



Extract from Register of Indigenous Land Use Agreements

NNTT number	QI2021/001
Short name	Barada Barna and Lotus Creek Wind Farm ILUA
ILUA type	Body Corporate
Date registered	27/04/2021
State/territory	Queensland
Local government region	Isaac Regional Council

Description of the area covered by the agreement

4. Area to which this Agreement Applies

(a) This Agreement applies to the ILUA Area.

ILUA Area means the area of land and waters described in Schedule 1.

[A copy of Schedule 1 is attached to this 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. 364 sq km and is located approx. 22 km west of St Lawrence and extends northeast of Lotus Creek.]

Parties to agreement

Applicant

Party name	Lotus Creek Wind Farm Pty Ltd (ACN 633 724 571)
Contact address	Level 11 75 Miller Street North Sydney NSW 2060

Other Parties

Party name	Barada Barna Aboriginal Corporation RNTBC (ICN 8343)
Contact address	c/- Dillon Bowers Lawyers PO Box 626 Townsville QLD 4810

Period in which the agreement will operate

Start date	25/09/2020
End Date	not specified

3. Term

(a) This Agreement commences on the Commencement Date and, subject to clause 15, will operate for the life of the Project and the duration of the Agreed Acts and the term of all Approvals.

Commencement Date means the date on which this Agreement is executed by the last of the Parties to execute it.

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

6.1 Consents

(a) The Parties consent to:

(i) The Agreed Acts; and

(ii) The undertaking of the Project.

(d) For the purposes of section 24EB(1)(c) of the NTA and regulation 6(5)(b) of the ILUA Regulations, the Parties agree and state that Subdivision P, Division 3, Part 2 of the NTA is not intended to apply to any Agreed Acts on and from the date this Agreement is Registered.

Agreed Act means the grant, variation, extension or renewal of any Approval which Lotus Creek acting reasonably, considers necessary or desirable or beneficial for the undertaking of the Project on any part of the ILUA Area, including any Approval granted under legislation including, but not limited to:

(a) Electricity Act 1994 (Qld);

(b) Environmental Protection Act 1994 (Qld);

(c) Environmental Protection and Biodiversity Conservation Act 1999 (Cth);

(d) Forestry Act 1959 (Qld);

(e) Land Act 1994 (Qld);

(f) Planning Act 2016 (Qld);

(g) Vegetation Management Act 1999 (Qld); and

(h) Water Act 2000 (Qld).

Approval means any grant of tenure, authorisation, lease, licence, permit, approval, certificate, consent, exercise of a discretion, direction or notice from or by:

(a) Any Government Agency of [sic] other competent authority; or

(b) Any freehold land owner or State lease holder.

Project means the development, planning, construction, commissioning, operation, modification, expansion, extension, maintenance and decommissioning of the Wind Farm in relation to no more than 4% of the ILUA Area, including:

(a) wind turbine generators

(b) substations

(c) energy storage systems

(d) electrical connections

(e) powerlines and transmission lines

(f) wind monitoring masts

(g) operation and maintenance facilities

(h) overhead and underground electrical cabling

(i) hardstands

(j) construction compounds

(k) access tracks

(l) temporary construction laydown areas,

and includes all necessary or incidental infrastructure and anything incidental to or associated with any purpose listed in paragraphs (a) to (l) above.

Attachments to the entry

[QI2021_001 Schedule 1 External boundary description and map of ILUA Area.pdf](#)