILUAs:

The agreement area covers about 423 km², located approximately 22 km southwest of Cairns and north of Atherton in the vicinity of Tolga and Lake Tinaroo.

This agreement falls within the Local Government Authority of Tablelands Regional Council.

Parties to agreement

Applicant

Party name	Tablelands Regional Council
Contact address	c/- MacDonnells Law GPO Box 79 Brisbane QLD 4001

Other Parties

Party name	Mr Lloyd Stewart (aka Con Stewart), Ms Evelyn (Dawn) Johnson and Mrs Catherine (Nola) Joseph on behalf of native title determination applications QUD6030/99 (Tableland Yidinji People) and QUD208/04 (Tableland Yidinji People #3)
Contact address	c/- Tableland Yidinji Aboriginal Corporation 10 Solar Crescent Atherton QLD 4883

Period in which the agreement will operate

Start date not specified

End Date not specified

N/A

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

36.2 Part 2 Division 3 Subdivision P of the Native Title Act (which relates to the right to negotiate) does not apply to any Future Acts covered by this Agreement.

39 Future Acts under this Agreement

39.1 A Future Act is covered by this Agreement where it is expressly or impliedly done in a manner consistent with this Agreement.

39.2 A Future Act is not covered by this Agreement where:-

(a) it is not done in a manner consistent with this Agreement; or

(b) the Local Government states, or otherwise indicates, that it is not covered by this Agreement.

39.3 Where a Future Act is not covered by this Agreement, the Local Government may seek to proceed with the Future Act in any other way that the Native Title Act allows.

42 Native Title and Activities on Non-Freehold Land

Low Native Title Impact Activities

42.1 The Parties consent to any Activity which has a Low Native Title Impact (they are described in Schedule 8).

42.2 There are no conditions on the consent to an Activity which has a Low Native Title Impact.

High Native Title Impact Activities

42.3 Where the conditions in the immediately following sub-clause are satisfied, the Parties consent to any Activity which has a High Native Title Impact (they are described in Schedule 9).

42.4 The conditions are that the Local Government satisfies one of the following:-

(a) The Local Government:

i) gives a Compliance Notice to the Native Title Party's Representative in accordance with Clause 45.1(a); and

ii) completes Consultation in accordance with Clause 45.1(b).

(b) Where the Activity involves a capital work dealt with at a Capital Works Forum (provisions about a Capital Works Forum are contained in Clause 62), the Local Government:

i) gives a list of capital works involving the Activity under Clause 62.6(d); and

ii) consensus is reached under Clause 62.6(e) about the Activity being carried out.

Distinction

42.5 For clarification, an Activity which has a Low Native Title Impact will not be an Activity which has a High Native Title Impact.

44 Validation of Acts Already Done (Past Acts)

44.1 The Parties agree that Acts Already Done in the classes described in Schedule 11:-

(a) have been done validly and are valid for Native Title purposes; and

(b) have not Extinguished any Native Title.

44.2 A Future Act which was invalidly done before the Execution Date and which is not an intermediate period act under the Native Title Act, is validated.

Definitions

"Activity" and "Activities" has the widest possible meaning and includes any activity (including any construction and ground disturbing activity), action, undertaking, dealing, grant, approval, consent and agreement.

"Future Acts" has the same meaning as given in the Native Title Act.

Attachments to the entry

[QI2010_023 Attachment A - Schedule 2 - Area Description.pdf](#)

[QI2010_023 Attachment B - Schedule 3 - Map of ILUA Area.pdf](#)

[QI2010_023 Attachment C - Schedule 8 - Low Native Title Impact Activities.pdf](#)

[QI2010_023 Attachment D - Schedule 9 - High Native Title Impact Activities.pdf](#)

[QI2010_023 Attachment E - Schedule 11 - Acts Already Done.pdf](#)