

Sample Class Notification Form B

Class Notification under the Commonwealth Native Title Act 1993

To: [insert addressee details as per information box]

Date of Issue: 1 March 2011

SECTION OF NTA	Section 24HA
DEPARTMENT/AGENCY	Department of Employment, Economic Development and Innovation (DEEDI)
CONTACT NAME	Danny Creek
E-MAIL	Danny.Creek@deedi.qld.gov.au
TELEPHONE NO.	07 3227 6799
FAX NO.	07 3227 8004
REFERENCE NO.	P/000234/02

The Department of Employment, Economic Development and Innovation intends to issue:

NUMBER OF APPROVALS WITHIN A CERTAIN PERIOD	400 within a 12 month period. This 12 month period will commence on the date of grant of the first permit.
TYPE OF APPROVAL/S	Commercial Fishing Tour Permits
UNDER WHAT STATE ACT	Section 51, Fisheries Act 1994

The approval, if granted, will permit the following activity to happen:

NATURE OF ACTIVITY	Authorises the holder to take persons on organised recreational fishing tours (charters). Persons undertaking recreational fishing under the direction of the permit holder (tour operator) are required to comply with restrictions on the types of fishing apparatus (eg fishing rods, hand lines, etc) that can be used and fish species bag limits specified under fisheries legislation. The Fisheries Regulation 2008 contains the restrictions that apply to recreation fishers, including bag limits, size limits, locations, etc. These restrictions are imposed to ensure resource use remains sustainable. This activity would create little, if any, physical impact on water quality, stream beds, banks, reef structures, etc.
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The above activity will be located within:

LOCATION OF ACTIVITY	All Queensland waters. This means the permit covers all inland waters of the State or coastal waters of the State.
MAPS/PLANS	Please refer to the attached map.
NAME OF REGISTERED NATIVE TITLE CLAIMANT GROUP/S OR NAME OF REGISTERED NATIVE TITLE BODY CORPORATE	All registered and determined native title claims as shown on the attached Queensland Claim Activity Map.
NAME OF NATIVE TITLE REPRESENTATIVE BODY / NATIVE TITLE SERVICE PROVIDER	Gur A Baradharaw Kod Torres Strait Sea and Land Council (GBK), Cape York Land Council, Carpentaria Land Council, Queensland South Native Title Services Limited, North Queensland Land Council

If approved, after consideration of all comments, each permit will be granted for the following time period:

DURATION OF APPROVAL	Valid for 12 months from the date of issue. The permit is not transferable or able to be renewed.
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You are invited to comment upon the proposed class of proposed future acts outlined above.

Please note that in light of the number of proposed future act notified, the normal 28 day period for responses has been extended by 14 days.

Any comments must be **IN WRITING** and must be received no later than [insert date].

YOUR COMMENTS TO MUST BE SENT TO: Danny Creek, Policy Officer, Department of Employment, Economic Development and Innovation, GPO Box 1235, BRISBANE QLD 4001.

Address the notification to the registered native title claimant/s, registered native title body corporate, native title representative body or native title service provider. Eg. Mr Alfred Bird on behalf of the Flamingo People, 26 Flamingo

Insert the name of your department or agency.

This is the number of approvals that your department/agency wishes to issue in a certain time period. Therefore you must specify the number of approvals and time period. You will also need to state when the time period will commence.

IMPORTANT - Once the maximum number of approvals has been reached or the timeframe has lapsed (whichever is first), the notification can no longer be relied upon.

Insert the name and section of the State legislation that gives the power to grant the particular approval.

The Commonwealth Native Title (Notices) Determination 2011 requires that a notification must include a "clear description" of the area to which the class of future acts mentioned in the notice relates. *Clear description*, for an area, means a description of the area that contains enough information, whether by map drawn to scale or description by other means, to work out:

- (a) the general location of the area; and
 - (b) the approximate boundaries of the area.
- Include the following information, where relevant, -
- Lot on Plan description, Parish and County;
 - Name of River/Creek/Lake and further description as to location, eg. intertidal area of Burdekin River;
 - Name of Reserve, eg. Reserve for Recreation
 - Name of a nearby town/city;
 - Name of the Marine Park & Marine Park zones;
 - Region of Coastal waters, eg. coastal waters between Mackay and Cairns;
 - GPS coordinates if possible, eg. for a buoy mooring authority; etc
 - More specifics, eg. how many square metres, etc.
- This written description must be accompanied by relevant maps and plans.

The name/s of the registered native title claimant groups or the registered native title bodies corporate who you are sending a notification to should be inserted in this box. Also, include the claim number (QC) and Federal Court number (QUD). Where the area is a large area, eg. all Qld Waters, you may refer to the registered and determined claims for that area shown on x map.

Insert the name of the relevant Native Title Representative Body/Native Title Service Provider.

When calculating the date for receipt of comments you must allow 28 days for the provision of comments. This date should be calculated to give native title parties 28 days in which to comment from their receipt of the notification.