



Extract from Register of Indigenous Land Use Agreements

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|--------------------------------|-------------------------------|
| NNTT number | WI2014/002 |
| Short name | Ellendale ILUA |
| ILUA type | Area Agreement |
| Date registered | 18/08/2014 |
| State/territory | Western Australia |
| Local government region | Shire of Derby/West Kimberley |

Description of the area covered by the agreement

Clause 4 of the Agreement describes the Agreement area as the area of land and waters described in Annexure 2.

[A map of the agreement area is contained in Annexure 1. Copies of Annexures 1 and 2 are 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:

Agreement Area covers about 1714 sq km approx. 75 km north west of Fitzroy Crossing.]

Parties to agreement

Applicant

| | |
|------------------------|--|
| Party name | Kimberley Diamond Company NL |
| Contact address | Level 3, Garland House 52 Kings Park Road West Perth WA 6005 |

Other Parties

| | |
|------------------------|--|
| Party name | George Brooking, Kevin Oscar, Isaac Hale, Danny Marr, June Oscar, Mary Aiken, Jimmy Andrews, Patsy Bedford, Patrick Green and Kevin Dann in their capacity as Applicant for and on behalf of themselves and the native title claim group for the Bunuba #2 native title claim (WAD94/2012; WC2012/004) |
| Contact address | c/- Bunuba Inc PO Box 5451 |

Party name J. M. (deceased), R. D. (deceased), B. O. (deceased), B. W. (deceased), B. W. (deceased), A. A. (deceased), Danny Marr and Isaac Hale in their capacity as Applicant for and on behalf of themselves and the native title claim group for the Bunuba #1 native title claim (WAD 6133/1998; WC1999/019)

Contact address c/- Bunuba Inc
PO Box 5451
Cable Beach WA 6726

Party name Bunuba Dawangarri Aboriginal Corporation RNTBC

Contact address Junjuwa Office
Fitzroy Crossing WA 6765

Party name State of Western Australia acting through the Minister for Mines and Petroleum

Contact address Senior Assistant State Solicitor
State Solicitors Office
Level 16, Westralia Square, 141 St Georges Terrace
Perth WA 6000

Party name Blina Minerals NL

Contact address Chairman
Level 4, 66 Kings Park Road
West Perth WA 6005

Period in which the agreement will operate

Start date 23/12/2013

End date not specified

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

5.1 The parties agree to the validating of, to the fullest extent permitted at law, the grant of the Mining Lease (to the extent it was ever invalid).

5.2 The parties agree that to the fullest extent permitted at law, from the Registration Date, the grant of the Mining Lease is valid and is taken always to have been valid.

5.3 For the avoidance of doubt, if the Mining Lease is or may be or becomes at any time after the Registration Date invalid in any respect, the parties intend the Mining Lease to be validated as against the world to the fullest extent permitted at law.

6.1 The parties agree to the validating of, to the fullest extent permitted at law, the grant of all Other Tenements held by a KDC Company:

(a) at the Registration Date; and

(b) after the Registration Date but granted prior to the Registration Date (to the extent such grants were ever invalid).

6.2 The parties agree that to the fullest extent permitted at law, from the Registration Date, the grant of all Other Tenements held by a KDC Company at the Registration Date or any time thereafter are valid and are taken always to have been valid.

6.3 For the avoidance of doubt, if any of those Other Tenements are, may be or become at any time after the Registration Date invalid in any respect, the parties intend the Other Tenements to be validated as against the world to the fullest extent permitted at law.

7.1 The parties consent to, support, and will not object to the grant of Other Tenements to KDC Companies.

7.3 The parties agree that from the Registration Date, Subdivision P of the NTA [Native Title Act 1993 (Cth)] will not apply to the grant of Other Tenements to KDC Companies.

'Other Tenements' means all:

(a) exploration licences, mining leases and other Mining Tenements;

(b) rights to mine;

(c) other rights, titles, permits, licences and privileges of whatsoever nature or description which are appurtenant or ancillary to any of the foregoing or operations thereon, including those sought for the sole purpose of providing infrastructure support or other ancillary support including enabling ingress and egress to and from the Mining Lease or Other Tenements; and

(d) renewals, extensions, variations of, and substitutions for any of the foregoing within the ILUA Area (other than the Mining Lease), including without limitation the tenements detailed in the Schedule of Mining Tenements in the NTCA, which are also listed in Annexure 3 to this agreement.

Attachments to the entry

[WI2014_002 Annexure 1 Map of agreement area.pdf](#)

[WI2014_002 Annexure 2 Written description of agreement area.pdf](#)