



Extract from Register of Indigenous Land Use Agreements

NNTT number	QI2013/031
Short name	Etheridge Shire Council -Tagalaka People #2 ILUA
ILUA type	Body Corporate
Date registered	21/08/2013
State/territory	Queensland
Local government region	Etheridge Shire Council

Description of the area covered by the agreement

Clause 1 provides that 'ILUA Area' means the area described in Schedule 1 and shown on the maps in Schedule 1.

[Schedule 1 is attached to this register extract.

The following general description of the agreement area has also 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 agreement. It is provided for information only and should not be considered part of the Register of ILUAs:

Agreement area covers about 5,173 sq km approximately 44 km west of Georgetown]

Parties to agreement

Applicant

Party name	Etheridge Shire Council
Contact address	c/- Preston Law PO Box 707N North Cairns QLD 4870

Other Parties

Party name	Tagalaka Aboriginal Corporation
Contact address	c/- North Queensland Land Council PO Box 679N North Cairns QLD 4870

Party name	Billy Fortune, Gladys Callope, Janet Busch, Janette Owens, Beverly Bowyang and Maureen Douglas
Contact address	c/- North Queensland Land Council PO Box 679N North Cairns QLD 4870

Period in which the agreement will operate

Start date	not specified
End date	not specified

Clauses 1 to 6 (excluding clauses 4.4, 4.5 and 4.6) and 13 to 25 commence on the Commencement Date [the Commencement Date is 20 May 2013].

The remaining clauses commence on the registration of the ILUA on the Register .

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 Parties have given consent under this Deed .

7.2. The Parties consent to the continued operation, use and maintenance of:-

7.2.1. the Non-Extinguishing Infrastructure;

7.2.2. the land on which the Non-Extinguishing Infrastructure is located; and

7.2.3. 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.

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

8.2.1. it is described in a Proposed Activity Notice or Revised Activity Notice given to the Prescribed Body Corporate; and

8.2.2. either:-

8.2.2.1. the Prescribed Body Corporate has given a Concurrence Notice; or

8.2.2.2. consent is deemed to be given under paragraph 10 of Schedule 2.

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

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

Schedule 3

2.1. The Minor Works or Activities for which consent is given are :-

2.2. constructing Council Infrastructure required in emergency circumstances to ensure the safety of people and the preservation of property where people or property are subject to an immediate threat;

2.3. tree lopping in the immediate vicinity of Council infrastructure;

2.4. repairing any damaged Council infrastructure;

2.5. reinstating any destroyed Council infrastructure to its pre-existing state;

2.6. inspecting Council infrastructure;

2.7. maintaining Council infrastructure;

2.8. fencing or barricading Council infrastructure;

2.9. erecting sign posts;

2.10. accessing the ILUA Area at reasonable times for the purpose of undertaking anything in paragraphs 2.1 to 2.9 with any machinery, equipment or personnel and by such means as are

reasonably necessary (including by vehicle access, foot access or access by air).

Attachments to the entry

QI2013_031 Schedule 1 Description of agreement area.pdf

QI2013_031 Schedule 1 Map of agreement area.pdf