

**SCHEDULE 14 – MANAGEMENT AGREEMENT FOR RESERVE 31165**

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THIS AGREEMENT is made the \_\_\_\_\_ day of \_\_\_\_\_ 200

BETWEEN

**THE STATE OF WESTERN AUSTRALIA (*State*)**

and

~~THE MINISTER FOR LANDS~~

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agreed by the Management Body in accordance with the *Land Administration Act 1907*

(WA) and includes the Leases.

**Authority** means Federal, State or local government, government department, instrumentality or authority established by or under the Constitution of the Commonwealth of Australia or the laws of the Commonwealth of Australia, the State of Western Australia or the Territory of Northern Territory.

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Commission of Western Australia, the Miriuwung and Gajerrong #1 (Native Title Prescribed Body Corporate) Aboriginal Corporation, Ben Ward, Kim Aldus, Frank Chulung, Sheba Dignari, Maggie John, Chocolate Thomas, Danny Wallace, Carol

Council Aboriginal Corporation, Consolidated Pastoral Company Pty Ltd, Carlton Hill Pty Ltd, Crosswalk Pty Ltd, Raines River Cattle Co. Pty Ltd, Ord River District

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(k) references to a person or body which has been reconstituted, amalgamated,

and cultural practices observed by the MG People, in a manner not inconsistent with this Agreement, the Management Plan, any Agreed Interest, the Water and Diversion

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**4. MANAGEMENT PRINCIPLES**

The WRC and the MG Corporation, on behalf of the MG People, will jointly manage the Land for the Purpose:

- (a) in accordance with the Management Plan, the *Land Administration Act* 1997 (WA), the *Water and Rivers Commission Act* 1995 (WA) and various written laws; and
- (b) consistently with any Agreed Interest.

**5. MANAGEMENT PLAN**

- (a) The WRC and the MG Corporation will use their best endeavours to ensure that the R31165 Management Committee develop an initial Management Plan consistent with the management principles in clause 4 in respect of the Land and to ensure that a Management Plan is current in respect of the Land at all times during the Term

(b) To develop a Management Plan for Reserve 31165

[REDACTED]

- (i) the WRC must notify the MG Corporation in writing as soon as practicable; and
- (ii) the WRC Proxy Member shall replace the WRC Member on the R31165 Management Committee until the MG Corporation is notified in writing by WRC that the WRC Member has resumed his or her responsibilities as a member of the R31165 Management Committee.

(d) If at any time a WRC Member cannot perform his or her responsibilities as a

[REDACTED]

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- (i) the MG corporation must notify the WRC in writing as soon as practicable of the vacancy;
- (ii) the Dawang Alternative Member shall replace that Dawang Representative Member as a member of the R31165 Management Committee until the WRC is notified by the MG Corporation that a new Dawang

Representative Member has been appointed; and

- (iii) the MG Corporation shall facilitate, as soon as practicable, the appointment of a new Dawang Representative Member by the relevant Dawawang.

(e) If at any time a Dawang Alternative Member cannot perform his or her

responsibilities as a Dawang Alternative Member or vacates their position the MG Corporation shall facilitate as soon as practicable the appointment of a new Dawang Alternative Member by the relevant Dawawang and shall notify the WRC in writing of the appointment.

(f) Prior to the end of each 3 year period, the MG Corporation must facilitate the



~~(c) The Secretary shall keep proper minutes of all meetings of the R31165~~

Management Committee.

**7.4 Procedure at meetings**

- (a) Each R31165 Management Committee member shall have one vote in person at a meeting of the R31165 Management Committee
- (b) The R31165 Management Committee shall adopt such rules and procedures as it considers necessary to enable it to carry out its functions under this Agreement, but subject to the provisions of this Agreement
- (c) ~~The R31165 Management Committee may invite other persons to attend meetings~~

Minister for Lands by either the MG Corporation or the WRC and clause 8.3 applies

**8.3 Referred Business**

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**11. NOTICES**

(a) Notices under this Agreement shall be in writing and may be delivered by hand

(b) Notices shall be deemed to be received:

- (i) in the case of hand delivery, on delivery to the address of the Party set out below or as otherwise notified from time to time;
  - (ii) in the case of pre-paid post, five (5) Business Days after posting; and
  - (iii) in the case of facsimile transmission, upon receipt by the sender of a transmission form indicating successful transmission of the entire facsimile.
- (c) Notices to be given to:
- (i) the MG Corporation shall be addressed to:  
Facsimile No:
  - (ii) the WRC shall be addressed to:  
Facsimile No:

**12. NO PARTNERSHIP ETC**

Nothing in this Agreement shall be taken to constitute a partnership, agency, joint venture or any other form of legal relationship between the Parties by which any Party may bind any other Party or Parties to contracts, agreements, deeds or any other document creating binding legal obligations. Without limiting the foregoing, no Party may enter into any employment contract or contract for the provision of works, materials

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This Agreement was executed by the Parties on the date first hereinbefore appearing.

Signed for and on behalf of the )  
STATE OF WESTERN AUSTRALIA )  
by )  
)

\_\_\_\_\_

THE COMMON SEAL of )  
the WATER AND RIVERS )  
COMMISSION was hereunto )  
affixed by in the presence of : )

\_\_\_\_\_

THE COMMON SEAL of )  
the MINISTER FOR LANDS was hereunto )  
affixed by in the presence of : )

\_\_\_\_\_

THE COMMON SEAL of )  
[MG Corporation] was )  
hereunto affixed by )  
in the presence of : )

\_\_\_\_\_