



Extract from Register of Indigenous Land Use Agreements

NNTT number	WI2022/002
Short name	Ngaanyatjarraku Roads and Shire Works
ILUA type	Body Corporate
Date registered	13/05/2022
State/territory	Western Australia
Local government region	Shire of Ngaanyatjarraku

Description of the area covered by the agreement

Agreement Area means the area described in Schedule 1 and depicted in the map within Schedule 2 to this Agreement;

[Copies of Schedule 1 and 2 are attached to this register 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 about 132,483 sq km, extending from the Western Australian border to about 190 km west of Warburton.]

Parties to agreement

Applicant

Party name	Shire of Ngaanyatjarraku
Contact address	c/- McLeods Barristers and Solicitors 220 Stirling Highway Claremont WA 6010

Other Parties

Party name	Ngaanyatjarra Council (Aboriginal Corporation) (ICN 101)
Contact address	c/- Ngaanyatjarra Aboriginal Corporation PO Box 644 Alice Springs NT 0871

Party name	Ngaanyatjarra Land Council (Aboriginal Corporation) (ICN 715)
Contact address	c/- Ngaanyatjarra Aboriginal Corporation PO Box 644 Alice Springs NT 0871

Party name	Yarnangu Ngaanyatjarraku Parna (Aboriginal Corporation) RNTBC (ICN 4527)
Contact address	c/- Ngaanyatjarra Aboriginal Corporation PO Box 644 Alice Springs NT 0871

Period in which the agreement will operate

Start date	22/12/2021
End Date	not specified

5. Commencement and duration

This Agreement commences operation on execution of the Agreement, and it continues in perpetuity unless terminated by agreement of all parties in writing.

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

1. In so far as the Existing Roads and other Shire Works, have up to the date of this Agreement, been constructed, established, modified, repaired, maintained or used by any person:

(b) YNPAC as trustee of the Ngaanyatjarra Lands Common Law Holders' native title:

(ii) retrospectively consents to such construction, establishment, modification, repair, maintenance and use;

(iii) acknowledges and agrees that the Existing Roads and other Shire Works will continue to be used for their various intended purposes; and, subject to the terms of this Agreement, modified repaired and maintained by or on behalf of the Shire.

(c) The Land Council to the extent that it is lessee of the Leased Land or sub-lessee of the Subleased Land over which any Existing Road is located:

(ii) retrospectively consents to such construction, establishment, modification, repair, maintenance and use;

(iii) acknowledges and agrees that the Existing Roads and other Shire Works will continue to be used and, subject to the terms of this Agreement, be modified repaired and maintained by or on behalf of the Shire.

2.(a) Subject to clause 2(b), on and from the date of this Agreement, YNPAC and the Land Council consent to the Shire conducting Shire Road Works within the Agreement Area.

(b) Nothing in this Agreement authorizes or gives consent to the excision of any land from, or the dedication or creation of any public road within, the Leased Land or the Subleased Land.

Existing Roads means roads and tracks depicted in Schedule 3 to this Agreement; *[a copy of Schedule 3 is attached to this register extract]*

Leased Land means the land the subject of:

(a) lease of reserve 17614 from the Aboriginal Lands Trust to the Land Council;

(b) lease I798552 of portion of reserve 21471 (being Lots 3 and 8 on Deposited Plan 91735) from the Aboriginal Lands Trust to the Land Council;

(c) lease of reserve 24923 from the Aboriginal Lands Trust to the Land Council;

(d) lease of reserve 24966 from the Aboriginal Lands Trust to the Land Council;

(e) lease I798552 of reserve 29452 from the Aboriginal Lands Trust to the Land Council;

(f) lease H825832 of reserve 40784, 40787, and portion of reserve 21471 (being Lot 11 on Deposited Plan 91735), from the Aboriginal Lands Trust to the Land Council;

(g) lease of reserve 40785 from the Aboriginal Lands Trust to the Land Council; and

(h) perpetual lease M350144, replacing former special lease 3116/10903 (which was registered as lease GE I/127583).

Shire Road Works means the physical undertaking or doing of anything in connection with the construction, establishment, modification (including realignment), maintenance or repair by or on behalf of the Shire of Existing Roads;

Shire Works means the physical undertaking or doing of anything on any land by or on behalf of the Shire, including the construction or establishment or placing of any thing, any ground-disturbing activities, any modification of works, any repair or maintenance activities and any physical impact on land or premises by reason of use of land by or on behalf of the Shire, and includes Shire Road Work.

Subleased Land means the land formerly the subject of special lease 3116/10987 granted to the Aboriginal Lands Trust under the *Land Act 1933 (WA)* for the purpose of "Use and Benefit of Aboriginal Inhabitants" and subleased to the Land Council.

Attachments to the entry

[WI2022_002 Schedule 1 - Description of ILUA Area.pdf](#)

[WI2022_002 Schedule 2 - Map of ILUA Area.pdf](#)

[WI2022_002 Schedule 3 - Roads and Tracks in the ILUA Area.pdf](#)