



Extract from Register of Indigenous Land Use Agreements

NNTT number	VI2007/005
Short name	Gunai/Kurnai - Morning Star Regional Exploration and Mining ILUA
ILUA type	Area Agreement
Date registered	27/06/2008
State/territory	Victoria
Local government region	Baw Baw Shire, Mansfield Shire , Wellington Shire , Yarra City , Mount Baw Baw Alpine Resort (uninc)

Description of the area covered by the agreement

The Agreement Area is described in clause 35 as follows:

"ILUA Area" means the area of land and/or waters covered by this Agreement as described and shown on the map in Schedule C.

Schedule C describes the external boundary of the ILUA area as follows:

- Geographic extent: 1,351.425 sq km
- The Agreement Area covers those lands and waters subject to native title determination application VG6007/98 Gunai/Kurnai People (VC97/4) which are also within the external boundary as defined by the following coordinate points:

Point	Longitude East (Decimal Degrees)	Latitude South (Decimal Degrees)
1	146.06	37.56
2	146.50	37.56
3	146.56	38.00
4	146.18	38.00

It is noted that the Agreement Area excludes lands and waters subject to native title determination applications V6006/99 Taungurung People (VC99/10) and VG6021/98 Taungurung People (VC99/11).

It is further noted that reference is made to the above native title claimant applications as at the following dates:

VG6007/98 Gunai/Kurnai People (VC97/4) as per Federal Court order on 06/02/2002;
V6006/99 Taungurung People (VC99/10) as accepted for registration on 11/11/1999;
VG6021/98 Taungurung People (VC99/11) as accepted for registration on 04/11/1999.

A copy of the map attached to Schedule C referred to above can be obtained by contacting the Melbourne Registry of the Tribunal on 1800 640 501.

Parties to agreement

Applicant

Party name	Olive Tregonning, Sandra Middleton Patten, Graham John (Bootsie) Thorpe and Albert Mullet on behalf of the Gunai/Kurnai claimants
Contact address	c/- NTSV PO Box 431 North Melbourne VIC 3051

Other Parties

Party name	Morning Star Gold NL
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Contact address

Level 4, 20 Loftus Street
Sydney NSW 2000

Period in which the agreement will operate

Start date 22/08/2007**End Date** not specified

Clause 5.1 states the following:

5.1 This Agreement takes effect from the day it is executed by all parties (in accordance with clause 23) and continues to operate for the duration of the Licence unless terminated by the agreement in writing of the parties, save that the proponent's obligations under clause 3 of this Agreement do not commence until the Licence and any required consent has been granted.

5.1.1 Within 7 days of the expiry of this Agreement under sub-clause 5.1, the proponent will advise the Native Title Registrar in writing of the expiry, in accordance with section 199C(1)(c)(i) of the NTA.

5.1.2 Within 7 days of any termination of this Agreement under sub-clause 5.1 the parties will advise the Native Title Registrar in writing of the termination, in accordance with section 199C(c)(ii) of the NTA.

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

Clause 6 provides as follows:

Clause 6.1 The parties agree that the right to negotiate provisions in Part 2, Division 3, Subdivision P of the NTA are not intended to apply to any Future Act listed in clause 6.2.

Clause 6.2 Subject to compliance by the parties with the provisions of this Agreement, the parties:

6.2.1 agree to the doing of certain Future Acts in respect of the ILUA area, being:

- the grant by the State of the Licence to the proponent and to any consent required by or on behalf of the proponent pursuant to the Licence; and
- the use of the Licence and of any consent required pursuant to the Licence, by the proponent.

6.2.2 agree that any such Future Acts done in respect of the ILUA area are valid.

Clause 35 includes the following definition:

'Future Act' has the same meaning given to that term in s. 233 of the NTA and includes those classes of Future Acts listed in Schedule D.

Schedule D lists the future acts covered by the agreement as 'The Licences, including but not limited to: Exploration Licence Applications 4320 and 5079 and Mining Licences 5241 and 5242.'

Attachments to the entry

Nil Attachments