



# Extract from Register of Indigenous Land Use Agreements

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<b>NNTT number</b>	QI2002/053
<b>Short name</b>	Cracow Project ILUA
<b>ILUA type</b>	Area Agreement
<b>Date registered</b>	23/06/2003
<b>State/territory</b>	Queensland
<b>Local government region</b>	Banana Shire Council

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## Description of the area covered by the agreement

The area covered by the Agreement is located approximately 15km south-east of Theodore and 80km south-west of Biloela, Queensland, covering an area of 557.78km<sup>2</sup>.

The ILUA area is defined by Graticular Blocks/Sub-blocks (Brisbane Graticular Index Map) as follows:

### BLOCK SUB-BLOCK

866 T,U,Y,Z

938 E,K

939 A,F,L,M,Q,R,V,W

1011 B,C,D,G,H,J,K,M,N,O,P,R,S,T,U,W,X,Y,Z

1012 Q,R,S,T,U,V,W,X,Y,Z

1013 Q,R,V,W

1083 B,C,D,E,G,H,J,K,M,N,O,P,R,S,T,U,W,X,Y,Z

1084 A,B,C,D,E,F,G,H,J,K,L,M,N,O,P,Q,R,S,T,U,V,W,X,Y,Z

1085 A,B,F,G,L,M,Q,R,V,W

1155 B,C,D,E,G,H,J,K,M,N,O,P,R,S,T,U,W,X,Y,Z

1156 A,B,C,D,E,F,G,H,J,K,L,M,N,O,P,Q,R,S,T,U,V,W,X,Y,Z

1157 A,B,F,G,L,M,Q,R,V,W

1227 B,C,D,E,G,H,J,K

1228 A,B,C,D,E,F,G,H,J,K

1229 A,B,F,G

## Parties to agreement

### *Applicant*

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<b>Party name</b>	Newcrest Mining Limited
<b>Contact address</b>	Attention: David Boyd, Level 2, 349 Coronation Drive Milton QLD 4064

### *Other Parties*

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<b>Party name</b>	Gurang Land Council Aboriginal Corporation
<b>Contact address</b>	3 Maryborough St Bundaberg QLD 4670

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<b>Party name</b>	Newcrest Operations Limited, Sedimentary Holdings Limited, Sedgold Pty Ltd and Fernyside Pty Limited (the Joint Venturers)
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**Contact address** c/- David Boyd, Newcrest Mining Limited  
Lvl 2, 349 Coronation Drive  
Milton QLD 4064

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**Party name** The Iman Applicants  
**Contact address** C/- Andrew Preston, Barrister-at-Law  
Level16, MLC Centre,  
239 George St  
Brisbane QLD 4000

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**Party name** The Wulli Wulli Applicants  
**Contact address** C/- Mr E Neumann  
Craddock Murray Neumann Solicitors  
Lvl 1, 255 Castlereagh St  
Sydney NSW 2000

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#### **Period in which the agreement will operate**

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**Start date** 21/11/2002  
**End Date** not specified

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The agreement will stay in force while any tenure in the Project is in effect. This includes the Granted Titles, the Mining Tenement Applications and any Future Applications.

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

The agreement contains the following statements:

Clause 5.1.6 The Right to Negotiate Procedure is not intended to, and does not, apply to Future Acts in the classes referred to in Clause 5.2.

Clause 5.2 Application of Agreement to Future Acts etc

Clause 5.2.1 This Agreement (and the benefits and obligations of this Agreement) applies to the Mining Tenement Applications and every Future Application within the ILUA Area.

Clause 5.2.2 By entering into this Agreement, the Wulli Wulli Applicants and the Iman Applicants and the other Parties jointly and severally:-

- a) consent to the grant of the Mining Tenement Applications provided that at the time of the respective grants there is no outstanding Substantial Breach by the Joint Venturers or the Company;
- b) consent to the Future Applications provided that at the time of the respective grants or approvals etc of these Future Applications there is no outstanding Substantial Breach by the Joint Venturers or the Company;

#### 2.1 Definitions

In this Agreement:-

“Mining Tenement Applications” – means the applications for:

ML80089;

EPM13194; and

EPM12212,

and if any application is made in substitution of any of these applications, which substitute application covers land within the ILUA Area on which Native Title has not been extinguished, the substitute is also a “Mining Tenement Application”.

“Future Application” – means in relation to any land or waters within the ILUA Area:

- a) any application for or proposal to grant to the Joint Venturers or to the Company (on behalf of the Joint Venturers) any exploration, mining or ancillary title or any other tenure over land;
- b) any acquisition, approval or grant of tenure or proposal to facilitate the Project by any government or other competent authority (whether Commonwealth, State or local) or Third Party for the purpose of granting an Interest to the Joint Venturers or to the Company (on behalf of the Joint Venturers);
- c) any approval, application or proposal to facilitate the use of any such land or waters by the Joint Venturers or the Company (on behalf of the Joint Venturers); or
- d) any application or proposal for the replacement, variation or conversion of, or for any substituted title for, or for the renewal or extension of term of any Granted Title, of the Mining Tenement Applications, of any other title or tenure (as referred to in paragraph (a)), of any Interest (as referred to in paragraph (b)), or of any renewed or extended title, other tenure, approval, application, proposal or Interest, which is required for the purpose of or in

connection with the Project and the Company so certifies in writing to the Wulli Wulli Applicants and the Iman Applicants.

Note that 'the Company' means Newcrest Mining Limited

**Attachments to the entry**

Nil Attachments