



Extract from Register of Indigenous Land Use Agreements

NNTT number	WI2025/010
Short name	Newman Renewable Energy Hub (Initial Generation Area) ILUA
ILUA type	Body Corporate
Date registered	20/03/2026
State/territory	Western Australia
Local government region	Shire of East Pilbara, Shire of Meekatharra

Description of the area covered by the agreement

5 Scope of this ILUA

5.1 ILUA Area

(a) In addition to its effect as a contract between the Parties concerning its subject matter, this ILUA is intended to be Registered and have effect as a Body Corporate ILUA in respect of the ILUA Area.

(b) The ILUA Area means the area identified in Schedule 1.

[Schedule 1 of the Agreement consists of a map and description of the ILUA Area which is 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 187 sq km and is located approximately 27 km southeast of Newman.]

APA means APA Pilbara Holdings Pty Ltd (ACN 126 822 802).

ILUA means this document, its schedules and annexures.

ILUA Area means the area described in Schedule 1 and shown, for identification purposes, on the map in Schedule 1.

KNAC means Karlka Nyiyaparli Aboriginal Corporation RNTBC (ICN 3649).

Nyiyaparli Determination means the approved determination of native title entered onto the National Native Title Register with reference number WCD2018/008 and reported in *Stock on behalf of the Nyiyaparli People v State of Western Australia (No 5)* [2018] FCA 1453, including as varied in *Karlka Nyiyaparli Aboriginal Corporation RNTBC v State of Western Australia* [2021] FCA 9.

Nyiyaparli PBC means KNAC, or any other entity that replaces KNAC pursuant to clause 13.2, in its capacity as a Registered Native Title Body Corporate as Trustee of the Nyiyaparli People's Native Title under the Nyiyaparli Determination.

Parties means APA and the Nyiyaparli PBC.

Register, as a noun, means the Register of Indigenous Land Use Agreement *[sic]*.

Registered means that details of this ILUA appear on the Register, and **Registration** has a corresponding meaning.

Parties to agreement

Applicant

Party name APA Pilbara Holdings Pty Ltd (ACN 126 822 802)
Contact address c/- APA Pilbara Holdings Pty Ltd (ACN 126 822 802)
Level 12, Westralia Square
141 St Georges Terrace
Perth WA 6000

Other Parties

Party name Karlka Nyiyaparli Aboriginal Corporation RNTBC (ICN 3649)
Contact address c/- Karlka Nyiyaparli Aboriginal Corporation RNTBC (ICN 3649)
PO Box 2161
South Hedland WA 6722

Period in which the agreement will operate

Start date	05/12/2025
End Date	not specified

2 Term of this ILUA

2.1 Commencement

- (a) Subject to clause 2.1(b), this ILUA commences on the Commencement Date.
(b) Clauses 6, 7, 9.3, 9.4, 9.5, and 9.6 of this ILUA have no force or effect unless and until the details of this ILUA are entered on the Register.

2.2 Term of the Agreement

This ILUA will terminate on the earlier of:

- (a) termination of the NREH Project Agreement; or
(b) the agreement in writing of APA and the Nyiyaparli PBC; or
(c) if this ILUA is Registered, and subsequently removed, the removal of this ILUA from the Register.

Ancillary Facilities means any infrastructure, equipment, plant, building or structure associated with the construction, operation, maintenance, rehabilitation or decommissioning of the Generation Facilities, Transmission Facilities or Distribution Facilities (where those Generation Facilities, Transmission Facilities or Distribution Facilities are wholly within the Initial Generation Area) and includes access roads, operations and maintenance facilities, warehouses and temporary construction facilities such as construction offices, accommodation camps, concrete batching plants, borrow pits and laydown areas. For the avoidance of doubt, this does not extend to allowing burial of any decommissioned aboveground infrastructure, equipment, plant, building or structure, Generation Facilities, Transmission Facilities or Distribution Facilities anywhere within Nyiyaparli Country (unless otherwise agreed in writing between the Parties).

Commencement Date means the date on which this ILUA is signed by the Parties, and if on different dates, the latter of those dates.

Distribution Facilities means any apparatus, equipment, plant or buildings used, or to be used for, or in connection with, the transportation of electricity at nominal voltages of less than 66kV.

Generation Facilities means any apparatus, equipment, plant or buildings used, or to be used, for, or in connection with, the generation and/or storage of electricity from renewable sources, specifically wind turbines, photovoltaic solar farm and battery storage facilities.

Initial Generation Area means the land and waters within the external boundaries of the application for miscellaneous licence L52/251 as at the Commencement Date, and which is described and depicted in the map at Schedule 3 of the NREH Project Agreement.

Native Title Act means the *Native Title Act 1993* (Cth).

Newman Renewable Energy Hub Project or NREH Project means the construction, operation, maintenance, closure, decommissioning and rehabilitation of:

- (a) Generation Facilities;
(b) Transmission Facilities; and
(c) Distribution Facilities,
wholly within the Initial Generation Area; and
(d) Ancillary Facilities within Nyiyaparli Country, required for or associated with the Generation Facilities, Transmission Facilities and Distribution Facilities (where those Generation Facilities, Transmission Facilities or Distribution Facilities are wholly within the Initial Generation Area), including to facilitate or enable access to the Initial Generation Area.

NREH Project Agreement means the agreement titled the 'Newman Renewable Energy Hub Project Agreement (Initial Generation Area)' between the Parties.

Nyiyaparli Country means the land and waters within the external boundaries of the Nyiyaparli Determination Area.

Nyiyaparli Determination Area has the meaning given to it in the Nyiyaparli Determination.

Transmission Facilities means any apparatus, equipment, plant or buildings used, or to be used, for, or in connection with, the transportation of electricity at nominal voltages of 66kV or higher.

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

6 Consent to NREH Project Tenure

6.1 Consent to Project Tenure

(a) Subject to clauses 6.2 and 6.3, the Nyiyaparli PBC consents and agrees to the Grant to APA or an APA Entity of, and the exercise of rights under, the Project Tenure, in accordance with and subject to the law, to enable APA to proceed with the NREH Project.

(b) Subject to clause 6.2, the Nyiyaparli PBC agrees to do all lawful things that are reasonably required or requested by APA to facilitate the matters consented and agreed to under this ILUA, including:

(i) to engage and work with APA in accordance with this ILUA, to implement and facilitate the development of the NREH Project;

(ii) to execute or enter into any document consenting to, agreeing to or supporting the Grant of Project Tenure to APA or and APA Entity after receipt of a written request from APA;

(iii) the lodgement of any such documents with any Government Body as may be required by any law or requested from time to time by APA for the Grant of any Project Tenure to APA or an APA Entity, provided that APA pays or undertakes to pay any fee or charge levied by any such person;

(iv) to refrain from opposing, objecting or appealing to any Government Body in relation to the Grant of any Project Tenure;

(v) to promptly withdraw any opposition, objection or appeal made contrary to clause 6.1(b)(iv); and

(vi) doing all other things reasonably requested by APA to give effect to 6.1(a).

9 Native Title Act Statements

9.3 Consent to future acts - Native Title Act section 24EB

For the purposes of section 24EB(1) of the Native Title Act, the parties consent to all acts covered by this ILUA to the extent they involve Future Acts in the ILUA Area without conditions but in accordance with this ILUA.

9.4 Right to negotiate does not apply - Native Title Act section 24EB(1)(c)

The process set out in Subdivision P of Division 3 of Part 2 of the Native Title Act, known as the "right to negotiate" process, does not apply and is not intended to apply to any act covered by this ILUA in the ILUA Area.

APA Entity means any Related Body Corporate of APA that is nominated by APA and notified to the Nyiyaparli PBC in accordance with clause 3.2(b).

Existing s91 Licence means the Licence to Occupy Crown Land granted under section 91 of the LAA dated 19 November 2024 (Lic L01175/2014_A14060204).

Government Body means:

(a) the Commonwealth or State of Western Australia government or a government department or Minister;

(b) a governmental, semi-governmental or judicial person including a statutory corporation; or

(c) a person who is charged with the administration of any law.

Grant means grant, extend the term of, renew, re-grant or re-make.

Miscellaneous Licence has the meaning given to it in the *Mining Act 1978 (WA)*.

Nyiyaparli Native Title Holders or **Nyiyaparli People** means the persons identified in the Nyiyaparli Determination as the common law holders of Native Title.

Project Tenure means:

(a) the Existing s91 Licence;

(b) any Miscellaneous Licence; and

(c) any Section 91 Licence,

for the NREH Project and which is located wholly within the ILUA Area, to which the Non-Extinguishment Principle in section 238 of the Native Title Act applies.

Related Body Corporate has the meaning given in the *Corporations Act 2001 (Cth)*.

Section 91 Licence means a licence or licence granted under section 91 of the LAA.

Attachments to the entry

[WI2025_010 Schedule 1 - ILUA Area.pdf](#)