

# Queensland Government Native Title Work Procedures

## Annexure 7.1

Native Title Assessment Form

June 2023

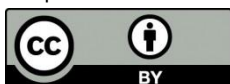
## Version history

Version	Comments	Date published
1		August 2017
2	Edited Module AB section	March 2018
3	Realigned AB-AD questions with the modules	May 2021
4	Removed Module D & Module E questions. Changes made to Module F to N and renamed it to Future Acts	July 2021
5	Added Part of the proposed dealing area to Module AB section	November 2021
6	Edited formatting to allow input of text on all pages	June 2023

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# Annexure 7.1

## Native Title Assessment Form

This annexure provides a template Native Title Assessment Form to record your native title assessment for a proposed dealing.

To help you complete this Native Title Assessment Form, some of the Modules (e.g. Module BA) contain example extracts of this form.

If you have any queries in relation to using this form, please contact your Native Title Contact Officer (NTCO). If your NTCO is unsure how to proceed, Land and Native Title Operations Policy should be contacted for advice.

### QNTIME

Remember to -

- record your tenure and use findings as **research items** in the research layer in QNTIME; and
- request a **conclusion** be published in QNTIME for any research item you have assessed to be a previous exclusive possession act (PEPA).

# Native Title Assessment Form

Information about this Form -

1. This form is mainly based upon the *Path through Native Title Assessment*.
2. To correctly complete this form, you will need to have read the relevant Modules of the Procedures.
3. Complete each part of the **Assessment Section** until you reach a **Go to Reason for Decision**, and then complete the **Decision Section** at the end of this form.
4. Where there is a check box, make your selection by clicking on the box. Insert all relevant information in the appropriate table field.
5. Where a Module only applies to part of your proposed dealing area, ensure you have ticked the 'Part of the proposed dealing area' box. Proceed through the form for the balance of your proposed dealing area. In this instance, a diagram should be attached to identify and to distinguish between the different areas.

Please ensure this assessment is still correct at the time you do the dealing.

## Assessment Section

### Module AA. Proposed Dealing

#### Proposed Dealing Area

Lot(s)/Plan(s):

Current Status:

Locality  
Description:

Attached Plan/Map:

### Module AB. Is this a dealing that can proceed without further reference to native title?

Yes

Please  
Select

Dealing is within a QNTIME conclusion boundary

[C/ ]. Go to Module BB (if conclusion based on Module BA).

- Dealing is not a future act.
- Activities done in accordance with a valid lease, licence, permit or authority
- Emergency action
- A determination that native title does not exist
- Part of the proposed dealing area

Go to **Reason for Decision**

**No**

**Module AC. Is there a registered ILUA that covers the area of interest and is relevant to the proposed dealing?**

- Yes - Go to Reason for Decision**       Part of the proposed dealing area
- No**

**Module AD. Is there a determination of native title that covers the proposed dealing area?**

- Yes**       Part of the proposed dealing area
- No – Go to Module BA**

**IF YES**, does the determination state that native title does **not** exist over the proposed dealing area?

- Yes - Go to Reason for Decision**
- No - Go to Future Acts** section of this Form as native title exists over the proposed dealing area unless subsequently extinguished by a later act.

**Module BA. Is there or has there been a valid grant or vesting of exclusive possession over the proposed dealing area?**

- Yes - Go to Module BB**       Part of the proposed dealing area
- No - Go to Module CA**

**Module BB. Can the extinguishing effect of the PEPA / QNTIME Conclusion be relied upon?**

- Yes - Go to Reason for Decision**

No

**Module CA. Is there or has there been a valid public work over the proposed dealing area?**

Yes - Go to Reason for Decision  Part of the proposed dealing area

No

**Module CB. Is there or has there been an area dedicated or declared as road over the proposed dealing area?**

Yes  Part of the proposed dealing area

No

**IF YES**, can the dedication/declaration be relied upon to carry out the proposed dealing?

Yes - Go to Reason for Decision

No

**Future Acts. Does the future act provisions apply to your proposed dealing?**

Yes  Part of the proposed dealing area

Which future act Modules apply:

Go to Reason for Decision

No Go back to **Module AB** and consider its requirements

Go to Reason for Decision

# Decision Section

## Reason for Decision

### 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		
Registered Native Title Claimants		
Native Title Representative Body		

- Proceed (first providing any relevant procedural rights)
- Send to Native Title Contact Officer (NTCO)
- Send to Land and Native Title Operations Policy through NTCO

Name, title and signature of officer making this assessment -

**Name:**

**Title:**

**Department/Agency:**

**Signature:**

**Date:**

Don't forget to:

- 1) Enter your research into QNTIME.  
RB /  
RI /
- 2) Request a conclusion be published where you found a PEPA.