



Extract from Register of Indigenous Land Use Agreements

NNTT number	QI2012/096
Short name	Indjalandji-Dhidhanu People and Local Government ILUA
ILUA type	Area Agreement
Date registered	08/05/2013
State/territory	Queensland
Local government region	Mount Isa City Council

Description of the area covered by the agreement

3.2 The Agreement covers the ILUA Area for the purposes of Part 2.

3.3 The Agreement covers the Cultural Heritage Area for the purposes of Part 3.

3.4 The Agreement covers both the ILUA Area and the Cultural Heritage Area for the purpose of Part 1 and Part 4. To clarify, Part 1 and Part 4 of the Agreement are not limited by any geographic extent.

"ILUA Area" means the area described in writing in Schedule 2 being 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.

"Cultural Heritage Area" means all of the land and waters in the area shown on the map marked "Cultural Heritage Area" in Schedule 3.

Schedule 2 of the Agreement describes the ILUA Area as follows:

This ILUA area covers all land and waters within the external boundary of (QUD243/09) Indjalandji - Dhidhanu People (QC09/03) claim; except for Lot 7 on CP894132, which is the parcel of land held by the Injilandji Aboriginal Land Trust under the Aboriginal Land Act 1991 and which is not covered by the claimant application. [Further description in Schedule 2]

[A map of the agreement is contained in Schedule 3 of the agreement. A copy of Schedule 2 and 3 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:

Agreement covers about 19729 sq km in the vicinity of Camooweal, extending easterly from the Northern Territory Border.]

Parties to agreement

Applicant

Party name Mount Isa City Council
Contact address c/- Gilkerson Legal
GPO Box 12543
Brisbane QLD 4003

Other Parties

Party name Hazel Windsor and Colin Saltmere on behalf of the
Indjalandji-Dhidhanu People
Contact address c/- HWL Ebsworth Lawyers
Level 23 Riverside Centre
123 Eagle Street
Brisbane QLD 4000

Party name Dugalunji Aboriginal Corporation
Contact address c/- HWL Ebsworth Lawyers
Level 23 Riverside Centre
123 Eagle Street
Brisbane QLD 4000

Party name Indjalandji-Dhidhanu Aboriginal Corporation
Contact address c/- HWL Ebsworth Lawyers
Level 23 Riverside Centre
123 Eagle Street
Brisbane Qld 4000

Period in which the agreement will operate

Start date not specified
End date not specified

16.1 This Agreement takes effect as a contractually binding agreement between the Parties from the Execution Date and continues unless and until the Agreement is Terminated .

"Execution Date" means the date that the last Party signs the Agreement. [The Execution Date is 9 November 2012.]

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

26.2 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 the Agreement .

32.1 The Parties consent to any Activity which has a Low Native Title Impact (they are described in Schedule 5) [Schedule 5 has been attached to this register extract].

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

33.1 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 6, which is attached to this register extract]. The Local Government proposing the Activity must satisfy one of the following:-

(a) The Local Government:

i) gives a Notice to the Native Title Party or the Native Title Party's Representative in accordance with paragraph 34.1(a); and

ii) complete Consultation in accordance with paragraph 34.1(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 60), the Local Government:

i) gives a list of capital works involving the Activity under paragraph 51.6(d); and

ii) consensus is reached under paragraph 51.6(h) about the Activity being carried out.

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

Attachments to the entry

QI2012_096 - Schedule 2 Written descriptions of agreement area.pdf

QI2012_096 - Schedule 5 Low Native Title Impact Activities.pdf

QI2012_096 - Schedule 6 High Native Title Impact Activities.pdf

QI2012_096 - Schedule 3 Map of Agreement Area.pdf