



Extract from Register of Indigenous Land Use Agreements

NNTT number	SI2019/001
Short name	Andamooka Precious Stones Field Agreement
ILUA type	Body Corporate
Date registered	07/05/2019
State/territory	South Australia
Local government region	Unincorporated Areas - SA

Description of the area covered by the agreement

The agreement area covers approx 263 sq km and is located in the vicinity of the Andamooka township, 19km north east of Roxby Downs and 82km north east of Woomera.

Parties to agreement

Applicant

Party name	The Minister for Energy and Mining for the State of South Australia
Contact address	GPO Box 320 Adelaide SA 5001

Other Parties

Party name	Kokatha Aboriginal Corporation RNTBC ICN 8093
Contact address	c/- Berg Lawyers 3/118 Halifax Street Adelaide SA 5000

Period in which the agreement will operate

Start date	not specified
End Date	not specified

Registration Date means the date upon which this Agreement is registered and entered on the Register as a body corporate agreement pursuant to sections 24BA to 24BI of the NTA and regulation 6 of the *Native Title (Indigenous Land Use Agreements) Regulations 1999* (Cth);

4.1. The Agreement will commence on the Registration Date and, subject to clause 20, continues until the date upon which details of this Agreement are removed from the Register pursuant to section 199C of the NTA.

20.1 This Agreement may be terminated by agreement in writing of the Parties. If the Parties agree to terminate this Agreement then they will jointly apply to have this Agreement removed from the Register.

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

9.1. For the purposes of section 24EB of the NTA, the Parties consent to the acts or activities referred to in clause 10.1 of this Agreement being carried out in the Agreement Area after the Registration Date, subject to the conditions

set out in that clause and the terms of this Agreement generally.

9.2. The Parties agree that Subdivision P of Part 2 of Division 3 and any approved alternative scheme under section 43(1) of the NTA, including Part 7 of the OMA, is not intended to apply to the acts or activities consented to under this Part 4 [*Future Acts Consented to Under Agreement*].

10.1. The Corporation and the Kokatha People consent, within Area A, to the following acts to the extent that they are Future Acts:

- (a) the registration of Precious Stones Tenements under section 20 of the OMA;
- (b) the renewal of Precious Stones Tenements under section 22 of the OMA; and
- (c) Opal Mining Operations being carried out pursuant to a Precious Stones Prospecting Permit or a Precious Stones Tenement granted or renewed after the Registration Date

to or by any person or corporation who has executed an Acceptance Deed and provided it to the Mining Registrar.

2. Definitions

Andamooka Precious Stones Field means the Andamooka Precious Stones Field under the OMA;

Determination means the consent determination of the Federal Court made on 1 September 2014 in favour of the Kokatha People in the matter of *Starkey v the State of South Australia* [2014] FCA 924;

Determination Area has the meaning given to it in the Determination;

Opal Mining Act or OMA means the *Opal Mining Act 1995* (SA);

Corporation means the Kokatha Aboriginal Corporation RNTBC ICN [8093] being a body incorporated under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth) and an Agent Prescribed Body Corporate for the purposes of the NTA, or such other Prescribed Body Corporate which is authorised by the Kokatha People to act on their behalf in respect of all matters pertaining to this Agreement;

Area A means the area marked as "Area A" on the Map.

Future Act has the meaning given to it in the NTA;

Precious Stones Tenement has the meaning given to it in section 3 of the OMA;

Opal Mining Operations has the meaning given to "mining operations" under the [OMA];

Precious Stones Prospecting Permit or PSPP has the meaning given to it in section 3 of the OMA;

Registration Date means the date upon which this Agreement is registered and entered on the Register as a body corporate agreement pursuant to sections 24BA to 24BI of the NTA and regulation 6 of the *Native Title (Indigenous Land Use Agreements) Regulations 1999* (Cth);

Acceptance Deed means the document in SCHEDULE 4 [*Schedule 4 contains an Acceptance Deed template*];

Mining Registrar means: (a) if there is no designated Opal Mining Registrar under the OMA, the Mining Registrar under the Mining Act [1971 (SA)]; or (b) if there is a designated Opal Mining Registrar under the OMA, that person.

5.1 The Agreement Area is the whole of the land declared as the Andamooka Precious Stones Field pursuant to section 4 of the OMA which lies within the Determination Area, as depicted on the Map.

Attachments to the entry

[Schedule 2 Agreement Area Map.pdf](#)