



Hon John Carey MLA
Minister for Housing; Lands; Homelessness; Local Government

Our Ref: 78-03202/15

Mr John McNally
 Chief Executive Officer
 Rivers Regional Council
 Email: jmcnally@rrc.wa.gov.au

Dear Mr McNally

Thank you for your email to my office dated 8 September 2022 regarding the proposal to replace the Rivers Regional Council (RRC) with a regional subsidiary. I refer also to the application dated 9 June 2021, and my initial response to you dated 30 November 2021.

I would like to recognise and thank you for your engagement with the Department of Local Government, Sport and Cultural Industries (DLGSC) and my office in relation to the RRC's proposal.

I would also like to thank you for your engagement and assistance in working through the complexity of the proposal, and in RRC working to revise the draft charter.

Now that a final draft charter has been prepared, all participating local governments are required to pass a resolution by absolute majority to adopt the charter, before it can be formally submitted for approval.

Regarding the Deed of Dissolution, there is no requirement for this to be signed by the Minister for Local Government. The Rivers Regional Council can be wound up and dissolved by its participating local governments in accordance with its Charter.

If the RRC wishes for the subsidiary to exist after a particular date or have its creation delayed, please include this in the final resolutions.

I am also mindful that, as the RRC is a regional local government, it currently exists as an independent legal entity. As a result, additional steps may need to be taken to officially wind up the RRC and transfer any surplus assets either to the subsidiary or back to the RRC's member councils.

Any consequential winding up of the RRC or transfer of the assets needs to be carried out by the relevant parties in accordance with the terms of the RRC's establishment agreement and any subsequent agreements.

You may wish to seek legal advice to assist with this transition.

If you have any queries, please feel free to contact Mr Liam O'Neill, Principal Strategy Officer at the DLGSC, by telephone on (08) 6552 1442 or via email to liam.oneill@dlgsc.wa.gov.au.

Yours sincerely



HON JOHN CAREY MLA
MINISTER FOR LOCAL GOVERNMENT

20 DEC 2022