



# Extract from Register of Indigenous Land Use Agreements

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<b>NNTT number</b>	QI2020/006
<b>Short name</b>	Vitrinite and Barada Barna ILUA
<b>ILUA type</b>	Body Corporate
<b>Date registered</b>	23/06/2020
<b>State/territory</b>	Queensland
<b>Local government region</b>	Isaac Regional Council

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## Description of the area covered by the agreement

**ILUA Area** means the area described in Schedule 1 and shown in the corresponding map.

[A written description and map of the ILUA Area is contained in Schedule 1. A copy of Schedule 1 is attached to this register extract. The following general description of the agreement area has been provided by the National Native Title Tribunal to assist people to understand the location of the agreement area. It is provided for information only and should not be considered part of the Register of ILUAs:

The agreement area covers approx. 566 sq km and consists of numerous land parcels extending from near Moranbah for approx. 106 km to south east of Dysart.]

## Parties to agreement

### *Applicant*

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<b>Party name</b>	Vitrinite Pty Ltd
<b>Contact address</b>	Suite 2, Level 6 Blue Tower 12 Creek Street Brisbane QLD 4000

### *Other Parties*

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<b>Party name</b>	Barada Barna Aboriginal Corporation RNTBC
<b>Contact address</b>	c/- Dillon Bower Lawyers PO Box 626 Townsville QLD 4810

## Period in which the agreement will operate

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<b>Start date</b>	not specified
<b>End Date</b>	not specified

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2.1(a) Clauses 2 (Term), 3 (Application of this document), 4 (Authority to enter into this document), 5 (Registration), 9 (Cultural heritage), 12 (Legal advice), 13 (No termination for breach), 15 (Confidentiality), 16 (Assignment), 17 (Dispute Resolution), 18 (Notices), 20 (General), and item 1 of Schedule 2 (Execution payment) commence on the Execution Date.

(b) The balance of the document commences on Registration.

**Execution Date** means the date on which this document is executed by the last signatory to this document.

## Statements of the kind mentioned in ss. 24EB(1) or 24EBA(1) or (4)

[Explanatory notes in brackets inserted by the National Native Title Tribunal]

6.1(a) [Barada Barna Aboriginal Corporation RNTBC] and the Barada Barna People consent to the doing of the following acts, whether or not they are Future Acts:

- (i) the grant of the Tenements within the ILUA Area;
- (ii) the grant of any Approvals within the ILUA Area; and
- (iii) the undertaking the Project within the ILUA Area.

6.3(d) For the purposes of s 24EB(1)(c) of the NTA [Native Title Act 1993 (Cth)], Subdivision P, Division 3 of Part 2 of the NTA is not intended apply to the grant of the Tenements or Approvals.

**Approvals** means any authorisation, lease, title, tenure, licence, permit, approval, certificate, declaration, regulation, consent, direction or notice whether or not from any government, judicial or other competent authority that Vitrinite or its Related Parties, acting reasonably, considers is necessary or desirable for, or incidental to, the undertaking of the Project.

**Mining Interests** has the meaning given under the *Mineral Resources Act 1989* (Qld).

**Project** means the planning, design, development, construction, extension, operation, maintenance, decommissioning, and rehabilitation of:

- (a) a mine or mines; and
- (b) any other works, infrastructure or operations Vitrinite considers in its unfettered discretion, reasonably necessary for or ancillary to the mine or mines, connected or related to the Tenements or Approvals.

**Related Parties** means:

- (a) Vitrinite's Related Bodies Corporate; and
- (b) any partnership, joint venture, or incorporated or unincorporated body which is Controlled by, or Controls, Vitrinite or any of its Related Bodies Corporate, and, for the avoidance of doubt, as at the Execution Date includes:
- (c) Queensland Coking Coal Pty Ltd ACN 129 600 004; and
- (d) Qld Coal Aust No.1 Pty Ltd ACN 135 731 154.

**Tenements** means any Mining Interests applied for by or granted to Vitrinite, or a Related Party, including any renewal, conversion, replacement, substitution, consolidation, variation, addition of surface area, addition of excluded land or restricted land, or extension of those interests.

### Attachments to the entry

[QI2020\\_006 Schedule 1 Written Description and Map of ILUA Area.pdf](#)