



Extract from Register of Indigenous Land Use Agreements

NNTT number	QI2019/003
Short name	Widi People and Local Government ILUA
ILUA type	Area Agreement
Date registered	04/07/2019
State/territory	Queensland
Local government region	Isaac Regional Council, Mackay Regional Council

Description of the area covered by the agreement

"**ILUA Area**" means the area described in writing in Schedule 2 including all of the land and waters within the Claim Area which does not overlap with any other native title claim and shown on the map in Schedule 3.

[A copy of Schedules 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:

The agreement area covers about 5412 sq km and is located east of Glenden, about 35 km west of Mackay and 63 km south east of Collinsville].

Parties to agreement

Applicant

Party name	Isaac Regional Council & Mackay Regional Council
Contact address	c/- Marrawah Law GPO Box 3333 Brisbane QLD 4000

Other Parties

Party name	Paul Royce Butterworth, Ronald Jock Watson, Marilyn Joyce Elizabeth Duncan, Kenneth Stewart Peters Dodd, Graham Sauney, Oswald Alfred Skeen, Linda Joyce Wailu, Athol Goltz, Lorraine Joyce McLennan and Eileen Beryl Pegler as the Applicants for Native Title Determination Application QUD372/2006 (Widi People of the Nebo Estate #1)
Contact address	c/- Saylor Legal 5/15-17 Castlemaine Street Kirway QLD 4817

Party name	Widi Aboriginal Corporation
Contact address	c/- Saylor Legal 5/15-17 Castlemaine Street Kirway QLD 4817

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*.

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

38.2 Part 2 Division 3 Subdivision P of the *Native Title Act* [1993 (Cth)] (which relates to the right to negotiate) does not apply to any *Future Acts* covered by the *Agreement*.

41.1 A *Future Act* is covered by the *Agreement* where it is expressly or impliedly done in a manner consistent with the *Agreement*.

41.2 A *Future Act* is not covered by the *Agreement* where:-

- (a) it is not done in a manner consistent with the *Agreement*; or
- (b) the *Local Government* states, or otherwise indicates, that it is not covered by the *Agreement*.

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

44.1 The *Parties* consent to any *Activity* which has a *Low Native Title Impact* (they are described in Schedule 7) [A copy of Schedule 7 is attached to this register extract].

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

44.3 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 8) [A copy of Schedule 8 is attached to this register extract].

44.4 The conditions are that the *Local Government* proposing the *Activity* satisfies 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 45.1(a); and

ii) completes *Consultation* in accordance with paragraph 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 60):

i) the *Local Government* gives a list of capital works involving the *Activity* under paragraph 60.6(e); and

ii) consensus is reached under paragraph 60.6(f) about the *Activity* being carried out.

"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.

Attachments to the entry

[QI2019_003 Schedule 2 Written Description.pdf](#)

[QI2019_003 Schedule 3 Map of Area.pdf](#)

[QI2019_003 Schedule 7 Low Native Title Impact Activities.pdf](#)

[QI2019_003 Schedule 8 High Native Title Impact Activities.pdf](#)