

Dated 2008

CITY OF ARMADALE
CITY OF GOSNELLS
CITY OF SOUTH PERTH
and
CITY OF MANDURAH
SHIRE OF MURRAY
SHIRE OF SERPENTINE-JARRAHDALE
DEED OF AMENDMENT
OF THE
ESTABLISHMENT AGREEMENT
OF THE
SOUTH EAST METROPOLITAN REGIONAL COUNCIL

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DEED OF AMENDMENT

This Deed dated

2008

BETWEEN CITY OF ARMADALE of 7 Orchard Avenue, Armadale, Western Australia, CITY OF GOSNELLS of 2120 Albany Highway, Gosnells, Western Australia, CITY OF SOUTH PERTH of Civic Centre Cnr Sandgate Street and South Terrace South Perth Western Australia (“**the Original Participants**”)

AND CITY OF MANDURAH of 3 Peel Street, Mandurah, Western Australia , SHIRE OF MURRAY of Pinjarra Road, Pinjarra, Western Australia, SHIRE OF SERPENTINE-JARRAHDALÉ of 6 Paterson Street, Mundijong, Western Australia (“**the New Participants**”)

RECITALS

- A. By the First Establishment Agreement, the Original Participants agreed to establish a regional local government named the South East Metropolitan Regional Council.
- B. The Minister approved the First Establishment Agreement and, in the Government Gazette dated 3 July 2001, the Minister declared the establishment of the South East Metropolitan Regional Council pursuant to section 3.61 of the Act.
- C. By the Second Establishment Agreement, the Original Participants agreed to amend the First Establishment Agreement by revoking it and substituting it with the Second Establishment Agreement. The Minister approved the Second Establishment Agreement. Under the Second Establishment Agreement the name continued as the South East Metropolitan Regional Council.
- D. The Original Participants are considering amending the Second Establishment Agreement by revoking it and substituting it with the Third Establishment Agreement. Under the Third Establishment Agreement the name is to be changed to the Rivers Regional Council.
- E. The Original Participants have resolved on the dates referred to in Schedule 1 to enter into this Deed and the New Participants have resolved on the dates referred to in Schedule 2 to enter into this Deed.

OPERATIVE PROVISIONS

1. INTERPRETATION

1.1 Definitions

In this Deed, unless the contrary intention appears:

- (a) **“Third Establishment Agreement”** means an establishment agreement in the form set out in Attachment A to this Deed;
- (b) words and expressions defined in the Third Establishment Agreement have the same meanings where appearing in this Deed.

1.2 Interpretation

The rules of interpretation set out in the Third Establishment Agreement apply to this Deed.

2. AMENDMENT OF THIRD ESTABLISHMENT AGREEMENT

Subject to:

- (a) the Original Participants entering into the Third Establishment Agreement;
- (b) the Minister giving approval to the Third Establishment Agreement,

and, with effect from and including the later of:

- (c) the date on which the Minister gives approval of the Third Establishment Agreement; and
- (d) the date on which the Minister gives approval of this Deed,

the Original Participants agree that the Third Establishment Agreement is taken to be amended to include the New Participants as “Participants” and the New Participants agree to be bound by the Third Establishment Agreement as “Participants”.

SCHEDULE 1

ORIGINAL PARTICIPANT	DATE OF RESOLUTION TO ENTER INTO THIS DEED
CITY OF ARMADALE	17 December 2007
CITY OF GOSNELLS	18 December 2007
CITY OF SOUTH PERTH	26 February 2008

SCHEDULE 2

NEW PARTICIPANT	DATE OF RESOLUTION TO ENTER INTO THIS DEED
CITY OF MANDURAH	15 April 2008
SHIRE OF MURRAY	27 March 2008
SHIRE OF SERPENTINE- JARRAHDALE	25 March 2008

Executed as a Deed.

THE COMMON SEAL of CITY OF)
ARMADALE was hereunto affixed pursuant to a)
resolution of the Council in the presence of:)

Mayor

Chief Executive Officer

THE COMMON SEAL of CITY OF)
GOSNELLS was hereunto affixed pursuant to a)
resolution of the Council in the presence of:)

Mayor

Chief Executive Officer

THE COMMON SEAL of CITY OF SOUTH)
PERTH was hereunto affixed pursuant to a)
resolution of the Council in the presence of:)

Mayor

Chief Executive Officer

THE COMMON SEAL of CITY OF)
MANDURAH was hereunto affixed pursuant to a)
resolution of the Council in the presence of:)

Mayor

Chief Executive Officer

THE COMMON SEAL of SHIRE OF)
MURRAY was hereunto affixed pursuant to a)
resolution of the Council in the presence of:)

Shire President

Chief Executive Officer

THE COMMON SEAL of SHIRE OF)
SERPENTINE-JARRAHDAL was hereunto)
affixed pursuant to a resolution of the Council in)
the presence of:)

Shire President

Chief Executive Officer

Approved

Ljiljana Ravlich MLC
Minister for Local Government

_____ 2008