

For Commissioner of State Revenue
5/11/19
EXEMPT from WA Stamp Duty

STATE OF WESTERN AUSTRALIA

and

WESTERN AUSTRALIAN LAND AUTHORITY

and

CONSERVATION COMMISSION OF WESTERN AUSTRALIA

and

MIRIUWUNG AND GAJERRONG #1 (NATIVE TITLE PRESCRIBED BODY CORPORATE) ABORIGINAL CORPORATION

and

BEN WARD, KIM ALDUS, FRANK CHULUNG, SHEBA DIGNARI, MAGGIE JOHN,
CHOCOLATE THOMAS, DANNY WALLACE, CAROL HAPKE, NANCY DILVAT

PAMELA SIMON, JERRY MOORE AND PADDY CARLTON (MG #4 CLAIMANTS)

and

KIMBERLEY I AND COINCINU ABORIGINAL CORPORATION

(ABN 96 724 252 047)

and

CONSOLIDATED PASTORAL COMPANY PTY LTD (ACN 010 080 654) and
CARLTON HILL PTY LTD (ACN 009 624 159) and CROSSWALK PTY LTD

(ACN 009 448 739)

and

PASTORAL COMPANY PTY LTD (ACN 009 624 159)

THIS DEED is made the

ii
day of

2005

THE PREMIER, and THE MINISTER FOR LANDS a body corporate under section 7 of the *Land Administration Act 1997* (WA), FOR AND ON BEHALF OF THE STATE OF WESTERN AUSTRALIA ("State") care of Office of Native Title, Department of the

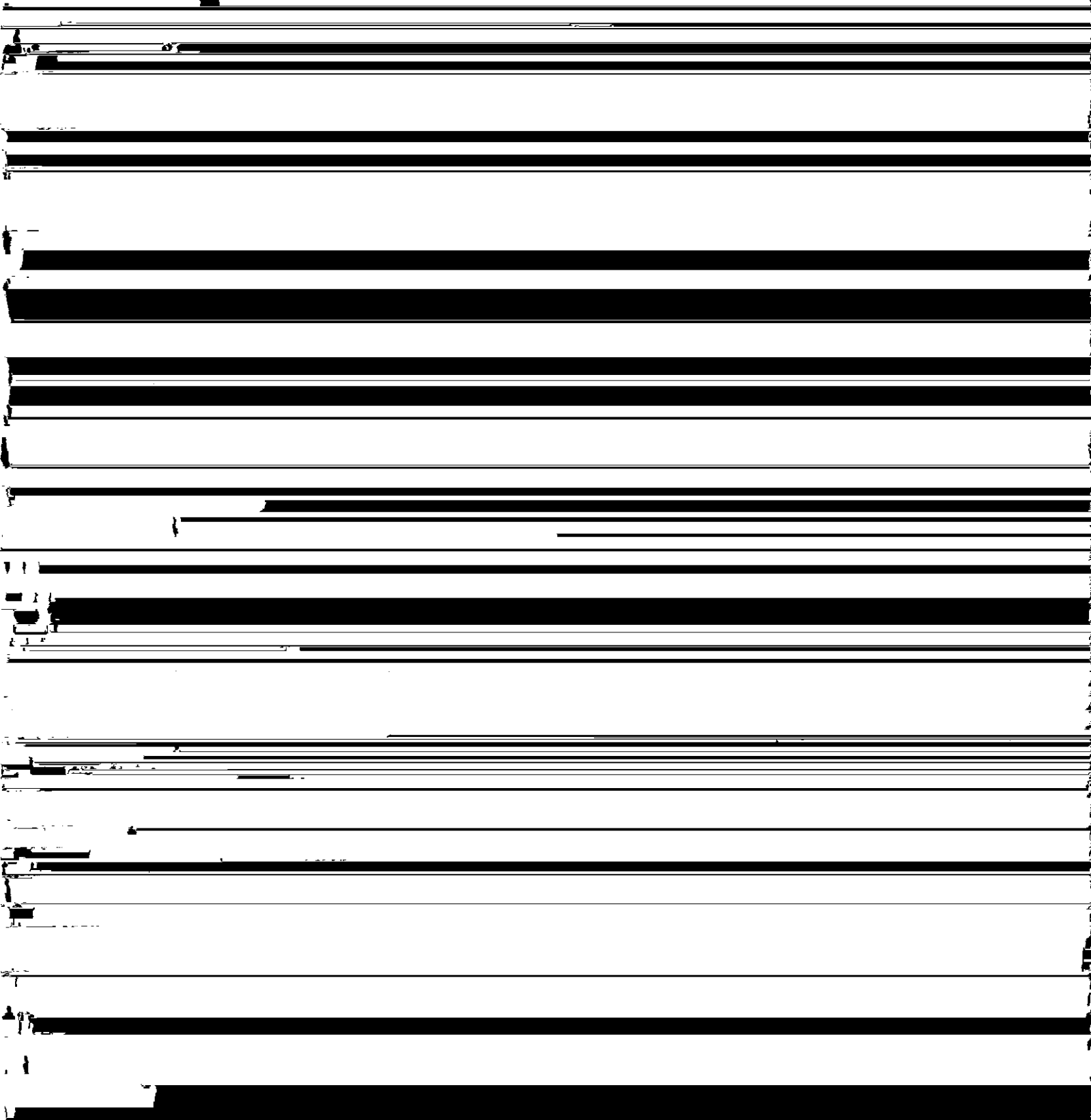
and

WESTERN AUSTRALIAN LAND AUTHORITY (WAL) a body corporate

ORD RIVER DISTRICT COOPERATIVE LTD (ABN 16 026 785 781) of Lot 672 Weaber Plains Road KUNUNURRA WA 6743 **AND J.J.McDONALD AND SONS ENGINEERING PTY LTD** (ABN 30 061 012 691) of 694 Ingham Road BOHLE QLD 4818 together t/a **GREEN SWAMP AGRICULTURE** ("*Green Swamp Parties*")

RECITALS

- A. The Parties have executed the Ord Final Agreement and the Ord Final Agreement Variation #1.



to which the operation of clause 2.2 would result in a Party breaching any term of the Ord Final Agreement.

2.4 The release and waiver in clause 2.3 applies to any matter or thing done prior to the date of this deed and only if such matter or thing was done in compliance with the provisions of the Ord Final Agreement prevailing at the time.

3. REFERENCES

On and from the date of the Ord Final Agreement, any reference in any document (other than this deed) to the Ord Final Agreement is a reference to the Amended and Restated Ord Final Agreement.

4. GOVERNING LAW

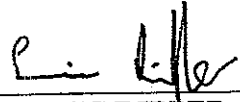
This document is governed by the law in force in [redacted]

5. GENERAL

5.1 Each Party must pay its own expenses incurred in negotiating, executing and registering this deed.

EXECUTED BY THE PARTIES AS A DEED:

SIGNED for and on behalf of THE)
STATE OF WESTERN AUSTRALIA)
by the ACTING PREMIER, the Hon)
ERIC RIPPER, MLA, in the presence of:)



HON ERIC RIPPER, MLA
ACTING PREMIER

cbolt

CHRISTINE MARIA BOLT

Full name of witness (block letters)

22 BARDWELL ST THORNIE WA

Address of witness

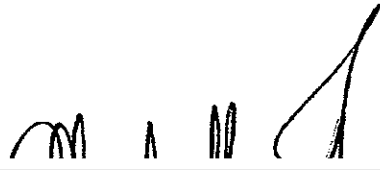
PUBLIC SERVANT

Occupation of witness

14/1/06

Date

The COMMON SEAL was hereunto)
affixed on behalf of THE STATE OF)
WESTERN AUSTRALIA by the)
MINISTER FOR LANDS, a body)
corporate under section 7 of the *Land*)
Administration Act 1907 (WA) in the)

Handwritten signature or initials consisting of several stylized, overlapping strokes.

The COMMON SEAL of the)
WESTERN AUSTRALIAN)
LAND AUTHORITY was)
hereunto affixed in with the)
authority of its Board in the)
presence of:)



R. Holt

CHIEF EXECUTIVE OFFICER

Terry Budge

BOARD MEMBER

ROSS HOLT
Full Name (printed)

TERRY BUDGE
Full Name (printed)


3/2/06
Date

Executed by the)
CONSERVATION)

AUSTRALIA by an authorised)
member in accordance with section)
26AB of the *Conservation and*)
Land Management Act 1984 in the)
presence of:)

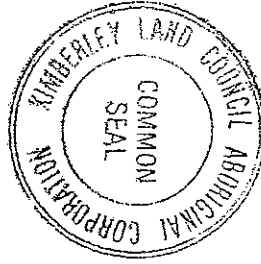

Signature of Witness

WILLIAM MAXWELL BICE CARR


Signature of Authorised Member

JOHN BAILEY
Full Name of Authorised Member
(printed)

The COMMON SEAL of the)
KIMBERLEY LAND COUNCIL)
ABORIGINAL CORPORATION)
was hereunto affixed with the)
authority of its Board in the)
presence of:)



[Handwritten signature]

[Handwritten signature]
BOARD MEMBER

Louise BERGMANN

FRANK SEBASTIAN

The Common Seal of)

GAJERRONG #1 (NATIVE)
TITLE PRESCRIBED BODY)
CORPORATED ABORIGINAL)



[Redacted] Julie M Melbourne

Nancy Dilyai
Full Name of Committee Member

Julie M Melbourne
Full Name of Witness (printed)

Solicitor
Occupation of Witness

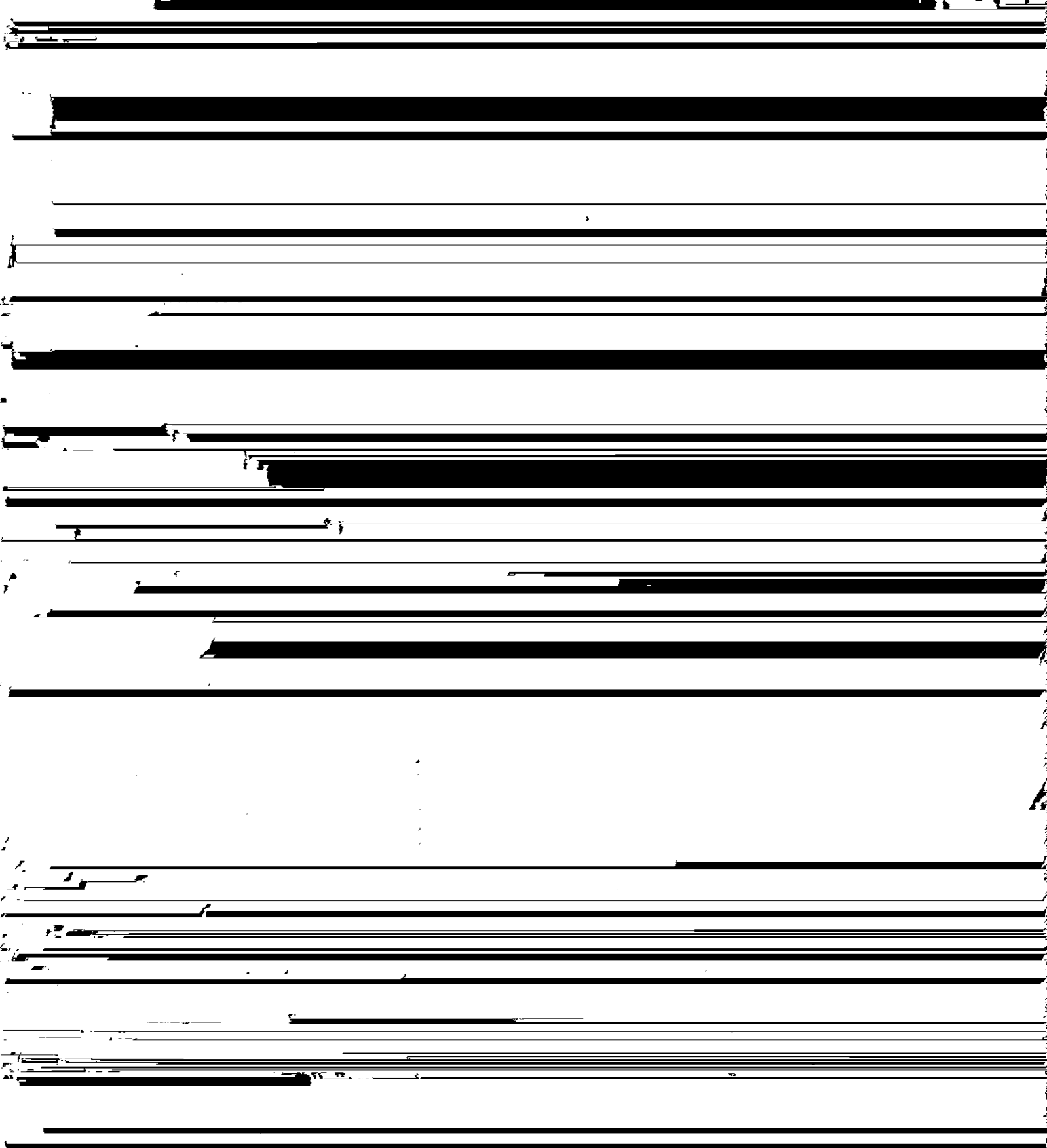
Speargrass Rd, Kununurra
Address of Witness

SIGNED BY THE MG#4 CLAIMANTS

By executing this deed the signatories represented warrant that they are authorised to execute this deed on behalf of the MG#4 Claimants and all persons included in the native title claim group.

Executed by Paddy Carlton for and on behalf of the MG#4 Claimants in the

) *[Handwritten signature]*



Executed by Chocolate Thomas for and on)
behalf of the MG#4 Claimants in the)
presence of:)

Julie M Melbourne
Signature of witness

Julie M Melbourne
Full Name of witness (printed)

Speargrass Rd, Kununurra
Address of witness

Solicitor
Occupation of witness

CHOCOLATE THOMAS
CHOCOLATE THOMAS

Executed by Jerry Moore for and on)
behalf of the MG#4 Claimants in the)
presence of:)

Julie M Melbourne
Signature of witness

Julie M Melbourne
Full Name of witness (printed)

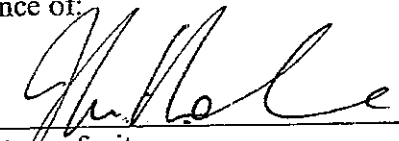
Speargrass Rd, Kununurra
Address of witness

Solicitor
Occupation of witness

Jerry Moore
JERRY MOORE

Executed by Frank Chulung for and on
behalf of the MG#4 Claimants in the
presence of:

)
)
)


Signature of witness


FRANK CHULUNG

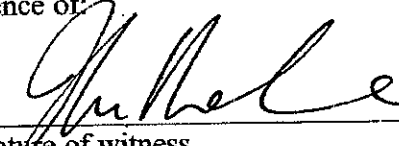
Julie M Melbourne
Full Name of witness (printed)

Speargrass Rd, Kununurra
Address of witness

Solicitor
Occupation of witness

Executed by Nancy Dilyai for and on
behalf of the MG#4 Claimants in the
presence of:

)
)
)


Signature of witness

NANCY DILYAI
NANCY DILYAI

Julie M Melbourne
Full Name of witness (printed)

Speargrass Rd, Kununurra
Address of witness

Solicitor
Occupation of witness

Executed by Sheba Dignari for and on)
behalf of the MG#4 Claimants in the)
presence of:)

[Handwritten signature]

Signature of witness

+

SHEBA DIGNARI

Full Name of witness (printed)

Speargrass Rd, Kununurra

Address of witness

Solicitor

Occupation of witness

Executed by Maggie John for and on)
behalf of the MG#4 Claimants in the)
presence of:)

[Handwritten signature]

Signature of witness

MAGGIE

MAGGIE JOHN

Julie M Melbourne

Full Name of witness (printed)

Speargrass Rd, Kununurra

Address of witness

Solicitor

Occupation of witness

Executed by Pamela Simon for and on
behalf of the MG#4 Claimants in the
presence of:

)
)
)

Julie M Melbourne
Signature of witness

Pamela Simon
PAMELA SIMON

Julie M Melbourne
Full Name of witness (printed)

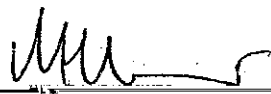
Speargrass Rd, Kununurra
Address of witness

Solicitor
Occupation of witness

Executed by Carol Hanke for and on)

Executed by **CONSOLIDATED**)
PASTORAL COMPANY PTY)
LIMITED (ACN 010 080 654) by)
its attorney who states that at the date)

notice of the revocation of the Power)
of Attorney dated 28 September)
2005 under the authority of which he)
has executed this Deed in the)
presence of)



Witness Signature

Name of Attorney

C. HAWKER

Full Name of Witness

PUBLIC SERVANT

Witness Occupation

Executed by **CARLTON HILL**)
PTY LIMITED (ACN 009 624 159))
by its attorney who states that at the)
date of his execution hereof he has)
had no notice of the revocation of the)

Power of Attorney dated 28)
September 2005 under the authority)
of which he has executed this Deed)
in the presence of)



Witness Signature

CHRISTY HAWKER

Full Name of Witness

PUBLIC SERVANT

Witness Occupation

177 ST. GEORGE'S TCE

Witness Address

18-1-06

Date




Signature of Attorney

MW HUNT

Name of Attorney

Executed by CROSSWALK PTY)
LTD (ACN 009 448 739) by its)
attorney who states that at the date of)
his execution hereof he has had no)

of Attorney dated 28 September)
2005 under the authority of which he)
has executed this Deed in the)
presence of)



Witness Signature

Name of Attorney

CHRISTY HAWKER

Full Name of Witness

PUBLIC SERVANT

Witness Occupation

Executed by BAINES RIVER)
CATTLE COMPANY PTY LTD)
(ACN 009 603 516) by its attorney)
who states that at the date of his)
execution hereof he has had no)

of Attorney dated 28 September)
2005 under the authority of which he)
has executed this Deed in the)

[Handwritten signature]

[Handwritten signature]

Witness Signature

MW HUNT

Name of Attorney

CHRISTY HAWKER

Full Name of Witness

Witness Occupation

177 ST. GEORGET TCE

Witness Address

12.1.06

Date

The Common Seal of ORD RIVER)
DISTRICT CO-OPERATIVE)



[REDACTED]

Executed by **J.J. MCDONALD AND)
SONS ENGINEERING PTY LTD)
(ACN 061 012 691) by its attorney)
who states that at the date of his)
execution hereof he has had no notice)
of the revocation of the Power of)
Attorney dated 29 September 2005)
under the authority of which he has)
executed this Deed in the presence of)**



Witness Signature


Signature of Attorney

CLAYTON BLOOR
Name of Attorney

KARL HILL

Name of Witness

163 VELLGROVE AVE

PARKWOOD, PUBLIC SERVANT

Witness Address & Occupation

7/2/06

Date

