



# Extract from Register of Indigenous Land Use Agreements

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<b>NNTT number</b>	WI2016/011
<b>Short name</b>	Yungngora Aboriginal Corporation RNTBC, Buru Energy Limited and Diamond Resources (Canning) Pty Ltd ILUA
<b>ILUA type</b>	Body Corporate
<b>Date registered</b>	17/03/2017
<b>State/territory</b>	Western Australia
<b>Local government region</b>	Shire of Derby-West Kimberley

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## Description of the area covered by the agreement

The "ILUA Area" is defined as that part of the Project Area that is coincidental with Yungngora Country as precisely defined in the technical description in Schedule 1 and delineated on the plan comprised in Schedule 1 but excluding the Excluded Area.

[A copy of Schedule 1 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 approx. 1,768 sq km and is situated in the vicinity of Noonkanbah, extending north of the Fitzroy River.]

## Parties to agreement

### *Applicant*

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<b>Party name</b>	Buru Energy Ltd
<b>Contact address</b>	PO Box 7794 Cloisters Square WA 6850

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<b>Party name</b>	Diamond Resources (Canning) Pty Ltd
<b>Contact address</b>	Level 35, Exchange Plaza 2 The Esplanade Perth WA 6000

### *Other Parties*

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<b>Party name</b>	Yungngora Aboriginal Corporation RNTBC
<b>Contact address</b>	c/- Corser & Corser Pty Ltd Corser & Corser Lawyers Level 4/16 Irwin Street Perth WA 6000

## Period in which the agreement will operate

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<b>Start date</b>	05/09/2016
<b>End Date</b>	not specified

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This document commences on the Commencement Date.

"Commencement Date" means the date on which all parties complete execution of this document.

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

#### 19.3 Consent to doing of Future Acts - Native Title Act section 24EB(1)

For the purposes of section 24EB(1) of the Native Title Act, the parties consent to the grant of the Project Titles and Project Approvals in accordance with this document, to the extent that each of them is a Future Act, in the ILUA Area.

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

Subdivision P of Division 3, Part 2 of the Native Title Act does not apply and is not intended to apply to the grant of any Project Title or Project Approval granted in accordance with this document while this document is Registered.

#### 1.1 Definitions

"Commencement Date" means the date on which all parties complete execution of this document [5 September 2016].

"Excluded Area" means the area known informally as the "Pea Hill Hay Paddock" or "Umampurr" (as delineated and shown on the plan in Schedule 1) which is required by Yungngora for agricultural and cattle agistment purposes.

"Joint Operating Agreement" means the "Joint Operating Agreement – Exploration Permit EP 371" dated 13 April 2011 between Buru and Diamond as amended.

"Joint Venture Participants" means the parties to the Joint Operating Agreement for the Project whose Participating Interests under the Joint Operating Agreement as at the Commencement Date are Buru 50% and Diamond 50%.

"Project" means:

- (a) exploring for Petroleum within the Project Area;
- (b) extracting, producing, refining or transporting Petroleum pursuant to the Project Titles within the Project Area; any activity allowed under the Petroleum Act or pursuant to the Project Titles;
- (c) any other activities required in connection with (a), (b) and (c) including the planning, design, operation, decommissioning and rehabilitation of any of the above activities;
- (d) any other activities agreed in writing by Yungngora within the ILUA Area.

"Project Activities" means any activities lawfully undertaken or to be undertaken by or on behalf of the Joint Venture Participants within the Project Area for the purpose of or in connection with the Project (as authorised by any applicable law).

"Project Infrastructure" means any infrastructure, plant or facilities within the Project Area necessary for or in connection with any Project Activities from time to time, including roads and access tracks (including the Project Access Road), wells, bores, pipelines, flowlines, production pads, processing facilities for Petroleum and storage facilities for Petroleum, water and gas, electricity transmission and generation facilities, communication facilities, accommodation and services.

"Project Titles" means any authorisation, permit, title, tenure, licence, lease, easement, certificate, consent or interest that is needed from time to time by the Joint Venture Participants for the development, operation, closure and rehabilitation of the Project or for the construction and operation of any Project Infrastructure.

"Yungngora Country" means the lands and waters within the boundaries of the area in which Native Title was recognised in the Noonkanbah Determination.

### Attachments to the entry

[WI2016\\_011 Schedule 1 Description of agreement area.pdf](#)

[WI2016\\_011 Schedule 1 Maps of agreement area.PDF](#)