

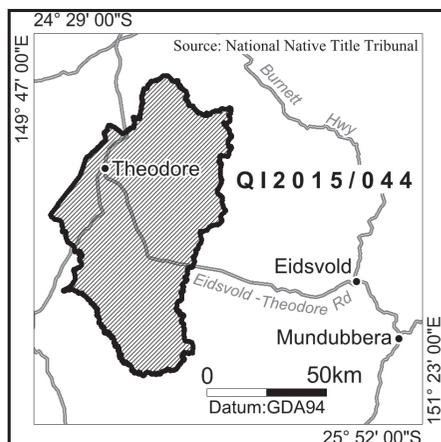
Notice of applications to register area agreements on the Register of Indigenous Land Use Agreements

State of Queensland

Notification day: 28 October 2015



National Native Title Tribunal

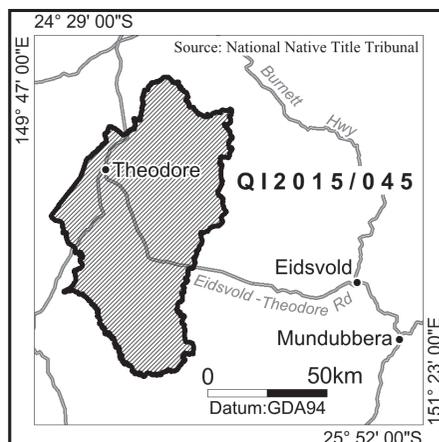


QI2015/044 Wulli Wulli People and Banana Shire Council ILUA

Description of the agreement area:

The agreement area covers about 5,432 sq km, in the vicinity Theodore.

Relevant LGA: Shire of Banana, North Burnett Regional Council

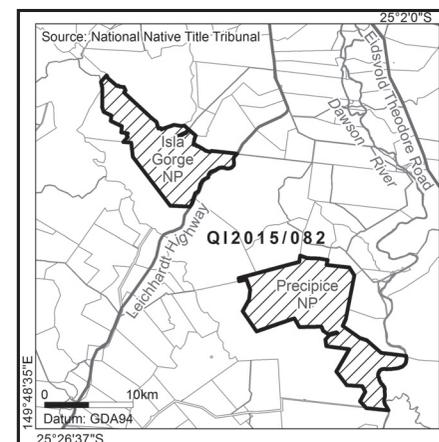


QI2015/045 Ergon Energy and Wulli Wulli People ILUA

Description of the agreement area:

The agreement area covers about 5,432 sq km, in the vicinity Theodore.

Relevant LGA: Shire of Banana, North Burnett Regional Council



QI2015/082 Wulli Wulli People Protected Areas ILUA

Description of the agreement area:

The agreement area covers about 179 sq km, being the Precipice and southern part of Isla Gorge National Parks, about 17 km west of Cracow.

Relevant LGA: Shire of Banana

Parties to the agreement and their contact addresses:

Elliot Anderson, Elizabeth Blucher, Robert Bond, Robert Clancy, Brian Clancy, Desmond Dodd, Annette Fuller, Elizabeth Law, Drew Millar, Marjorie Reid, Ivan Saltner, Neil Saltner, Celeste Williams, Jeffrey Williams, Jill Wilson on their own behalf and on behalf of the Wulli Wulli People are a party to each agreement

C/- Just Us Lawyers
PO BOX 120
Red Hill QLD 4059

The names and contact details for the other party to each of the agreements are:

QI2015/044	QI2015/045	QI2015/082
Banana Shire Council C/- MacDonnells Law GPO Box 79 Brisbane QLD 4001	Ergon Energy Corporation Limited C/- MacDonnells Law GPO Box 79 Brisbane QLD 4001	State of Queensland Aboriginal and Torres Strait Islander Land Services GPO Box 2454 Brisbane QLD 4001
		Wulli Wulli Nation Aboriginal Corporation C/- Just Us Lawyers PO BOX 120 Red Hill QLD 4059

The agreements contain the following statements:

[Explanatory notes in brackets inserted by the National Native Title Tribunal]

QI2015/044 Wulli Wulli People and Banana Shire Council

27.2 Part 2 Division 3 Subdivision P of the Native Title Act [NTA] (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 [7]). [Schedule 7 contains classes of activities which have a Low Native Title Impact including: maintenance, low impact infrastructure, statutory approvals, low impact tenure grants, pest control, granting or making contractual interests relating to the management or use of land or waters for a public purpose, low impact local government operational activities, access and site investigation, emergencies and low impact works/infrastructure agreed at a capital works forum].

32.4 [Subject to certain conditions, the Parties consent to any Activity which has a High Native Title Impact (they are described in Schedule 8). Schedule 8 contains classes of activities which have a High Native Title Impact including: high impact infrastructure, high impact tenure grants, preventing the exercise of native title and high impact works/infrastructure otherwise agreed at a capital works forum].

33.1 Where a condition applicable to a Particular Future Act is satisfied, the Parties consent to the Particular Future Act [Particular Future Acts are certain specific Activities which the parties identified when negotiating this agreement].

QI2015/045 Ergon Energy and Wulli Wulli People ILUA

18.1 The Parties consent to the doing of any particular future act and any class of future acts in this Agreement.

18.3 Part 2 Division 3 Subdivision P of the NTA does not apply to any future act, to which the Parties have consented, in this Agreement.

18.4 The Native Title Party consents to Ergon Energy and its contractors undertaking the low native title impact activities.

18.5 Ergon Energy will comply with the procedures in Schedule 2 when undertaking low native title impact activities.

18.10 The Parties agree that Ergon Energy can conduct activities over extinguished areas and that the Native Title Party's consent is not required.

20.1 Subject to subclause 20.2, the Parties authorise and consent to the doing of any future act (except for the surrender of native title) after the registration date over any part of the Native Title Agreement Area that is Aboriginal land.

20.2 The consent in subclause 20.1 is subject to the entity holding the Aboriginal land giving written consent to the future act.

Schedule 2

1. The low native title impact activities are: (a) inspecting, maintaining, repairing and reinstating electricity infrastructure or access tracks; (b) tree lopping and tree clearing: (i) in the immediate vicinity of electricity infrastructure; or (ii) required for the safe operation or use of the electricity infrastructure; or (iii) required for public health and safety; (c) installing street light poles and service/intermediate poles that are tied into the existing powerline system in urban areas/town precincts; (d) excavation or clearing that is reasonably necessary for the protection of public health or public safety; (e) the grant of a lease, easement, permit, licence or other interest to Ergon Energy from the owner or occupier of land for a use of or incidental to the performance of statutory duties and responsibilities under the Electricity Act, Electricity Regulation or other laws in so far as the granting of the lease, easement, permit, licence or other interest will have no greater impact on native title than the underlying interest held by the grantor of the interest; (f) the exercise by Ergon Energy of any rights or obligations under any way-leave agreement, easement, license, permit or other interest over land or waters; (g) accessing the Native Title Agreement Area for the purpose of undertaking any low native title impact activity.

QI2015/082 Wulli Wulli People Protected Areas ILUA

The agreement does not contain any statements of a kind mentioned in either section 24EB(1) or subsection 24EBA (1) or (4) of the Native Title Act 1993 (Cth).

Responses to an application to register an ILUA – where the application has not been certified:

Any person claiming to hold native title in relation to land or waters in the area covered by any of the agreements may wish, in response to this notice, to make a native title determination application or equivalent application under a law of a state or territory in respect of any part of the area. **The application must be made by 28 January 2016.** If that application is registered on the Register of Native Title Claims, the registered native title claimants must be a party to the relevant agreement before it can be registered.

Details of the terms of the agreement are not available from the National Native Title Tribunal. For assistance and further information about these applications, call Tracey Jefferies on freecall 1800 640 501 or visit www.nntt.gov.au.