

Dated **2009**

CITY OF ARMADALE
CITY OF GOSNELLS
CITY OF SOUTH PERTH
CITY OF MANDURAH
SHIRE OF MURRAY
SHIRE OF SERPENTINE-JARRAHDALE

and

SHIRE OF WAROONA

DEED OF AMENDMENT
OF THE
ESTABLISHMENT AGREEMENT
OF THE
RIVERS REGIONAL COUNCIL

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DEED OF AMENDMENT

This Deed dated

2009

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

AND SHIRE OF WAROONA of 52 Hesse Street, Waroona, Western Australia (“**the New Participant**”)

RECITALS

- A. By the First Establishment Agreement, City of Armadale, City of Gosnells and City of South Perth 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, City of Armadale, City of Gosnells and City of South Perth 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. By the Third Establishment Agreement, City of Armadale, City of Gosnells and City of South Perth agreed to amend the Second Establishment Agreement by revoking it and substituting it with the Third Establishment Agreement. The Minister approved the Third Establishment Agreement. Under the Third Establishment Agreement the name was changed to the Rivers Regional Council.
- E. By the Deed of Amendment:
 - (a) City of Armadale, City of Gosnells and City of South Perth agreed to amend the Third Establishment Agreement to include City of Mandurah, Shire of Murray and Shire of Serpentine-Jarrahdale as “Participants”; and
 - (b) City of Mandurah, Shire of Murray and Shire of Serpentine-Jarrahdale agreed to be bound by the Third Establishment Agreement as “Participants”.

The Minister approved the Deed of Amendment.

- F. The Participants have resolved on the dates referred to in Schedule 1 to enter into this Deed and the New Participant has resolved on the date 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) **“Deed of Amendment”** means the deed of amendment undated but stamped 9 October 2008 and approved by the Minister on 6 June 2008 between City of Armadale, City of Gosnells and City of South Perth as “the Original Participants” and City of Mandurah, Shire of Murray and Shire of Serpentine-Jarrahdale as “the New Participants”;
- (b) **“Third Establishment Agreement”** means the establishment agreement between City of Armadale, City of Gosnells and City of South Perth undated but stamped 29 October 2008 and approved by the Minister on 6 June 2008;
- (c) 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

The Participants agree that the Third Establishment Agreement is taken to be amended to include the New Participant as one of the “Participants” and the New Participant agrees to be bound by the Third Establishment Agreement as one of the “Participants”.

SCHEDULE 1

Original Participant	Date Of Resolution To Enter Into This Deed
City of Armadale	
City of Gosnells	
City of South Perth	
City of Mandurah	
Shire of Murray	
Shire of Serpentine-Jarrahdale	

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SCHEDULE 2

New Participant	Date Of Resolution To Enter Into This Deed
Shire of Waroona	

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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-JARRAHDALE 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)
WAROONA was hereunto affixed pursuant to a)
resolution of the Council in the presence of:)

Shire President

Chief Executive Officer

Approved

John Castrilli MLC
Minister for Local Government

2009

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CARRIED 10/0