



# Extract from Register of Indigenous Land Use Agreements

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<b>NNTT number</b>	NI2006/002
<b>Short name</b>	Gundungurra Taralga Wind Farm Agreement
<b>ILUA type</b>	Area Agreement
<b>Date registered</b>	13/12/2007
<b>State/territory</b>	New South Wales
<b>Local government region</b>	Upper Lachlan Council

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## Description of the area covered by the agreement

Unreserved crown land described as Lot 238 DP750046, being the whole of the lands dealt with in this agreement and shown on the map in Schedule A.

[Schedule A is attached to the agreement and is not attached to this Register extract].

## Parties to agreement

### *Applicant*

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<b>Party name</b>	RES Southern Cross
<b>Contact address</b>	C/- Colin Leibmann PO Box 1274 Crows Nest NSW 1585

### *Other Parties*

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<b>Party name</b>	Anthony Bernard Kelly, MLC, NSW Minister for Lands
<b>Contact address</b>	C/- Manager Native Title Native Title Branch GPO Box 15 Sydney NSW 2001

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<b>Party name</b>	Elsie Stockwell (on behalf of the Gundungurra People)
<b>Contact address</b>	6 Waresley Way Cranebrook NSW 2749

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<b>Party name</b>	Gundungurra Tribal Council Aboriginal Corporation
<b>Contact address</b>	PO Box 4986 Katoomba NSW 2780

## Period in which the agreement will operate

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<b>Start date</b>	not specified
<b>End Date</b>	not specified

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

#### 4. Future Acts Authorised

4.1 For the purposes of section 24EB(1)(b) of the NTA, the Parties agree to the doing of Future Acts under the NTA comprising:

4.1.1 the grant of the Lease by the Minister for Lands to RES Southern Cross; and

4.1.2 acts on the Agreement Area undertaken in accordance with the Lease, including but not limited to, the preparation, construction, commissioning, operation, repair, management, replacement and removal of not more than 5 wind turbines and associated infrastructure for the purposes of electricity generation, and the remediation and reinstatement of the Agreement Area.

4.2 The Registered Native Title Claimants and the Gundungurra Corporation agree that RES Southern Cross may nominate another person to be granted the Lease, provided the Minister for Lands agrees to that person being nominated.

4.3 The Parties acknowledge that the State may utilise any of the Future Act provisions of the NTA in respect to any Future Act not authorised by this agreement.

Defined terms:

"Agreement Area" means unreserved crown land described as Lot 238 DP750046, being the whole of the lands dealt with in this agreement and shown on the map in Schedule A.

"Future Act(s)" means 'future act(s)' as defined in section 233(1) of the NTA.

"Gundungurra Corporation" means the Gundungurra Tribal Council Aboriginal Corporation incorporated under the Aboriginal Councils and Associations Act 1976 (Cth) on 3 December 1995.

"Lease" means a lease or licence, and any extension or renewal of that lease or licence, for a term (including any extension or renewal) of no more than 30 years, to be granted under the Crown Lands Act 1989 (NSW) over the whole or part of the Agreement Area by the Minister for Lands to RES Southern Cross for the purposes of the construction and operation of not more than 5 wind turbines for electricity generation and associated infrastructure, together with any ancillary rights in the form of easements, rights of way or appurtenants to the lease necessary for the purposes of constructing, commissioning, operating and servicing the wind turbines and cables.

"Minister for Lands" means the Minister administering the Crown Lands Act 1989 (NSW).

"NTA" means the Native Title Act 1993 (Cth).

"Parties" means the parties to this agreement.

"Registered Native Title Claimants" means Elsie Stockwell, on her own behalf and on behalf of the Gundungurra People, as contained in a copy of an extract from the Register of Native Title Claims in Schedule B (in compliance with regulation 7(2)(c) of the Native Title (Indigenous Land Use Agreements) Regulations 1999).

"RES Southern Cross" means RES Southern Cross Pty Limited [ACN 106640206].

"State" means the Government of New South Wales and includes a Minister of the Government and any statutory authority, person or entity acting on behalf of the State of New South Wales whether as a delegate or otherwise.

#### **Attachments to the entry**

Nil Attachments