

# Sample Notification Form A

## Notification under the Commonwealth *Native Title Act 1993*

To: Mr Alfred Bird on behalf of the Flamingo People, 26 Flamingo Drive, Flamingo, Q 4810  
Date of Issue: 1 March 2011

Insert the date you will send the notification.

**SECTION OF NTA** s24HA

Address the notification to the registered native title claimant/s, registered native title service provider or native title representative body.

This is the section of the NTA that the proposed future act is notified under. If the future act is for public works on a reserve, then the applicable section would be s24JB.

This is the officer who will be able to answer any queries in relation to the proposed future act. Their e-mail and telephone number should also be included in the boxes below.

**DEPARTMENT/AGENCY** Dept of Resources (DOR)

Insert the name of your department or agency.

**CONTACT NAME** John Smith  
**E-MAIL** john.smith@resources.qld.gov.au  
**TELEPHONE NO.** 07 4927 6799  
**FAX NO.** 07 4927 8004  
**REFERENCE NO.** N/000345/17

It is a matter for your department or agency whether you insert the name of the applicant. The name of the applicant is not required under the Commonwealth *Native Title (Notices) Determination 2011*.

What is the type of approval sought? For example –

- a marine park permit;
- permit to occupy for grazing purposes;
- permit to cut and remove timber;
- construction of public works on a reserve; etc.

An application has been received by DOR (from the Pelican Research Corporation) for the following approval: ←

This wording (and the wording on this notification marked with a star) will need to be changed where it is your department/agency seeking the approval under your own legislation OR where your department/agency does not need an approval as it has the power under legislation to carry out the act. Please refer to the footnotes on the template notification.

**TYPE OF APPROVAL/S** Permit to construct and operate a structure in a Marine Park.

**UNDER WHAT STATE ACT** Section 16 *Marine Park Regulations 2006* and *Marine Parks Act 2004*

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

If the proposed future act is part of a project, it could be noted that this approval forms part of a project. Brief details of the project should be included.

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

**NATURE OF ACTIVITY** Construction of a wooden jetty 20 metres long and 2.4 metres wide, supported by concrete piers driven into the bed of the sea. Attached are drawings showing construction details of the proposed new jetty.

The Commonwealth *Native Title (Notices) Determination 2011* requires that a notification must include a "clear description" of the area to which the future act 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:

The Commonwealth *Native Title (Notices) Determination 2011* requires that a notification must include a description of the general nature of the future act. This is basically a description of what the approval will allow/permit.

The above activity will be located within:

**LOCATION OF ACTIVITY** The intertidal area of the west shore of Lagoon Island in the Whitsunday Marine Park approximately 50 metres south of the rock groyne. Lagoon Island is described as Lot 1 on NPW157 and lies due east of the town of Seaforth.

(a) the general location of the area; and  
(b) the approximate boundaries of the area.

The purpose of the approval and the likely disturbance to land or waters may sometimes be relevant to include in the description.

**MAPS/PLANS** Attached are maps of Lagoon Island showing the location of the proposed new jetty and approximate boundary of the permit area. Also attached is a map of the Whitsunday Marine Park showing the location of Lagoon Island.

Include the following information, where relevant –

- Lot on Plan description, name of Parish and County;
- Name of River/Creek/Lake and further description as to the 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. use of landmarks as in the example, how many square metres, etc.

As part of satisfying the **clear description** of the area to which the future act relates, a locality map and/or SMARTMAP and any relevant plans must be attached to the notification.

**NAME OF REGISTERED NATIVE TITLE CLAIMANT GROUP/S OR NAME OF REGISTERED NATIVE TITLE BODY CORPORATE** Flamingo People (QC00/1000, QUD1000/00)

This written description must be accompanied by relevant maps and plans.

The approximate boundaries of the proposed dealing area, eg. the permit area, should be clearly shown on the maps/plans.

**NAME OF NATIVE TITLE REPRESENTATIVE BODY / NATIVE TITLE SERVICE PROVIDER** North Queensland Land Council

The name/s of the registered native title claimant groups or the name/s of 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) of each claim for each group.

The duration of the approval should be inserted in this box, eg. the term of the lease, licence, permit or authority. This does not include renewals, etc.

The activity if approved, will commence only after notification and consideration of all comments. In addition, if approved, the activity will be approved for the following period of time\*:

**DURATION OF APPROVAL** 3 years

Insert the name of the relevant Native Title Representative Body / Native Title Service Provider, eg. Gur A Baradharaw Kod Torres Strait Sea and Land Council (GBK).

This is the officer who will either –

- consider the comments made in relation to the notification before making a decision to proceed with the future act or not; or
- forward the comments on to the relevant decision-maker.

**You are invited to comment upon the proposed future act outlined above.** Any comments must be **IN WRITING** and must be received no later than 31 March 2011.

**YOUR COMMENTS TO MUST BE SENT TO:** District Manager  
Whitsunday Marine Park  
Dept of Resources  
PO Box 1234  
AIRLIE BEACH QLD 4810

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. Therefore you must allow time for postage or for delivery.