**Decision section**

**Reason for decision**

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

Application for an authority under section 35 of the *Nature Conservation Act 1992* to construct a rest stop (including seating, covered area, landscaping) and install 4 x signs showing maps of walking trails in part of Lot 59 on NPW935 (Paluma Range National Park).

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 no ILUAs cover the proposed dealing area. 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 Nywaigi People (QCD2018/002) determination that Native Title exists. Module AD does not apply.

Module BA – Previous exclusive possession act

This part of part of Lot 59 on NPW935 (Paluma Range National Park) 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 not a non-exclusive pastoral lease. 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 not related to Management or Regulation of Surface and Subterranean Water, Living, Aquatic Resources and Airspace. Module H does not apply.
Module J – Dealings on continuing pre-Wik reservations and leases

Requirement 1: The reservation is not listed in Table 1.
Requirement 2: The reservation is for a particular purpose (National Park purposes).
Requirement 3: The reservation was created prior to 23 December 1996 (27 March 1952).
Requirement 4: The reservation was created prior to 1 January 1994 and is valid with respect to Native Title.
Requirement 5:
Criterion 1: Satisfied. The proposed dealing does not cancel the reservation.
Criterion 2: Satisfied. The proposed dealing is under or in accordance with the reservation.
Criterion 3: N/A

The proposed dealings may proceed under Module J with no procedural rights (including notification) required to be afforded to the Native Title Party.

Attachments

Annexure 1:
Map of proposed dealing area

Annexure 2:
Title Search Lot 59 on NPW935 – Title Ref: 17669161
Copy of Plan NPW935
Copy of Plan FTY54
Copy of Gazettal Notice (GG 1952.1.1192)

Native Title Parties & Procedural Rights (if relevant)

<table>
<thead>
<tr>
<th>Types of native title parties</th>
<th>Names of native title parties</th>
<th>Procedural rights to be provided to the native title parties</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registered Native Title Body Corporate</td>
<td>Warga Badda Nywaigi Aboriginal Corporation (ICN 8690)</td>
<td>Nil</td>
</tr>
<tr>
<td>Registered Native Title Claimants</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Native Title Representative Body</td>
<td>North Queensland Land Council</td>
<td>Nil</td>
</tr>
</tbody>
</table>