DEED OF MUTUAL TERMINATION AND RELEASE

THIS DEED is made the day of 2021

PARTIES:

BETWEEN: LITHGOW CITY COUNCIL (ABN 59 986 092 492) of Council Chambers, 180

Mort Street, Lithgow in the State of New South Wales ("Council")

AND: WALLERAWANG INDOOR SPORTS ASSOCIATION INC. (ABN 42 954 842

448) of Wallerawang Indoor Sports Centre, Barton Avenue, Wallerawang in the

State of New South Wales ("WISA")

BACKGROUND

A. On 1 June 2005 Council and WISA entered a lease of premises identified therein as "Wallerawang Indoor Sports Stadium and Netball Courts" situate at Barton Avenue, Wallerawang ("Premises"), for a term of 6 months and thereafter holding over monthly ("Lease"). A copy of the Lease is annexed hereto and marked "A".

- B. On 1 June 2005 Council and WISA entered a deed, which provided that upon registration of the plan of subdivision referred to therein, the parties would enter a lease of the Premises for a term of 10 years with one option term of 10 years ("Agreement for Lease"). A copy of the Deed is annexed hereto and marked "B",
- C. On 14 December 2016 Council entered a Joint Use and Management Agreement with the Minister for Education for a term of 20 years commencing 1 November 2003 with one option term of 20 years. The Agreement makes provision for use of the Premises by Wallerawang Public School during certain times, and use and management of the Premises by WISA ("Agreement").
- D. The parties wish to mutually terminate the Lease and Agreement for Lease, on the terms and conditions set out in this Deed, and simultaneously enter a Licence Agreement for the use and management of the Premises, to ensure that such Licence Agreement can operate concurrently with the Agreement referred to in Recital C.

THE PARTIES AGREE AS FOLLOWS:

- 1. In consideration for the mutual termination of the Lease and Agreement for Lease, the parties:
 - (a) release each other from all obligations to be observed and performed under the Lease and Agreement for Lease from this day forward; and

(b) release each other from all actions, suits, causes, debts, claims, costs, demands or proceedings whatsoever in law or equity which each party may have or could have against each other by reason of or arising from the Lease or the Agreement for Lease, but for this Deed.

EXECUTED as a Deed.

EXECUTED by WALLERAWANG INDOOR SPORTS ASSOCIATION INC. (ABN 42 954 842 448) by its duly)))
authorised officer in the presence of:	Authorised officer
	Signature of Authorised Officer
	Name: Name:
	name.
Witness	
Name:	
Address:	
EXECUTED by LITHGOW CITY COUNCIL (ABN 59 986 092 492) by its duly authorised officer in the presence of:	
	General Manager
Witness	
Name:	
Address:	

DATE 2021

Between

WALLERAWANG INDOOR SPORTS ASSOCIATION INC. (ABN 42 954 842 448)

and

LITHGOW CITY COUNCIL (ABN 59 986 092 492)

DEED OF MUTUAL TERMINATION AND RELEASE

Lithgow City Council 180 Mort Street

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