



Extract from Register of Indigenous Land Use Agreements

NNTT number	WI2014/001
Short name	Kuruma Marthudunera and Yaburara and Coastal Mardudhunera Indigenous Land Use Agreement
ILUA type	Area Agreement
Date registered	04/07/2014
State/territory	Western Australia
Local government region	Shire of Ashburton, City of Karratha

Description of the area covered by the agreement

The agreement covers the whole of the land and waters within the external boundaries of the KM Claim and the YM Claim as at the Execution Date (the "Agreement Area"). The Agreement Area is depicted on the map in Schedule 2.

"KM Claim" means:

- (a) the native title determination application WAD 6090 of 1998 as amended from time to time; and
- (b) any other native title determination application made on behalf of all or substantially all of the KM People (as at the Execution Date) or the Robe River Kuruma People, in respect of some or all of the Robe River Kuruma Country.

The KM Claim as at the Execution Date is depicted on the map in Schedule 2.

"KM People" means, collectively, the members of the native title claim group in respect of the KM Claim from time to time, or if there is no KM Claim then the Robe River Kuruma People from time to time.

"Robe River Kuruma People" means, collectively, the persons defined in clause 7.2(1).

"Robe River Kuruma Country" means the area depicted as such on the map in Schedule 2.

"YM Claim" means:

- (a) the native title determination application WAD 127 of 1997 as amended from time to time; and
 - (b) any other native title determination application made on behalf of all or substantially all of the YM people (as at the Execution Date) or the Mardudhunera People, in respect of the whole or part of Mardudhunera Country.
- The YM Claim as at the Execution Date is depicted on the map in Schedule 2.

"YM People" means, collectively, the members of the native title claim group in respect of the YM Claim from time to time, or if there is no YM Claim then the Mardudhunera People from time to time.

"Mardudhunera People" means, collectively, the persons defined in clause 7.2(2).

"Mardudhunera Country" means the area depicted as such on the map in Schedule 2.

"Execution Date" means the first date on which this deed is executed by both Parties, and in the absence of evidence to the contrary shall be taken to be the date (if any) inserted at the top of page 1 of this deed.

[A copy of the map in Schedule 2 is attached to this register extract.]

Parties to agreement

Applicant

Party name	Jack Alexander, Mark Lockyer, Neil Finlay and Gloria Lockyer for the KM People
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Contact address c/- Yamatji Marlpa Aboriginal Corporation
PO Box 3072
Adelaide Terrace
Perth WA 6832

Other Parties

Party name Kevin Cosmos, Robert Boona and Valerie Holborow for the YM People
Contact address c/- Corser & Corser Lawyers
Level 4
Irwin Chambers
16 Irwin Street
Perth WA 6000

Period in which the agreement will operate

Start date not specified

End Date not specified

5. TERM

5.1 Commencement

This deed commences on the Execution Date.

5.2 Termination

This deed will terminate upon the happening of one of the following events, whichever is the earlier:

- (1) an agreement in writing signed by the KM Applicants and the YM Applicants;
- (2) a Party terminates in accordance with clause 13.

5.3 Consequences of termination

Upon termination of this deed no Party will have any claim against any of the others except where the claim arises from circumstances or matters occurring before termination.

5.4 Survival of obligations

Clause 12 will survive the expiry or termination of this deed.

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

The agreement includes no statements of a kind mentioned in ss 24EB(1) or 24EBA(1) or (4). The stated purpose of the agreement is to (a) formalise the resolution of the overlap between the KM Claim and YM Claim native title determination applications, as set out in an intra-indigenous agreement dated 1 May 2013; (b) support the Robe River Kuruma People and the Mardudhunera People holding native title rights and interests in their respective claim areas; and (c) formalise arrangements and deeds in relation to future acts in both claim areas.

Attachments to the entry

[WI2014_001 Schedule 2 Map of Agreement Area and Agreed Boundary.pdf](#)

[WI2014_001 Attachment 2 Written Description of the Agreement Area.pdf](#)

[WI2014_001 Attachment 3 NNTT map of agreement area.pdf](#)