



Extract from Register of Indigenous Land Use Agreements

NNTT number	DI2010/004
Short name	Alpurrurulam ILUA
ILUA type	Area Agreement
Date registered	21/01/2011
State/territory	Northern Territory
Local government region	Barkly Shire Council

Description of the area covered by the agreement

The ILUA area is located north east of the Alpurrurulam town centre along Arrang Street adjacent to the existing Power and Water diesel power station. The ILUA Area is approximately 3.2 hectares and covers all of administrative status NT portion 7082 (A) (being part NT Portion 1949) as indicated on the sketch entitled 'Alpurrurulam ILUA Area' and is subject to survey.

The following general description of the agreement area has also been provided by the National Native Title Tribunal to assist people to understand the location of the agreement area. It does not replace, and is less precise than, the description of the agreement area contained in the agreement and set out above. 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 3.2 hectares over NT Portion 7082(A) being part of NT Portion 1949, located northeast of the township of Alpurrurulam.

A map of the ILUA Area is attached to this Register extract.

Parties to agreement

Applicant

Party name	Central Land Council
Contact address	27 Stuart Highway Alice Springs NT 0870

Other Parties

Party name	TKLN Solar Pty Ltd
Contact address	Level 11, 75 Miller St North Sydney NSW 2060

Party name Nugget Smith Apetyarr
Contact address c/- Central Land Council
27 Stuart Highway
Alice Springs Northern Territory 0870

Party name Alpururulam Land Aboriginal Corporation
Contact address 27 Stuart Highway
Alice Springs NT 0870

Period in which the agreement will operate

Start date 23/09/2010
End date 23/09/2030

The agreement contains the following clause in relation to the operating period of the agreement:

Clause 2.5 Term

This ILUA commences on the Commencement Date and operates for a term of TWENTY (20) years.

"Commencement date" means the date of this ILUA, being the date that the last Party executes this ILUA. [Being 23 September 2010].

Clause 20 of the agreement provides for an optional further term of twenty years of operation of the agreement.

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

4.1 Native Title Party's consent

To the extent that any or all of the Relevant Acts constitute or amount to a Future Act, the Parties consent to the doing of any or all of those Relevant Acts (without conditions) subject to the provisions of this ILUA and agrees not to challenge the validity of the Relevant Acts at any time in the future.

4.2 Right to negotiate

The right to negotiate provisions of Subdivision P of Division 3 of Part 2 of the NTA are not intended to apply to the doing of any or all of the Relevant Acts, and the Parties intend for this ILUA to govern and apply to the carrying out of the Project.

4.4 Prior acts valid

The Parties acknowledge and agree that while this ILUA is registered on the Register all Relevant Acts that may have been done prior to the registration of this ILUA and which are Future Acts that have been done invalidly, are to the extent that it is necessary to so provide, valid to the extent that they affect Native Title in the ILUA Area in accordance with section 24EBA(1)(a)(i) of the NTA.

Definitions:

"Future Act" has the same meaning as it has in section 233 of the NTA [Native Title Act 1993 (Cth)].

"Power Facility" means three (3) fifteen metre (15m) Wind Turbines, PV arrays and Grid Stability System together with fencing and underground cabling and plumbing.

"Project" means the construction, operation and maintenance of the Power Facility for the purposes of generating and delivering power to the community grid.

"Relevant Acts" means:

- (a) the grant of each Relevant Authority; and
- (b) all acts in connection with, or in relation or incidental to, the Project, including all activities conducted or authorised under any Relevant Authority, whether that grant or those acts occurred before, on or after the Commencement Date.

"Relevant Authorities" means without limitation all approvals, consents, leases, licences, easements, permits, authorities, renewals and other entitlements for the purposes of the Project in respect of the ILUA Area.

Attachments to the entry

[Alpurrulam ILUA Area - Sketch.pdf](#)