



# Extract from Register of Indigenous Land Use Agreements

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<b>NNTT number</b>	QI2004/012
<b>Short name</b>	Western Yalanji People Exploration Permit Backlog Project
<b>ILUA type</b>	Area Agreement
<b>Date registered</b>	24/02/2005
<b>State/territory</b>	Queensland
<b>Local government region</b>	Cook Shire Council, Tablelands Regional Council

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## Description of the area covered by the agreement

"Area" means the area of land and waters to which this Agreement applies, and which falls within the external boundaries of the EPs listed in Schedule 1 and depicted in the map attached at Attachment A [of the Agreement].

Schedule 1:

Exploration Permits

EPM11538  
EPM11541  
EPM11765  
EPM11945  
EPM12004  
EPM12375

EPM12637, excluding that portion outside the northern boundary\* of the Western Yalanji area as at the date of registration of the Agreement

EPM12780

EPM13015, excluding that portion outside the northern boundary\* of the Western Yalanji area as at the date of registration of the Agreement

EPM13069

\*The northern boundary of the Western Yalanji area is defined as follows:

Commencing at the north-western corner of Lot 1 on CP825797 (the "Commencement Point" as marked on the map at Attachment A [of the Agreement]) and extending generally easterly along the northern boundaries of that lot to its north-eastern corner; then easterly to a point being a western boundary corner of Lot 165 on FTY1722 at coordinates 145.084167 degrees East and 15.839444 degrees South

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Note:

1. Lot on plan information obtained from the Department of Natural Resources, Mines and Energy Digital Cadastral Database as at March 2004.
2. Coordinates listed above have been calculated by the Department of Natural Resources, Mines and Energy MERLIN GIS System from the Detailed Topography Layer.
3. Coordinates should be regarded as approximate only.

## Parties to agreement

*Applicant*

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<b>Party name</b>	State of Queensland
<b>Contact address</b>	Executive Director, Native Title and Indigenous Land Services, Department of Natural Resources and Mines, Locked Bag 40 COORPAROO DC QLD 4151

**Party name** North Queensland Land Council Aboriginal Corporation  
**Contact address** c/- Chief Executive Officer, North Queensland Land Council Aboriginal Corporation,  
PO Box 679N  
CAIRNS NORTH QLD 4870

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**Party name** Rodney Riley, Derrick Henry Oliver, Desmond Brickie, Joseph Cummins, Leonard Rosendale, Luke Cummins, Qawanji Ngurrku Jawiyabba (nee Vincent Brady), Roy Dennis (Sonny) Levers, Thomas James Mitchell and William Steven Brady on their own behalf and on behalf of the Western Yalanji People  
**Contact address** C/- Legal Officer, North Queensland Land Council Aboriginal Corporation  
PO Box 679N  
CAIRNS NORTH QLD 4870

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**Period in which the agreement will operate**

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**Start date** 13/08/2004  
**End Date** 13/08/2024

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Clause 3 provides that this agreement commences on the Commencement Date and terminates on the 20th anniversary of the Commencement Date.

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

5.1 (c) the Right to Negotiate Procedure is not intended to apply to the Future Acts described in clauses 9.2, 9.3, 9.4, 9.5 and 9.6.

9.1 The Native Title Parties on behalf of the Native Title Group consent to the Future Acts described in clauses 9.2, 9.3, 9.4, 9.5 and 9.6.

9.2 The Native Title Parties on behalf of the Native Title Group consent to the grant of an EP to an Explorer provided that:

- (a) the EP is granted for a maximum term of 5 years;
- (b) the EP contains the Native Title Conditions; and
- (c) the Explorer has paid the amount required to be paid under clause 14.1.

9.3 The Native Title Parties on behalf of the Native Title Group consent to the conduct of Exploration Activities under the EP provided that the Explorer complies with the Native Title Conditions.

9.4 The Native Title Parties on behalf of the Native Title Group consent to the grant of an MDL to an Explorer provided that:

- (a) the Explorer has previously been granted an EP in reliance on this Agreement;
- (b) the Explorer has not breached any conditions of that EP;
- (c) there is no outstanding dispute between the Explorer and the Native Title Parties in relation to the EP;
- (d) the MDL is granted for a maximum term of 5 years;
- (e) the MDL contains the Native Title Conditions; and
- (f) the Explorer has paid the amount required to be paid under clause 14.1.

9.5 The Native Title Parties on behalf of the Native Title Group consent to the conduct of Exploration Activities under the MDL provided that the Explorer complies with the Native Title Conditions.

9.6 The Native Title Parties on behalf of the Native Title Group consent to the renewal of an EP or MDL granted in reliance on this Agreement if the renewed EP or MDL continues to be subject to the conditions described in clause 9.2 and 9.4 and provided that the Explorer has paid the amount required to be paid under clause 14.1.

**Clause 1 - Definitions**

"EP" means an Exploration Permit;

"Exploration Permit" means an exploration permit listed in Schedule 1.

"MDL" means a Mineral Development Licence;

"Native Title Conditions" means the conditions contained in Schedule 2.

"Right to Negotiate Procedure" means the procedure described in Part 2, Division 3, Subdivision P of the NTA.

**Attachments to the entry**

Nil Attachments