

### **8.2. Consent to Marine Park**

For the purposes of section 24EB of the Native Title Act, the Parties irrevocably consent to the reservation of the Eighty Mile Beach Marine Park Intertidal Area for the purposes of "Marine Park" under section 13 of the Conservation and Land Management Act, the classification of that reserve as "class A" and the vesting of that reserve in the Marine Authority under section 7 of the Conservation and Land Management Act.

### **8.3. Consent to Walyarta Conservation Park (Karajarri Part), Jinmarnkur Conservation Park and Jinmarnkur Kulja Nature Reserve if no legislative amendment**

- (a) This clause applies in respect of a Future Act referred to herein, if the relevant Future Act is done prior to the commencement of the legislative amendments referred to in clause 8.4(a).
- (b) Subject to the right of the PBC to withdraw consent in respect of the Walyarta Conservation Park (Karajarri Part) in accordance with clause 8.6(a), for the purposes of section 24EB of the Native Title Act the Parties irrevocably consent:
  - (1) to the reservation of each of the Walyarta Conservation Park Area A and Walyarta Conservation Park Area B under section 41 of the Land Administration Act for the purpose of "Conservation Park" and the vesting of the reserve in the Conservation Commission under section 7 of the Conservation and Land Management Act, acknowledging that only one of these 2 areas will be reserved and vested under clause 11.2; and
  - (2) to the reservation of the Jinmarnkur Conservation Park Area under section 41 of the Land Administration Act for the purpose of "Conservation Park" and the vesting of that reserve in the Conservation Commission under section 7 of the Conservation and Land Management Act; and
  - (3) to the reservation of the Jinmarnkur Kulja Nature Reserve Area under section 41 of the Land Administration Act for the purpose of "conservation of flora and fauna" and its classification as Class "A" under section 42 of the Land Administration Act and the vesting of that reserve in the Conservation Commission under section 7 of the Conservation and Land Management Act.

### **8.4. Consent to Walyarta Conservation Park (Karajarri Part), Jinmarnkur Conservation Park and Jinmarnkur Kulja Nature Reserve post legislative amendment**

- (a) This clause applies if legislative amendments are made to provide, in effect, that:
  - (1) Nature Reserves and Conservation Parks may be vested jointly in the Conservation Commission and another body or person; and/or
  - (2) that care, control and management of Nature Reserves and Conservation Parks may be placed jointly with the Conservation Commission and another body or person.
- (b) Subject to the right of the PBC to withdraw consent in accordance with clause 8.6(a) and clause 8.7(a), for the purposes of section 24EB of the Native Title Act the Parties irrevocably consent to:
  - (1) the reservation of each of the Walyarta Conservation Park Area A and Walyarta Conservation Park Area B under section 41 of the Land Administration Act for the purpose of "Conservation Park" (if it has not already been reserved), acknowledging that only one of these 2 areas will be reserved and vested under clause 11.2; and

- (2) the reservation of the Jinmarnkur Conservation Park Area under section 41 of the Land Administration Act for the purpose of "Conservation Park" (if it has not already been reserved); and
  - (3) the reservation of the Jinmarnkur Kulja Nature Reserve Area under section 41 of the Land Administration Act for the purpose of "conservation of flora and fauna" and its classification as Class "A" under section 42 of the Land Administration Act (if it has not already been reserved and classified); and
  - (4) the:
    - (i) vesting of the Walyarta Conservation Park (Karajarri Part), Jinmarnkur Conservation Park, and the Jinmarnkur Kulja Nature Reserve in the Conservation Commission jointly with the PBC; and, if applicable
    - (ii) the placement of care, control and management of Walyarta Conservation Park (Karajarri Part), Jinmarnkur Conservation Park and the Jinmarnkur Kulja Nature Reserve with the Conservation Commission jointly with the PBC.
- (c) For the purposes of section 24EB of the Native Title Act the Parties also irrevocably consent to the vesting of each of the Walyarta Conservation Park (Karajarri Part), the Jinmarnkur Conservation Park, and the Jinmarnkur Kulja Nature Reserve solely in the Conservation Commission under section 7 of the Conservation and Land Management Act in the event that the PBC withdraws its consent to joint vesting in accordance with clause 8.7(a).

#### **8.5. Agreement to Future Acts includes exercise of rights**

- (a) In respect of an area of land that is wholly or partly within the ILUA Area (but only to the extent that the act is done within the ILUA Area), the Parties irrevocably consent to:
- (1) the granting, issue or creation of any Tenure;
  - (2) the exercise of any right or the discharge of any obligation, now and in the future, under:
    - (A) the Conservation and Land Management Act and the Wildlife Conservation Act and any regulations made under those Acts; and
    - (B) any Tenure;
  - (3) the exercise, now and in the future, of the various powers and functions under the Conservation and Land Management Act and the Wildlife Conservation Act and any regulations made under those Acts, including the preparation and approval of any management plan(s) for those parts of the reserves comprising the ILUA Area; and
  - (4) the exercise of any right or the discharge of any obligation, now and in the future, that arises under other applicable legislation as a consequence of the creation of the Conservation Estate
- whether any of these acts is an incident of any of the Future Acts referred to in clause 8.1(a)(2), 8.2, 8.3 or 8.4, or whether the act is a separate future act.
- (b) For the avoidance of doubt the State Parties do not concede that any particular act described in this clause 8.5 is necessarily a future act.