



Extract from Register of Indigenous Land Use Agreements

NNTT number	QI2014/079
Short name	Carpentaria Shire Council Kowanyama People ILUA
ILUA type	Area Agreement
Date registered	11/03/2015
State/territory	Queensland
Local government region	Carpentaria Shire Council

Description of the area covered by the agreement

A written description and map of the agreement area are contained in Schedule 1 of the agreement. A copy of Schedule 1 is 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:

The agreement covers about 560 sq km over five segments extending from 145 km to 275 km northeast of Normanton.]

Parties to agreement

Applicant

Party name	Carpentaria Shire Council
Contact address	PO Box 31 Normanton Queensland 4890

Other Parties

Party name	Lawrence Daphney, Chris Henry, Charlotte Yam, Michael Mitchell, Arthur Luke Snr, Teddy Bernard, Colin Lawrence Jnr, Charmaine Lawrence, Lavinia Inkerman, Celza Inkerman and Hilton Nobel
Contact address	c/- Cape York Land Council Corporation PO Box 2496 Cairns Queensland 4870

Period in which the agreement will operate

Start date	not specified
End date	not specified

3.1 Clauses 1 - 6 (excluding clauses 4.4, 4.5, 4.6 and 5) and 14 - 29 commence on the Commencement Date.

3.2 The remaining clauses commence on the registration of the Deed on the Register.

'Commencement Date' means the date that this Deed was signed by the last of the Parties [21 October 2014].

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

4.4 Subdivision P of Division 3 of Part 2 of the Native Title Act is not intended to apply to any Future Acts for which the Native Title Parties have given consent under this Deed.

8.2 The Native Title Parties consent to the continued operation, use and maintenance of:-

- (a) the Non-Extinguishing Infrastructure;
- (b) the land on which the Non-Extinguishing Infrastructure is located; and
- (c) any land or waters which is adjacent to the land on which the Non-Extinguishing Infrastructure is located which is necessary for, or incidental to, the operation of the Non-Extinguishing Infrastructure.

9.2 Without the limiting the operation of clause 12.9 (to do with compensation in respect of off-alignment roads), the Native Title Parties consent to:

- (a) the operation and maintenance of off alignment roads by or on behalf of the Council;
- (b) the use by the public of off alignment roads.

10.1 In the event the Council wishes to construct or carry out Works or Activities in the ILUA Area in respect of which it has not already received consent under this Deed, it may seek to obtain such consent by having the act become an Approved Future Act by following the process set out in Schedule 2.

10.2 A Work or Activity is an Approved Future Act for the purposes of this Deed if:-

- (a) it is described in a Proposed Activity Notice or Revised Activity Notice given to the Native Title Parties; and
- (b) either:-
 - i) the Native Title Parties have given a Concurrence Notice; or
 - ii) consent is deemed to be given under paragraph 10 of Schedule 2.

10.4 The Parties consent to the doing of Approved Future Acts.

11.1 The Parties consent to the construction or carrying out of Minor Works or Activities on the conditions described in Schedule 3.

"Approved Future Act" has the meaning in clause 10.2.

"Non-Extinguishing Infrastructure" means Council infrastructure that is:-

- (a) not Extinguishing Infrastructure; and
- (b) was constructed or established within the ILUA Area on or before the Commencement Date;

"Minor Works of Activities" means the acts described in paragraph 2 of Schedule 3

"Works or Activities" means any Council Infrastructure or the grant of an Occupancy Interest

that Council may provide or undertake as a local government after the Commencement Date other than Minor Works or Activities.

Attachments to the entry

[QI2014_079 Schedule1 - Map and description of agreement area.pdf](#)