

Decision Section

Reason for Decision

Module AA – Identification of your proposed dealing and the proposed dealing area

An application was received for a water licence to take ground water under section 107 of the *Water Act 2000* over Lot 16 on CW62 (Stanbroke Pastoral Holding) to take water for business purposes (associated with ML 5542).

Module AB – Dealings that may proceed without further reference to native title

The proposed dealing cannot proceed without further reference to native title.
Module AB does not apply.

Module AC – Is there a registered ILUA over the proposed dealing area?

A search in QNTIME was undertaken on 24 September 2018 which revealed that the Bularnu Waluwarra and Wangkayujuru People and Local Government ILUA (QI2012//132) ILUA cover the proposed dealing area but the ILUA is not relevant to the proposed dealing.
Module AC does not apply.

Module AD – Determining that native title continues to exist or doesn't exist over the proposed dealing area

A search in QNTIME was undertaken on 24 September 2018 which revealed that the proposed dealing area is covered by the Bularnu Waluwarra & Wangkayujura (QCD2014/009) determination that Native Title exists.
Module AD does not apply.

Module BA – Previous exclusive possession acts

Lot 16 on CW62 (Stanbroke Pastoral Holding) does not satisfy the requirements of this module.
Module BA does not apply.

Module CA – Public works

The proposed dealing area is not an area that was or is subject to public works.
Module CA does not apply.

Module CB – State Road Policy

The proposed dealing area is not an area that was or is dedicated or declared as road.
Module CB does not apply.

Module GB – Primary production activities on non-exclusive pastoral lease

The proposed dealing area is a non-exclusive pastoral lease but the activities are not related to primary production. Module GB does not apply.

Module GD – Off-farm activities directly connected to primary production

The proposed dealing is not connected to primary production. Module GD does not apply.

Module H – Management or Regulation of Surface and Subterranean Water, Living, Aquatic Resources and Airspace

The proposed dealing is the grant of a permit under the *Water Act 2000* related to the management or regulation of subterranean water.

The dealing may proceed in accordance with section 24HA of the *Native Title Act 1993* (Cth) and Module H of the Native Title Work Procedures.

The State must provide notification and the opportunity to comment to the Bularnu Waluwarra & Wangkayujura Aboriginal Corporation (ICN7666) as the RNTBC for the determination and to the Queensland South Native Title Services as the ATSI representative body.

Attachments

Annexure 1:

Map of Permit Area

Annexure 2:

Title Search Lot 16 on CW62 – Title Ref: 17669161

Copy of Plan CW62

Copy of Instrument – Title Ref: 17669161

Annexure 3:

NNTT Register extract for the Bularnu Waluwarra & Wangkayujura (QCD2014/009) determination

Native Title Parties & Procedural Rights (if relevant)

Types of native title parties	Names of native title parties	Procedural rights to be provided to the native title parties
Registered Native Title Body Corporate	Bularnu Waluwarra & Wangkayujura Aboriginal Corporation RNTBC (ICN7666)	Notification and the opportunity to comment
Registered Native Title Claimants	Nil	Nil
Native Title Representative Body	Queensland South Native Title Services	Notification and the opportunity to comment