



Extract from Register of Indigenous Land Use Agreements

NNTT number	WI2012/001
Short name	Yugunga-Nya People & Sandfire ILUA (Non-overlapping area)
ILUA type	Area Agreement
Date registered	21/09/2012
State/territory	Western Australia
Local government region	Shire of Cue, Shire of Meekatharra, Shire of Sandstone, Shire of Wiluna

Description of the area covered by the agreement

[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 area subject to this agreement covers about 22,370 square kilometres, located in the vicinity of Meekatharra. The agreement falls within the Local Government Authorities of the Shire of Sandstone, the Shire of Meekatharra, the Shire of Wiluna and the Shire of Cue.]

The area subject to this agreement is described in Clause 1.2.4 of the Agreement and means the area of land and/or waters covered by red cross hatching on the plan attached as Schedule A1 and described in the narrative attached as Schedule A2.

Schedule A1 and Schedule A2 are attachments to this register.

Parties to agreement

Applicant

Party name	Rex Shay, William Shay, Name Witheld for Cultural Reasons and Evelyn Gilla for and on behalf of the Yugunga-Nya People Native Title Claim WAD6132/98
Contact address	c/- Yamatji Marlpa Aboriginal Corporation Level 2, 16 St Georges Terrace Perth Western Australia 6000

Other Parties

Party name	Sandfire Resources N/L
Contact address	Level 2, 31 Ventnor Avenue West Perth Western Australia 6005

Period in which the agreement will operate

Start date not specified

End Date not specified

Clause 5.1 of the Agreement specifies that this Agreement takes effect from the day it is executed by all parties and continues to operate for so long as the Proponent has an interest in any Mining Tenement or Ancillary Title in the ILUA Area unless terminated by the agreement in writing of the parties.

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

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.

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

6.2.1 agree to the doing of future acts in respect of the ILUA Area, including:

6.2.1.1 the grant by the State of any Mining Tenement or Ancillary Title to the Proponent and to any consent required by or on behalf of the Proponent pursuant to any Mining Tenement or Ancillary Title; and

6.2.1.2 the exercise by the Proponent of all rights and liberties conferred by any Mining Tenement or Ancillary Title and of any consent required pursuant to any Mining Tenement or Ancillary Title, by the Proponent; and

6.2.1.3 the doing of any other previous, current and future acts by the State, the Proponent or any other person on behalf of the Proponent in respect of the ILUA Area; and

6.2.1.4 those specified in Schedule B.

6.2.2 agree that any such future acts done in respect of the ILUA Area are valid and, to the fullest extent the law permits, this Agreement validates all invalid future acts, past acts or intermediate period acts of the Proponent.

Schedule B: List of Future Acts covered by the Agreement.

Without limitation to the generality of clause 6.2, the future acts covered by this Agreement include:

1. the renewal, amalgamation and/or variation of existing Mining Tenement or Ancillary Title the Proponent may hold, the grant of any Mining Tenement or Ancillary Title the Proponent may have applied for, or may apply for in the future;
2. any consents the State may be required to grant pursuant to such licences and leases (eg consents to/approvals of programmes of work, mining proposals);
3. the use by the Proponent of any Mining Tenement or Ancillary Title, and any associated.

Clause 1.1 Definitions and Interpretation

1.2.1. ancillary agreement means the agreement styled "Yugunga Nya LAA (with provision for an ILUA)" between the parties hereto and dated 18 November 2010;

1.2.2. future act has the same meaning given to that term in section 233 of the NTA;

1.2.3. grant or granted refers to the grant, renewal, amalgamation or variation of any Mining Tenement by the State pursuant to the Mining Act. The definition is intended to cover a renewal, amalgamation or variation where any Mining Tenement Area and/or term is extended or additional rights in any Mining Tenement are created;

1.2.12. NTA means the Native Title Act 1993 (Cth);

1.2.18. State means the State of Western Australia and all its instrumentalities.

Attachments to the entry

[WI2012_001 Schedule A and Schedule A1 Map.pdf](#)

[WI2012_001 Schedule B Written Description.pdf](#)