



Extract from Register of Indigenous Land Use Agreements

NNTT number	QI2016/008
Short name	Barada Barna and Ergon Energy ILUA
ILUA type	Area Agreement
Date registered	30/08/2016
State/territory	Queensland
Local government region	Central Highlands Regional Council, Isaac Regional Council, Mackay Regional Council

Description of the area covered by the agreement

Schedule 1 Part A of the agreement states that the agreement area includes all land and waters within the external boundary of native title determination application QUD380/2008 Barada Barna Peoples (QC2008/011) and excluding all land and waters subject to native title determination application QUD492/2013 Widi People of the Nebo Estate #2 (QC2013/006).

[A map of the agreement is contained in Schedule 1 at Part B. A copy of Part A of Schedule 1 and a copy of Part B of Schedule 1 are 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 about 15,469 sq km, located approximately 60 km south of Mackay in the vicinity of Nebo and Moranbah.]

Parties to agreement

Applicant

Party name	Ergon Energy
Contact address	c/- MacDonnells Law GPO Box 79 Brisbane QLD 4001

Other Parties

Party name	Les Budby and Cecil Brown Jnr on their own behalf and on behalf of the Barada Barna People
Contact address	c/- Dillon Bowers Lawyers PO Box 626 Townsville QLD 4801

Period in which the agreement will operate

Start date not specified

End Date not specified

2.1 From the execution date, this Agreement is:

(a) a binding contract, enforceable by and against all of the Parties and the Native Title Claim Group; and
(b) an agreement of the type referred to in sections 23(3)(a)(iii), 24(2)(a)(iii), 25(2)(a)(iii) and 26(2)(a)(iii) of the [Aboriginal Cultural Heritage Act 2003 (Qld)].

2.2 From the registration date, this Agreement is an Indigenous Land Use Agreement and is binding upon all Parties, the Native Title Claim Group and all persons who assert to hold native title in the Native Title Agreement Area.

'execution date' means the date that the last Party signs this Agreement.

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

12.1 The Parties consent to the doing of any particular future act and any class of future acts in this Agreement.

12.3 Part 2 Division 3 Subdivision P of the NTA [Native Title Act 1993 (Cth)] does not apply to any future act, to which the Parties have consented, in this Agreement.

12.4 The Native Title Party consents to Ergon Energy and its contractors undertaking the low native title impact activities.

'low native title impact activities' means one or more of the activities of the type described in Schedule 2.

[Schedule 2 sets out the low native title impact activities. A copy of Schedule 2 is attached to this register extract.]

Attachments to the entry

[QI2016_008 Schedule 1, Part A Description of Agreement Area.pdf](#)

[QI2016_008 Schedule 1, Part B Map of Agreement Area.pdf](#)

[QI2016_008 Schedule 2, Low Native Title Impact Activities.pdf](#)