

MINUTES

SEARTG

BOARD MEETING 5 MARCH 2013

**SOUTH EAST AVON REGIONAL TRANSITION GROUP
(S E A R T G)**

MINUTES

MEETING OF BOARD MEMBERS

SHIRE OF TAMMIN – ADMINISTRATION CENTRE
9:30AM TUESDAY, 5 MARCH 2013

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

1.1 Opening

1.2 Announcement of Visitors

Invitations were extended to:

- Cr Mel Congerton – Chairperson Local Government Advisory Board.
- Mr Ross Earnshaw – Manager Reform Implementation, Department of Local Government.
- Ms Caroline Tuthill - Senior Project Officer, Department of Local Government.
- Mr Tony Brown – Executive Manager, Governance and Strategy – Western Australian Local Government Association.
- Ms Joanne Burges – Regional Cooperation Manager, Western Australian Local Government Association.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

2.1 Present

Shire of Cunderdin	- Cr R Carter	- President (Late)
Shire of Cunderdin	- Cr G Cooper	- Councillor
Shire of Cunderdin	- Mr P Naylor	- Chief Executive Officer

Shire of Quairading	- Cr D Richards	- President (Chairman)
Shire of Quairading	- Cr B Caporn	- Councillor
Shire of Quairading	- Cr W Davies	- Councillor
Shire of Quairading	- Mr G Fardon	- Chief Executive Officer
Shire of Tammin	- Cr S Uppill	- President
Shire of Tammin	- Mr I Bodill	- Chief Executive Officer
Shire of York	- Cr T Boyle	- President
Shire of York	- Cr D Smythe	- Councillor
Shire of York	- Cr M Duperouzel	- Councillor
Shire of York	- Cr P Hooper	- Councillor
Shire of York	- Mr R Hooper	- Chief Executive Officer
Shire of York	- Ms T Cochrane	- Deputy Chief Executive Officer
Western Australian Local Government Association	- Ms J Burges	- Regional Cooperation Manager
Dominic Carbone and Associates (DCA)	- Mr D Carbone	- Executive Officer

2.2 Apologies

Shire of Quairading	- Cr G Anderson	- Councillor
Shire of York	- Cr R Scott	- Deputy President
Shire of York	- Cr B Lawrence	- Councillor
Department of Local Government	- Ms C Tuthill	- Senior Project Officer
Western Australian Local Government Association	- Mr T Brown	- Executive Manager – Governance and Strategy

2.3 Leave of Absence

Nil.

3. DEPUTATIONS/PRESENTATIONS

3.1 Deputations

Nil.

3.2 Presentations

The Chairman advised that the Chairperson of the Local Government Advisory Board, Cr Mel Congerton, and the Department of Local Governments' Manager Reform Implementation, Mr Ross Earnshaw, will make a presentation at 10:00am.

4. CONFIRMATION OF MINUTES

4.1 South East Avon Regional Transition Group Board Meeting held at the Shire of Quairading Lesser Hall on Tuesday, 11 December 2012.

The Chairman sought comment from Participants in relation to the Minutes presented, whilst advising that the query attributed to him on page 5 was incorrect, as he was not at the meeting. Following general discussion, it was determined that page 5 should read "*following Cr G Anderson's query regarding . . .*" and not "*Cr D Richards' query*" as shown.

The Chairman drew attention to page 12 of the Minutes, in particular the dot point which reads "*sharing between York and Beverly – proposal for the new entity to take over administration and coordination of the service (subject to negotiation with Beverley)*". Mr G Fardon and Mr R Hooper advised that this related to the Community Emergency Services Management (CESM).

With the above correction, it was then:

MOVED Cr T Boyle, Seconded Cr R Carter, that the Minutes of the South East Avon Regional Transition Group Board Meeting, held at the Shire of Quairading Lesser Hall on Tuesday, 11 December 2012, be received.

CARRIED UNANIMOUSLY

Business Arising from Minutes

The Chairman called for business arising from the Minutes, with no items being raised.

5. ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

6. REPORTS

RTG-001-13 STATUS REPORT – OUTSTANDING BUSINESS FROM THE SOUTH EAST AVON REGIONAL TRANSITION GROUP (SEARTG) BOARD MEETINGS (File: rtg001-13)

The Executive Officer advised that this item of business detailed action taken, with comment on the following:

- Memorandum of Understanding (MOU) - direction required from the Board as to whether they wish to pursue the MOU.
- Questions raised on the appointment of Commissioners.
- Whilst Sections 2.30, 9.62 and 9.65 of the Act allows for postponement of an election date, the Department is of the view that such postponement is for a short one or two week period only.
- Suggestion that Commissioners be appointed in December 2013, with an election process to follow shortly after.
- Despite the resources and time required, there is no alternative.

Following a query by Cr T Boyle, the Executive Officer confirmed that elections would be held in the October, with Commissioners appointed in December, making for a very short elected term. Further, that this was the legal requirement without alternative.

The Executive Officer suggested that the aim would be for the Board to complete their enquiries before the election, Orders then to be given, and Commissioners appointed. This would be the best scenario, however unlikely as the time line in relation to the inquiry will go beyond the 2013 election.

Cr P Hooper queried if the Minister had any discretionary powers in this regard, with the Executive Officer advising that there was not.

Following Mr I Bodill's query, the Executive Officer advised that it would be "*business as usual*", with the full understanding that Members elected at the next election will not be there for the full term.

Cr T Boyle queried what would happen if three seats became vacant at the next election, and the newly elected members oppose amalgamation. The Executive Officer advised that the process was underway and in the hands of the Advisory Board. Further, that the question for each Participating Local Government is the outcome of the poll, and whether the new Councillors would campaign for a “no” vote.

Cr M Duperouzel queried if the inquiry was not to be complete prior to the October election, would it be completed prior to caretaker mode at the end of the year. The Executive Officer suggested that the Advisory Board representatives would be able to provide a better guide on timelines during their presentation at 10:00am.

General comment was then provided by Cr G Cooper and Mr G Fardon.

Following Cr W Davies’ query, the Executive Officer indicated that the poll was unlikely to occur pre-election. The Chairman then advised that the matter will be presented to the Advisory Board on 4 April 2013, and will take 26 to 33 weeks for a determination to be made. This would put the Group well past commencement of the election process.

Ms J Burges stated that even though the process may take 26-33 weeks, the poll should occur early in the process rather than at the end. This would provide knowledge of the poll outcome prior to the local government elections.

The Chairman provided comment on timing of presentation to the Board on 4 April 2013 being one month after the State election, then invited the Executive Officer to continue his comment in relation to this item of business.

The Executive Officer advised that all other matters raised had been addressed.

It was then:

MOVED Cr S Uppill, Seconded Cr T Boyle, that Report No RTG-001-13 – Status Report – Outstanding Business from SEARTG Board Meetings, be received.

CARRIED UNANIMOUSLY

RTG-002-13	CONFIRMATION OF FUNDING FOR THE PROPOSED AMALGAMATION (File: rtg002-13)
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The Chairman drew attention to this item of business, providing comment on the following:

- Discussions have been held with the Department.
- Correspondence received confirming the way funding will be provided to the Group.
- Funding to be provided in three instalments, namely:
 - Instalment 1 - \$295,000 Pre-release.
 - Instalment 2 - \$1.5M in 2013/2013.
 - Instalment 3 - \$1.1M in 2014/2014.
- Additional transitional funds may be applied for.
- Important that the Group determines what work is to be done during the Advisory Board inquiry, utilising the pre-release funding,
- Page 4 of the Notice Paper details those matters considered to be of importance in this regard.

Cr P Hooper drew attention to the third listed item on page 4 of the Notice Paper, querying the purchase and expense of signage. The Executive Officer advised as follows:

- Transitional costs made provision for signage.
- Signage would be undertaken later in the process, namely following the result of recommendations to the Minister.
- Items listed on page 4 of the Notice Paper are the preliminary works to be undertaken during the inquiry.
- Important that the Group determines a new “name” and informs the Advisory Board in this regard.

Cr P Hooper queried appointment of a Project Manager, and the appointee undertaking those works detailed, with the Executive Officer advising that appointment of a Project Management Officer was listed at item 7 on page 4.

Following Cr G Cooper’s query, the Executive Officer advised that should amalgamation not occur, pre-release funds expended do not have to be refunded. Cr G Cooper then suggested that the Group move expediently to undertake the required works, in particular information technology and common operation platform, as these can be utilised with or without amalgamation. The Executive Officer advised that both these items were listed, however required development by the appointed Project Management Officer.

Mr R Hooper suggested that with new Councillors present, it would be pertinent for the Executive Officer to provide an overview of where the Group is at with the structural reform process. Further, suggesting the need to detail completion of corporate plans by 30 June 2013, asset management plans, integrated planning, workforce plan, work already complete, funding allocated, and inclusion of such plans to one merged document.

The Executive Officer then provided comment on the following:

- Asset Manage Plans:
 - Building Structures – distributed to Participating Local Governments.
 - Roads - – in draft form and ready for distribution (with the exception of Tammin – data required for finalisation).
 - Asset Management Plan project to be finalised within coming month.
- Long Term Financial Plans:
 - Confirmed visits to each Participating Local Government in March 2013 to undertake Long Term Financial planning.
 - Process involves a detailed 10 Year Financial Plan.
 - Anticipated completion of Long Term Financial Plans by end of March/early April 2013.
 - This Plan provides for the Budget, Corporate Business Plan, Long Term Financial Plan, and Annual Financial Statements, whilst ensuring compliance with financial and statutory requirements.
- Strategic Community Plans:
 - Plans have been completed.
 - Aspirations detailed in these Plans will be incorporated into the Long Term Financial Plan.
- Workforce Plan:
 - Workforce planning is being undertaken by separate consultants for each Participating Local Government.
- Corporate Business Plan:
 - This Plan is a four year plan, and incorporates the Long Term Financial Plan, the Strategic Community Plan, and Asset Management Plans.
 - The first four years of the Long Term Financial Plan are included in the Corporate Business Plan.
 - No funds currently released for this Plan with need to query the Department on funding, and determination made on when works will be undertaken.
 - Statutory requirement that this Plan is finalised by 1 July 2013, which is a tight timeframe.

Mr R Hooper advised his understanding was that the Corporate Business Plan was to be completed by 1 July 2013, will be presented to parliament, and has a one year implementation period before the respective local government is measured against the Plan. Further, that this Group sits in the top one third of the State in this regard.

The Executive Officer provided a comparison on preparation of the Boyup Brook Corporate Business Plan which was nearing completion.

PRESENTATION

With the agreement of Participants, the Meeting stood adjourned at this point, with the Chairman taking the opportunity of introducing Cr Mel Congerton, Chairperson Local Government Advisory Board, and Mr Ross Earnshaw, Manager Reform Implementation Department of Local Government, who had just entered the meeting.

On resumption of the meeting with the same attendees present, the Chairman formally welcomed Cr Mel Congerton and Mr Ross Earnshaw, whilst drawing attention to the presentation copy provided. The Chairman then invited Cr M Congerton to commence the presentation.

The presentation by Cr M Congerton and Mr R Earnshaw, detailed the following points:

- Thanks were extended to the Group for the opportunity to visit and speak on the amalgamation process and timelines, etc.
- Presentation will run off the hard notes provided.
- Primarily Mr R Earnshaw and his department drive the internal mechanism of the amalgamation process.
- Preference is for an informal discussion with the Group.
- Documentation provided details “Amalgamation Inquiry Dealing with a Proposal”.
- The Advisory Board can receive a proposal for amalgamation from elected local governments; the Board cannot initiate the proposal.
- What has been enacted is a request to amalgamate, not by the Board or the Government.
- Amalgamations are not initiated by the Minister or State government.
- The Board’s deliberation process will take from 26 to 33 weeks.

Cr M Congerton then called for questions relating to the timeframe, summarised as follows:

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| Chairman | <ul style="list-style-type: none">• Queried presentation to the Advisory Board on 4 April 2013. |
| Mr R Earnshaw | <ul style="list-style-type: none">• On receipt, an Issues Paper is prepared on the proposal, which entails a significant amount of work.• The Issues Paper is an overview of the business plan, rating study, and the future plan, and details what has happened to date, the evolution of the Regional Transition Group (RTG), period of time the RTG has been in place, and involvement of each local government.• An Issues Paper can be anywhere from 2 to 15 pages. |

- The Issues Paper for this proposal will be finalised in preparation for the meeting on 4 April 2013.
 - The Board will consider the proposal at the 4 April 2013 meeting, and resolve action, eg commence with a formal inquiry into the proposal.
- Mr G Fardon
- Queried if the 4 April 2013 was the first available Board meeting.
- Mr R Earnshaw
- Confirmed that this was the case.
- Cr R Carter
- Queried the need for an extended period for the Board to review the documentation provided given the level of research and preparatory work completed to date.
- Mr R Earnshaw
- There is a need to ensure that the information provided to the Board is compliant with legislative requirements, namely Schedule 2.1 of the Local Government Act.
 - Board Members will not have seen the detail or been privy to the development of the Business Plan prior to this point.
 - The Issues Paper brings the Board up to speed and assists them with the decision making process.
- Cr M Congerton
- It is important to understand that once the documentation is received, there is a process to ensure the authenticity of the information.
 - Need to ensure no fabrication, and nothing omitted inadvertently or otherwise.
 - Have had experiences where on requesting financial information, the process has been stymied,
 - No suggestion of such issues in this instance, however process still needs to be followed.
 - The timelines can reduce marginally, dependent on the information provided, whilst keeping in mind the volume of work involved.
- Cr R Carter
- Considered that this Group's Business Plan is the most documented and researched to date.
 - Provides comment on the cumbersome workload, and need to progress with the process.

- Mr R Earnshaw
- Unfortunately there is no alternative to the timelines advised.
- Cr P Hooper
- Commented on the 26-33 week period following the 4 April 2013 Board meeting sitting close to the local government elections.
 - Raised concerns on the expense of running an election, only to have those elected members appointed for a short period of time, which will be a waste of money.
- Cr M Congerton
- It is a difficult situation.
 - Statutory requirements must be adhered to.
 - Section 4.7 of the Local Government Act allows for deferment of elections under certain circumstances.
 - Deferment is only permitted to the fourth Saturday in November.
 - The invocation of Section 9.62 may have permitted a change to the situation if an Order to Amalgamate had occurred pre-election, however can only be enacted if that Order is already in train.
 - The timing, which is unfortunate, will not allow this to happen prior to the election. In effect, this Group are locked into the October elections, with the need to expend the time and money to do so for the short term results.
- Mr R Hooper
- Timing does not work in with preparation of the 2013 electoral roll.
 - The 2011 electoral roll will need to be used to conduct a poll.
 - Commented on the need to call for nominations for the 2013 elections 76 days prior.
- Mr R Earnshaw
- Provided clarification that the 2013 elections will be conducted within the confines of Division 4 of the Act, namely the Electoral Provisions, in order to update the electoral roll.
- Mr R Hooper
- Comment on there being eleven weeks until advice is required on the provisions for a poll.

- Mr R Earnshaw
- Timeframe is fixed and does not take into account when these actions might occur.
 - Under the circumstances, the Group will have to go through with the elections.
 - Should the new local government be established on 1 July 2014, the election will need to be held within 12 months.
 - Issues associated with appointment of Commissioners and timing of such appointment.

- Mr R Hooper
- Commented on the use of a separate roll for the poll, as the poll will not occur on the same day as the local government election.
 - Inability to close rolls any earlier than the Act allows, given the need to provide this to candidates.
 - Short period between the two respective required rolls.

- Mr R Earnshaw
- “Caught between a rock and a hard place” under the circumstances.
 - If things had happened earlier, and the Group were locked into establishment of the new entity on 1 July 2013, things would have been smoother but this is not the case.

Cr M Congerton advised that he will not go through the presentation section dealing with those items already addressed by the Group, then called for questions from the floor on the inquiry process.

- Mr R Hooper
- Queried definition of the statement “other stakeholders if required”.

- Mr R Earnshaw
- “Other stakeholders” may include the Development Commission for example.
 - Other stakeholders are not considered significant in regional areas as opposed to the larger metropolitan local governments.
 - Requirement within the Act that anyone that wishes to have a private hearing with the Board is entitled to do so, eg ratepayer groups or individuals.

- Cr M Congerton
- Provided example of Mullewa where the Geraldton Port Authority was spoken with, as were Oakajee Port and Rail.
 - Smaller groups and individuals will have the opportunity through the inquiry process to make presentation to the Board.

- Cr D Smythe
- Queried voting numbers provided.
- Mr R Earnshaw
- Numbers provided are the minimum required.
 - The vote needs to be a majority of the total number voting.
- Cr P Hooper
- Queried the timeframe for electors to request a poll.
- Mr R Earnshaw
- There is a four week period for interested parties to formalise their request for a poll following the Board's publication of a "poll notice".
 - The request must be presented to the Minister.
 - The request is then audited for validity, if valid it constitutes a poll and the necessary poll process is commenced.
 - The Western Australian Electoral Commission (WAEC) will be appointed, or somebody approved by the WAEC to run the pool.
 - The poll can be taken in person or postal.
 - The local government is responsible for the cost of the poll.
- Cr T Boyle
- Queried if all four Participating Local Governments would go to the poll on the same day.
- Mr R Earnshaw
- Timing of the polls would be determined in conjunction with the WAEC.
 - It is probable, and preferable, that the four would occur on the same day.
 - One majority no vote will cease the process.
- Cr T Boyle
- Queried the polls being conducted one at a time to eliminate the expense on others should there be a majority no vote registered.
- Executive Officer
- Clarified that a poll only occurs when there is a valid request for a poll.
 - Should there be no request from Tammin for example, there would be no poll in Tammin.
 - Only those local governments where there has been a valid request will go to a poll.

- Mr R Earnshaw
- Confirmed that the need for a poll is “elector driven”.
- Cr M Congerton
- Clarified that if there is a poll requested by one local government, then that is the one that goes to the poll, not every local government.
 - Confirmed that the local government will determine whether the poll is in person or postal, and that the poll will be overseen by the WAEC, or someone approved by the WAEC.
- Cr R Carter
- Queried if in the event that one local government registers a no vote at the poll, is the Group obliged to start the process again.
- Cr M Congerton
- Advised that this scenario had occurred with another group, and the answer was yes, the process needs to commence again.
- Cr R Carter
- Queried the ability to shortcut the process.
- Mr R Earnshaw
- Advised that it is up to the remaining local governments to lodge another proposal to the Advisory Board.
 - Existing documentation can be revised for this purpose.
 - Timing is up to the local governments involved.
 - Process timing cannot be changed, as this is bound within legislative requirements.
- Mr G Fardon
- Suggested that if the process falls over as a result of the poll, there would be a further twelve months required to undertake the required work.
- Cr M Duperouzel
- Considers it inappropriate for polls to be conducted on different days, as this would allow people to await the outcome of one poll before voting.
 - Believes all polls should be conducted on the same day.
- Mr M Earnshaw
- Highly unlikely that polls will be conducted on separate days.

- Mr I Bodill • Queries allocated funding should one local government withdraw from the process.
- Mr M Earnshaw • This is a matter for negotiation with the Minister.
- Executive Officer • Clarifies that \$2.95M is allocated to the current SEARTG Group.
 - The pre-release funds can be spent whilst the Board conducts its inquiry.
 - The remaining funds will not be released until after the poll.
- Cr W Davies • Queried if the poll will be held around the Federal election.
- Mr R Earnshaw • Difficult to say.
- Cr W Davies • Suggested it may be pertinent to hold the poll and Federal election on the same day.
- Mr R Earnshaw • It is up to the Electoral Commission to determine its workload, given State and Federal elections.
 - If a poll is invoked, it is over to the Electoral Commission.
- Mr R Hooper • Provided comment in relation to the holding of a poll on the same day as the Federal election; compulsory voting, and additional counting required.
 - Suggested that a poll will either be brought forward, or held back until after the Federal election.
 - Comment provided in relation to the Act and the smallest local government anticipating an amalgamation can control the process.
 - Provided examples of Westonia, Southern Cross, Cuballing, and others, and voting in their respective polls.
- Cr M Congerton • Board has requested that the Department revisit the poll provisions, however does not see this happening in this period.
 - The poll provision is considered inadequate in its delivery, as it should require on an amalgamation such as a four, that a poll is opened across the board.
 - This would negate the ability of a small local government rolling the process after a long period of deliberation.
 - Regretfully there is no change in the poll at this point.

- Chairman
- Queried the formulation of the poll question.
- Mr R Earnshaw
- The Department will formulate a “yes” and “no” case.
 - An example will be provided to the Group for distribution.
 - The “case” helps electors formulate a mental picture of the pros and cons of voting.
- Cr M Congerton
- The reasoning for the Board putting proposals forward for the voting mechanism is to eliminate bias.
 - It is important to understand that the Board is an independent body, and is not directed by the Minister or any other authority.
- Mr R Hooper
- Queried how the Board would deal with a community group who continually request community meetings and the like to hold up the process.
- Cr M Congerton
- Submission timelines will prevent this occurring.
 - All forms of contact, whether meeting privately, publicly, written or verbal, all would be treated the same, with the same deadline.
- Mr R Earnshaw
- The Board has the discretion, if it wants to, to accept a late submission.
 - Generally speaking it will not, but it does have that discretion.
- Cr M Congerton
- In my term as Chair, there has not been the acceptance of a late submission.
- Mr R Hooper
- Queried whether it was envisaged that the Act will change to provide for “*four into one*” or “*that three can still be done into one*”.
- Mr R Earnshaw
- Suggested that this was a question for the Minister.
 - Currently it allows one local government to roll the entire process.
 - This can also be driven by one small community group, or one Councillor driving it.

- Cr P Hooper
- Queried submission format, namely verbal or written.
- Mr M Earnshaw
- If a private hearing with the Board is requested, the Board will take notes which will then be treated as a submission.
 - If you wish to submit something in writing, that is equally acceptable.
- Cr M Congerton
- At public hearings, those who advise they are opposed, have their name, locality and details recorded, and this forms part of the submission.
 - Such details are not included in a published document, however form part of the information provided to the Board.
- Cr W Davies
- Provided comment on there being five as part of the process some months ago, and the transition from five to four not being an issue for the Group.
 - Does not believe there would be an issue if the current Group went from four to three.
- Cr G Cooper
- Advised that this was a different scenario as the Shire of Beverley withdrew from the process before submission to the Board.
- Mr G Fardon
- Queried if the Board will liaise with the Group to verify any information raised in submissions in order to debunk some statements made.
- Cr M Congerton
- A lot of questions received from the public are a result of hearsay.
 - Questions raised include: “*will my number plate change*” – a licensing matter nothing to do with local government or the Department; “*will my telco change to somebody else, will I not get Telstra*”; “*will my power bills change*”; “*will my dog registration change*”; “*I never got enough information*”; “*what meeting*”.
 - The majority of people will have receive distributed information, with a small percentage not, such as absentee landlords.
 - There will be some vocal parties.
 - Opportunities will be offered to Presidents and Chief Executive Officers to respond to queries and concerns, which generally removes any small agitations raised.

- Mr G Fardon
- Queried feedback on correct information.
- Mr M Earnshaw
- Comment is not necessarily sought in relation to written submissions, as they are checked against the documentation and information obtained.
 - Anything raised at public meetings that the Board is unable to answer will be referred to the local government concerned for response. This is considered a good mechanism.
- Mr R Hooper
- Raised concerns on the same question being asked, particularly in relation to financial matters, because they didn't like the answer.
 - Such questions are now being raised in each location.
 - Queried how the Board deals with such matters of non-acceptance.
- Mr M Earnshaw
- The bottom line is that with public submissions everyone is entitled to their opinion, whether right or wrong.
 - The Board is required to assess each submission received, and can dispel many of the arguments from the information and documentation to hand.
- Mr R Hooper
- Clarified that this puts the workload back on the Board rather than the Chief Executive Officers.
- Cr M Congerton
- The Board will note that the question or statement is invalid if it determines as such.
 - If the question or statement is deemed valid, the Department may defer to the local government for additional information.
 - Generally those constant letters or submission in the same type face etc which appear to be driven by one party are recognised, with the documentation and information to hand verifying the level of correctness.
- Mr M Earnshaw
- The Board does its own financial analysis, and liaises with the Chief Executive Officers, Deputies, and finance people to solicit as much financial information as possible to ensure that this interfaces with the Business Plan.
 - Checks and balances do exist.

- Cr M Congerton
- Reiterates previous comment that whilst all the information is provided, Mr R Earnshaw's team is still required to do verification.
- Mr R Hooper
- Queried if the Board could look at the boundary anomalies in existence.
- Mr M Earnshaw
- The Board is to deal with the content of the proposal before it.
 - The Board has the capacity under the Act to make alternative recommendations, if it feels they are appropriate, however there needs to be very good reasons for doing so.
 - In this case, unlikely that the Board will consider boundary changes, particularly given that these are not included in the proposal.
- Cr M Congerton
- The Group has the provision to look at boundary adjustments.
 - Minor changes may be considered.
 - As a collective, if the amalgamation moves forward and is accepted, then the new authority can undertake a boundary review for consideration by the Board.
- Mr M Earnshaw
- The Board can look at alternate recommendations.
 - If the recommendations are significant and require the Board to undertake an additional public submission period for example, it is unlikely that this would occur.
 - An alternate significant recommendation may be that three amalgamate rather than four.
- Cr M Congerton
- Suggested that if the boundary issues are significant, this should have been included in the submission.
 - This can be done post amalgamation process.
- Mr R Hooper
- Provided Northam as an example where boundaries do not follow topographical features, and results from the Shire's creation in 1965.
- Mr R Earnshaw
- Is of the opinion that if the amalgamation proposal "gets across the line", matters such as boundary reviews should be negotiated following this.
 - Suggested that the Group deal with the amalgamation first.

- Cr M Congerton • Concurs with Mr R Earnshaw.
- Cr T Boyle • Queried if submissions have been received to date.
- Mr M Earnshaw • There has been no advertisement calling for submissions at this point.
- Mr R Hooper • Sought Cr Congerton's input on metropolitan structural reform.
- Cr M Congerton • Unable to shed any light in this regard, however feels that the State election will have an impact.
• Submissions have been received from some authorities in this regard.
• A "G20" group has been formed to look at this matter.
• The Minister has not released any information on the subject.
- Mr R Hooper • Queried if the metropolitan structural reform process will delay this Group's process.
- Cr M Congerton • Advised that this Group's process cannot be deferred from commencement on 4 April 2013.
- Chairman • Sought input from Cr M Congerton on what will happen if the status quo remains after the State election.
- Cr M Congerton • Personally believes metropolitan local government authorities will reduce to 12-14.
• Unable to provide more comment than this.
• Uncertainty on what is to be achieved by the participation of 20 local authorities in the G20 group.
• The G20 group is limited by \$50,000 funding, when the State government has expended \$970,000 over two years on the process to date.
• At the end of the day, it must come down to what is good for the communities.
• Provided ratio examples of '*number of ratepayers versus number of submissions*', with submissions being very low; leads to questioning community interest in this regard.

- Chairman
- Sought input from Cr M Congerton in relation to the three major political parties advising there will be no forced amalgamations.
- Cr M Congerton
- Best if they “stick to their guns”; as it would “political suicide not to when there is no mandate to govern”.
 - Concern with the Labor Party’s advertising campaign stating that they will cap rates.
 - Concern that State government wish to control local government rating programs.
 - State government are the power brokers of the cost shift to local government.
 - Commented on growth councils, demands on capital works and other infrastructure.
 - Further comment on some local government rate increases being below 4%; example of one not having an increase for 5 years, and now need to “play catch up”; whilst some reserves are being reduced “at a rate of knots” in regards to rate setting measures.
- Cr M Duperouzel
- Advised of a statement made at a York meeting, namely “*don’t be surprised if you see Federally funded local governments*”, and queried if Cr M Congerton was aware of this.
- Cr P Hooper
- Suggested that this was a “throw away comment” relating to “under 100 councils becoming redraw Federally funded councils”.
- Mr R Hooper
- Suggested the statement was in the context of “*what is your position on forced amalgamations*”, “*there will be severe enticements and penalties used for structural reform*”; and “*in 8 -10 years I would be more worried about regional local government on a federal level than anything to do amalgamations*”.
- Cr M Congerton
- Advised that he was unaware of the statement.
- Cr G Cooper
- Drew attention to local government being a State government entity.
 - No constitutional guarantee on federal funding.

- Mr R Hooper
 - Provided comment in relation to the forthcoming State election and the possible loss of \$600,000 Royalties for Regions funding deeming rural local governments unsustainable.
 - Concern on how such a loss will be factored in to the 10 Year Financial Plan.

- Chairman
 - Provided comment on the uncertainty of the election and where the State government will be in four years' time.
 - Further comment provided in relation to grant funding.

- Mr R Hooper
 - Concerns on where funding will be beyond 2013/2014.

- Cr M Congerton
 - Queried undertakings prior to Royalties for Regions funding.

- Mr R Hooper
 - Survival was by reduced services and more infrastructure backlog, which will be returned to on loss of this funding.
 - Further comment on Roads to Recovery funding.

- Mr M Earnshaw
 - This is another item for long term financial planning.
 - If the funding is not there, it is not there.
 - No easy answer.

- Executive Officer
 - Having undertaken considerable analysis, it has become apparent that local government needs to increase its rates to 55% of its total revenue base in order to remain sustainable and provide asset, infrastructure and services levels required.

- Mr I Bodill
 - Provided comment in increasing rates to 100%.

- Cr S Uppill
 - Commented on a Liberal candidate suggesting that funding be spent on Great Northern Highway.
 - Concern that funding will be removed from regional collaborations such as the SEARTG.
 - In this circumstance, it would be considered that the Group had "received" the funding however with the money spent on the Highway.

- Chairman
- Concurred with Cr S Uppill's concern.
- Cr M Congerton
- If the collective rate base sees value in a larger cooperative applying a different political pressure to retain current grants, and to increase further grants through the road funding exercises, this is the most positive thing coming out of an amalgamated group.
 - The small individual authorities that go it alone will feel the pressure in this regard.
 - In other States, it is without question that the larger authorities were able to achieve a much better negotiated deal in terms of funding.
 - Commented on "voluntary" versus "forced" amalgamations in the Eastern States.
 - This Group is well placed to negotiate their future, rather than going it alone.
 - Community concerns of town name loss; allays such concerns and confirms that town names will remain as is.
 - Benefits in the Group moving forward as one.
- Mr R Hooper
- Suggested that a submission will be put forward that York should not move forward with three small shires, that it should merge with Northam.
- Cr R Carter
- Increased political bent is a perceived benefit which cannot be measured at this point.
 - It is difficult to 'sell' this to the ratepayers.
 - This Group has been working together approximately seven years (including SEAVROC).
 - Suggestion that if it weren't the perceived benefits of increased funding, this Group would not be together.
- Chairman
- Suggested that there will be a number of submissions against York's participation.
 - Comment on the level of misinformation within the community.
 - Up to the Participants to allay these perceived fears.
- Cr M Duperouzel
- Draws a comparison between the amalgamation process and an agricultural firm purchased by a large overseas organisation, which now has the benefit of economic strength and improved resources to provide improved services to farmers and agricultural bodies.

- This organisation still provides the high level of service but the customer is unaware of the background and added strengths.
 - Suggested such an analogy could be used to explain the benefits of the amalgamation process to the community.
 - The amalgamation process is similar to that utilised by multi-national corporations to improve business.
- Chairman
- Concurred with Cr M Duperouzel's well put comparison.
- Executive Officer
- Also concurs, advising that the Service Delivery Plans detail this very process.
- Cr P Hooper
- Has been in this Group and participated in the process from the start.
 - Participants should not lose sight of the fact that people opposed to structural reform are not so due to malice.
 - Participants need to listen to these people, and show them the benefits.
 - These people are not the enemy, they are community members.
 - Need to question information delivery.
 - These are people who helped elect Participants, and who may not agree with the chosen path.
 - Urged Participants not to get caught up in a "them and us" scenario.
- Cr M Congerton
- Concurs with Cr P Hooper.
 - It comes back to the base level of communication to put out the "spot fires".
 - Participants will be interested in the questions that will be raised during the process.
- Mr R Hooper
- Queried how the Grants Commission five year security funding will stack up in five years' time.
- Mr M Earnshaw
- Advised that the Commonwealth Grants Commission will not release the findings of the review until December 2013.
 - Quantum of grants has been excluded from the terms of reference.
 - Unlikely that Western Australia will see any more money.

- There may be changes to the principles under which the money is distributed.
 - There may be differences on how it is allocated between the states.
 - Projections on federal grant funding will take this Group from \$4.4M as four separate entities to a general purpose grant of \$3.8M as one, which is considered a good result.
 - This amount is quarantined for five years, which is a generous period of time.
 - The Grants Commission has discretion to review the amount of funding.
- Cr P Hooper
- Suggested that the Group need to push that the road component is separate to this general purpose grant.
- Mr M Earnshaw
- Concurs with this comment.
 - Asset Preservation Model is an amalgam of the four Participating Local Governments.
 - Overall result of the Commission Grants is considered good.
- Cr D Smythe
- Queried the interim representation model not complying with the “one vote one value” scenario.
- Mr R Earnshaw
- The Minister and Board accept that there will be a transition period of one or two election cycles.
 - What has been proposed seems reasonable.
 - Does not believe the Board will have an issue with the proposal in this regard.
 - Following the two electoral cycles, the entity would need to go into a normal review cycle.
- Cr M Congerton
- Belief that once the metropolitan amalgamation process goes through, Ward representation will be abolished.
 - Authorities will be able to set their number of elected members in this scenario.
 - This is in place in Queensland.
 - Need for understanding that the destiny of the Participating Local Governments is in this Group’s hands to adopt its own model.

- Cr G Cooper
- The politics of this Group took twelve months to resolve in regard to representation.
 - Important that inequities were addressed to provide confidence that one or two councils would not dominate.
 - The new entity will decide on the Ward issue.
- Cr P Hooper
- Queried the representation at Swan Hill per Councillor.
- Cr M Congerton
- Approximately 3,700.
- Cr P Hooper
- Suggests that people need to remember this representation ratio.
- Mr R Hooper
- Queried the last SEARTG Board Meeting and assumption that Commissioners will be appointed in March 2014.
- Mr R Earnshaw
- The Board recommends to the Minister when the Commissioners are to be appointed and who they are.
 - At the end of the Day it is the Minister's decision.
 - The Minister also determines the remuneration for Commissioners.
 - Commissioners can be appointed before establishment or they can be appointed from 1 July 2014.
 - Appointment relates to advice received from the Group, and exchange between the Board and the Minister.
- Mr R Hooper
- Queried how local government elections can be promoted if the elected period is only going to be two and a half months.
- Cr R Carter
- Queried if Commissioners will be appointed as early as October 2013.
- Mr M Earnshaw
- This is unable to be done because Governor's Orders will not be in place.
 - Unlikely that the outcome of the inquiry will be known by that point.

- Once polls are complete, and it is known that the amalgamation will proceed, then appointment of Commissioners can be considered.
 - Inaugural election of the new local government must occur within twelve months of establishment, ie twelve months after 1 July 2014.
 - The Group needs to advise the Board of the proposed Ward names, assumed to be the current local government names.
 - The Board will need to be advised on how the President of the new local government will be elected, at large or by the Council.
 - The new local government name will also have to be advised, which is understood to be currently under consideration.
 - These matters need to be advised as soon as possible.
- Cr M Congerton
- Requested that care be taken in naming Wards, eg “York Ward” not “Shire of York Ward”.
- Cr G Cooper
- Suggested that locality would be the simplest way of dealing with Ward names.
- Mr I Bodill
- Suggested that an earlier question had not been answered fully, ie promoting the local government elections when appointment will be for a number of weeks only, or whether the existing Councillors’ terms can be extended.
- Cr M Congerton
- Advised that the question had been answered in that this Group was locked into the current local government election process given legislative requirements.
- Cr P Hooper
- Sought confirmation that the local government elections could be extended to the third Saturday in November at the latest.
- Mr M Earnshaw
- Confirmed that the extension was possible, but that there had to be very good reasons for doing so.
 - It is unlikely that such an extension would be granted.
- Cr P Hooper
- Understood that the Minister would have discretion in this regard.

- Cr M Congerton
- Reiterated that the only time this could happen is on the invocation of Section 9.62, where Orders have already been made.
 - All requirements under Section 9.62 hinge on Orders having been made.
 - In these circumstances Orders will not be made in time for a local government to be established, therefore that provision does not apply.
- Mr I Bodill
- Confirms that the election will be for 2-5 months.
- Cr M Congerton
- Participants need to keep in mind that the amalgamation is not a fait accompli, it may not go ahead.
 - If this occurs, the election will be for a full term.
- Mr R Hooper
- Candidates must be advised that if elected, the term may be for a number of months, or it may be for four years.
- Cr T Boyle
- Queried if there was anything stopping the Minister stating that there will be no polls.
- Cr M Congerton
- The Act would need amending for this to be able to occur.
- Cr P Hooper
- States that if a metropolitan restructure goes through, it would not be unfair to expect that the country would have their share of restructuring as a part of this.
- Cr M Congerton
- Suggests that if a metropolitan restructure goes through, it would be some years before this would reflect on the country, if at all, given the work involved.
- Cr G Cooper
- Draws attention to the Systemic Sustainability Study (SSS) report, stating that if the sustainable councils are reformed there would be no hope for the non-sustainable ones.
 - Commented that there may be some Ministerial staffers who would like to see polls abolished, however a change to poll provisions is not going to happen.

- Cr M Congerton
- Reiterated the need for a number of matters to be addressed under the Act before a change to poll provisions could occur.
- Mr R Hooper
- Suggested that local government will go through structural reform including metropolitan.
 - Civica held a meeting on structural reform with a speaker from Manchester who advised that English reform was undertaken by:
 - Tony Blair requesting a 12% productivity increase with infrastructure funding in return.
 - The requested productivity increase was achieved.
 - David Cameron then cut local government by 30% with the local government to keep the associated savings.
 - 17% of staff have been sacked in eighteen months to achieve this.
 - Child care services are no longer provided in all villages – this is undertaken at central points.
 - Speaker urged the need for individuals to drive structural reform.
 - New South Wales local government representatives were in attendance, and are watching the South East Avon Regional Transition Group (SEARTG) model.
 - Katanning advised that there are seven surrounding local governments that will not discuss reform.
 - The speaker then used the South East Avon Group as an example.
 - South East Avon Group are recognised for equal representation and equal contribution.

At this point, the Chairman advised that lunch will be served at 12:00 noon, and invited Cr M Congerton and Mr R Earnshaw to dine with the Group.

The Chairman then called for any further questions, summarised as follows:

- Cr B Caporn
- Stated that the Minister has never provided clear direction on the process, and drew comparisons to the “Landcare” process.
 - This has made it difficult to sell the process to the community.
 - Suggested that had the Minister provided the pertinent information, it would have been an easier process.

- Mr M Earnshaw
- Drew attention to two Departmental Officers being in attendance with the Group over a period of two years, thus such information and assistance had been provided.
- Mr G Fardon
- Suggested that Cr B Caporn referred to clear plans or clear process.
 - Stated that the Group was in receipt of very good support and assistance from the Department and WALGA at all meetings with general direction provided.
- Mr R Hooper
- Concurs with Mr G Fardon's comments.
 - Commented on meeting attendance by the Minister.
 - Suggested the inference is that the individual local governments are selling the process, not the State government doing a reform process.
- Cr M Congerton
- The State government has taken a "hands off" approach.
 - Each time the Minister has spoken, there is an accusation that he is forcing amalgamations.
 - Suggested there has been some lack of information and procedures.
 - The Department is not as well staffed as it should be to provide the level and quantity of support required.
 - The Department should be "living in the back pocket" of local governments to provide a higher level of assistance.
- Cr B Caporn
- Suggested that this had played into the hands of the Group, as they have been able to determine their own path.
- Cr M Congerton
- Acknowledged that the Group were undertaking the process to the best of their ability, and this was recognised.
- Mr R Hooper
- One issue the Group must face, that there is no fall-back position.
 - The Group is prohibited from being a subsidiary.
 - If this process fails, each of the Participating Local Governments will return to being separate small rural local governments trying to provide shared services.
 - Belief that all Participating Local Governments have worked toward structural reform, productivity increases, etc, on behalf of the ratepayers.

- The process is not being sold in this way, it is seen as a special interest item.
 - Queried what happens if the process falls over at the poll, is this Group disbanded and seven years work wasted.
- Cr D Carter
- There is difficulty in bringing the community up to speed on what has occurred around the SEARTG table.
 - Drew attention to times past when the Group did not always agree on the process.
 - There has been vigorous discussion on the subject.
 - The poll provision floors the process.
 - The community will eventually catch up with the process when the benefits become apparent.
- Cr M Congerton
- The Act determines the poll provisions, and these do some injustice to the process.
 - The Act also determines boundary review requirements.
 - There is nothing to stop one Participant putting in a boundary review for all of the authorities involved.
 - Once received, the review would have to be acted upon.
 - If the poll is lost, a boundary review could be done at that time.
- Mr M Earnshaw
- Advised a differing view.
 - Discussed the application of poll provisions in relation to boundary reviews, and testing of each viewpoint.
 - Considers the matter of poll provisions to be a technical issue.
- Executive Officer
- Perception of a boundary review in the overall process.
- Mr R Hooper
- Community perception is that Northam can do that to York at any time.
- Cr M Duperouzel
- Comments on work undertaken by the Executive Officer over a considerable amount of time should be considered as the template.
 - The document indicates a need for seventeen cars, but if all of these are not required then there will be cuts.
 - People need to look at the document as a well considered template on the way forward.

- Cr D Smythe
- Confirms that the document is the proposal that has gone to the Board.
- Executive Officer
- Confirms that the document is in fact the proposal.
- Cr M Duperouzel
- Suggested that this was the template to work towards and amend as required.
- Executive Officer
- Clarifies that the proposal determines what the current situation is, what can be improved and how, and the advantages of doing so.
 - The Regional Business Plan is the model on which matters can be measured.
 - Other amalgamations have failed as there was nothing to measure against.
 - For example, the model determines that seventeen vehicles are needed in order to provide the required service levels.
- Mr R Hooper
- Suggested that although seventeen vehicles are required, there is no point providing these until the relevant staff members are on board.
 - This purchase may be phased in over several years.
- Cr G Cooper
- Suggested remaining with the Place Management model adapted from South Australia, as this had proven to work well.
 - Belief that the template prepared by the Executive Officer is the best from those developed around Australia.
 - It would be a pity if this all falls away at the poll, however this is the democratic process.
- Cr M Congerton
- Wished the Group well with the process.
 - The Group were urged to continue to put out “spot fires” with ratepayers, as this will eliminate the small oppositions which have the propensity to detail the process.
 - The Group were complimented on seven years of hard work in coming this far.
 - Talk to those opposed one on one to get behind what the real issues are.
 - The Board would like to see all the hard work go through and present the right response to the Minister.

On behalf of the SEARTG Board, the Chairman thanked Cr M Congerton and Mr M Earnshaw for taking the time to attend the meeting, for their wise counsel, and for their openness in responding to the questions raised.

Mr R Earnshaw in turn thanked the Group for the opportunity to attend the meeting, and suggested that if there was any further clarification required in relation to either the inquiry or process, that Attendees were free to contact Cr M Congerton or himself.

Attendees then offered their thanks by way applause, with the meeting standing adjourned at this time for lunch.

RESUMPTION OF MEETING – REPORT RTG-002-13

With the exception of Cr M Congerton and Mr M Earnshaw the meeting reconvened with the same Attendees present.

Attendees' attention was drawn to earlier discussions on Report RTG-002-13, and the recommendation detailed on page 5 of the Notice Paper presently before the meeting. The Chairman then sought input from Participants on the inclusion of those items listed on page 4 as Part 3 of the recommendation.

Cr P Hooper suggested that in light of discussions, the items should be prioritised to ensure that the pre-release funding benefits all four Participating Local Governments to the maximum.

Mr R Hooper strongly suggested that the Project Management Officer be appointed in the first instance, and that the appointee be Dominic Carbone and Associates. Further, that the appointment be made until the polling stage of the process, stating that the Group did not have the resources to undertake the tasks listed.

The Executive Officer then declared an interest in this matter.

Cr P Hooper queried the need to go to tender, with the Executive Officer advising that he would document a proposal to the Group, and that it was up to the Group to seek alternative quotations in this regard.

Cr T Boyle sought clarification on the cost and period of time involved, with the Executive Officer advising as follows:

- Cost is dependent on the time required.
- Estimated two full days per week for a twelve month period to push projects through.
- \$100,000 transitional funds were available.
- Need to secure expenditure on the allocated \$295,000 pre-release funding.
- Budget needs to balance at \$2.95M allocated funds.
- Need direction from the Group on how to proceed.
- Advice to Group is to “window shop” software to ensure the proposed software will integrate and work well for the Group.

Following Cr T Boyle’s query, the Executive Officer advised that the Group would not be spending on a Project Manager just during the pre-release stage, this needed to stretch across the whole project. Expenditure needed to be such that maximum benefit is gained by all four Participating Local Governments whether amalgamation takes place or not.

Cr T Boyle then queried the need to return unspent pre-release funds, with the Executive Officer advising in the affirmative, detailing that if all funds are spent, or committed, they do not need to be returned.

Mr R Hooper suggested that the Executive Officer may wish to declare an interest, as he provided comment on the following:

- Regional Business Plan funds were essentially spent.
- Sign off on Asset Management Plans, Strategic Community Plans, etc.
- Completion of Financial Statements.
- All funds will be expended by the end of April 2013.
- Need for an urgent decision to retain the services of the Executive Officer.
- Funding for Information Technology and Communication (ITC) Plan available in the next eight weeks.
- If amalgamation fails, ITC Plan is a bonus to all Participating Local Governments and will link to the Integrated Planning process.

The Executive Officer concurred with Mr R Hooper’s comment in relation to ITC, as the Group will receive “something for nothing” if the amalgamation does not proceed.

Cr P Hooper drew attention to Part 3 of the recommendation, suggesting the following:

- (i) Appointment of Project Management Officer.
- (ii) Dominic Carbone and Associates be appointed as Project Management Officer.
- (iii) Prepare Budget in line with the Department of Local government Worksheets and availability of funding.
- (iv) Develop timelines for the undertaking of the abovementioned tasks.

The Chairman confirmed Items 1 to 4 as detailed by Cr P Hooper.

Cr P Hooper provided comment on the following, whilst stating that he was happy to move a motion in relation to Part 3 and Items 1 to 4 as detailed:

- Cr M Congerton and Mr R Earnshaw made the point that they need to know certain things to advance the process.
- Someone needs to be employed quickly to develop a name, logo, etc.
- Determination required on matters to be incorporated in Governor's Orders.

It was then:

MOVED Cr T Boyle, Seconded Cr R Carter that Part 3 of the recommendation read as follows:

3. That the Pre Planning Phase will include the following tables:

- (i) Appointment of Project Management Officer.***
- (ii) Dominic Carbone and Associates be appointed as Project Management Officer.***
- (iii) Prepare Budget in line with the Department of Local government Worksheets and availability of funding.***
- (iv) Develop timelines for the undertaking of the abovementioned tasks.***

Cr G Cooper suggested that expenditure on items that will not be of benefit if amalgamation does not occur, should be avoided.

Mr G Fardon advised that naming and Ward information was required by the Board as soon as possible, and although lost if amalgamation did not proceed, these were a priority for the proposal to progress.

The Chairman concurred with Mr G Fardon's comments regarding the need for expenditure on naming conventions in order for the proposal to progress.

Cr P Hooper sought clarification on funding of \$50,000 set aside for this purpose.

Mr R Hooper provided comment on the following:

- Fine line details required in order to protect the Executive Officer and the Shire of York as Host Shire.

- Recommendation supported to appoint Dominic Carbone and Associates as Project Management Officer.
- Such appointment be for the amalgamation process, with the proviso that Stage 1 takes the Group to the poll provision.
- \$50,000 to be allocated from the \$295,000 pre release funding for project management of Stage 1.
- This recommendation provides something to work with.
- Unspent funds to be returned.
- Meeting with the Department suggested that allocation of \$100,000 for project management is grossly understated.

The Executive Officer provided comment, summarised as:

- Concurred with Mr R Hooper's comments.
- Budget must detail expenditure of full \$2.95M allocated.
- This budget will then form the basis of the contract between the SEARTG Group and the Department of Local Government.
- Budget required in order for funding to be allocated.
- Expenditure to be in line with expectations.
- Need to ensure everything is programmed accurately for the transitional period and that expenditure fits within that period.
- Stressed need for important things to be done first, ie a job that belongs in the last period is not done up front.
- Need to dissect transitional costs and present to the Group, in order that tasks are scheduled in the correct period and for the right amount.

The Chairman sought confirmation that the Group were satisfied with the prioritised list detailed in the Motion.

The Executive Officer advised:

- Happy with the list, unless the Group had other items to include.
- Those items listed need to be done pre poll, with no choice in this regard.
- There is nothing to sign unless there was a MOU.
- This document needs to be distributed to the community as part of the communication and marketing aspect, so that the community understands what amalgamation might mean.
- Statutory planning needs to be resolved, with the undertaking from the Department that they will bring the various agencies together.
- Meeting required sooner rather than later in this regard, with the formation of a timeline.
- Preference is getting Town Planning Schemes aligned, with a considerable workload to achieve this.

Cr R Carter suggested that all the listed items need to be addressed, but requested that the emphasis be placed on those that will benefit the Group should amalgamation not proceed.

The Chairman advised that Cr R Carter's suggestion to include all listed items was appropriate, and sought the consent of the Mover and Seconder that the motion be amended to accommodate this.

With the consent of the Mover and Seconder, the Chairman then put the amended motion, viz:

MOVED Cr T Boyle, Seconded Cr R Carter that Part 3 of the recommendation read as follows:

3. ***That the Pre Planning Phase will include the following tables, with emphasis placed on those items that will benefit the Group should amalgamation not occur:***
- (i) Appointment of Project Management Officer.***
 - (ii) Dominic Carbone and Associates be appointed as Project Management Officer.***
 - (iii) Prepare Budget in line with the Department of Local government Worksheets and availability of funding.***
 - (iv) Develop timelines for the undertaking of the abovementioned tasks.***
 - (v) Preparation of a Draft Memorandum of Understanding.***
 - (vi) Determination of matters to be incorporated in Governor's Orders.***
 - (vii) Preparation of a Request for a quotation and the selection of a suitable consultant to undertake a corporate branding strategy, limited to name, crest and logo, for the new entity.***
 - (viii) Receive presentations and proposals from software companies to determine suitability of software packages, ie financial, records, GIS, etc.***
 - (ix) Meet with the ICT Working Group in relation to information technology solutions (hardware and software).***
 - (x) Meet with relevant agencies regarding statutory planning issues, ie Local Planning Strategy and Town Planning Scheme.***

CARRIED UNANIMOUSLY

RTG-003-13 REVISED REGIONAL BUSINESS PLAN – EXECUTIVE SUMMARY (File: rtg003-13)
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The Executive Officer advised that compact discs were prepared in relation to the Revised Regional Business Plan, with these being distributed to each Participating Local Government. This document is also available in the www.securingourfuture.com.au website.

The Chairman raised concern in relation to wording on page 36 of the attachment to this item of business (as detailed below), suggesting that this be reworded:

“WEAKNESSES

OPERATING MATTERS – FUTURE STATE

- The cash reserve funds inherited from the RTG Member Local Governments may be impacted in relation to their purposes resulting from an amalgamation.”

The Executive Officer offered the following comment in response:

- This statement was included in the original Regional Business Plan as well as the revision.
- The aim is to protect the Group as much as possible.
- For example, a Reserve fund specified for the Quairading Town Hall, would mean that money is specific for that purpose.
- General reserves, such as Long Service Leave, must be brought together and amalgamated for that general purpose, ie they will no longer be specific to the original Shire.
- By specifying where possible, there is an element of protection for those reserves.
- This protection is not 100%, as the Council of the day has the ability to change the reserves under the Local Government Act.
- The Group is somewhat reliant on the good will.
- Importance is placed on the MOU to detail how the Group would like to see the new Council conduct itself, and in turn provides the new Council with a reference of the Group’s intent.

Mr I Bodill provided comment that although the MOU is not a legally binding document, it details the intent.

The Executive Officer further advised that the statement cannot be worded any stronger, as the protection provided is not absolute. Reiterating that the Local Government Act recognises “fit for purpose” in relation to Reserves, however also allows that to change.

Cr G Cooper advised that he still considered this to be an issue, offering the following comment:

- It all comes back to the intent of the MOU.
- Would like to see the wording changed.
- Comments by Executive Officer are correct.
- The MOU has to address the Reserves, and the principle will be that the respective funds will be carried forward to the Group.
- People will read that wording and say it is all at risk, when the risk is minimal.

Mr G Fardon sought confirmation that the Regional Business Plan is with the Advisory Board, suggesting that changed wording would require resubmission of the Plan.

The Executive Officer provided additional comment detailed as:

- Reiterated that the wording indicated “maybe”, ie that protection is not absolute.
- A change in wording will not alter this fact.
- More security may be provided through Governor’s Orders, with Northam as an example.
- Governor’s Orders will lock those funds for a set period.
- From a financial perspective, this is not considered appropriate as the funds will not be accessible.
- Each specific community will benefit by the Regional Business Plan option.

Mr R Hooper provided comment on:

- The Northam Reserves were “General Protection Reserve Funds” for ten years.
- This has resulted in nil expenditure from these Reserves for this period.
- Specified Purpose Reserves offer protection for the nominated purpose.
- General Reserves such as sick leave or long service leave, belong to everybody in the entity and would not want to be limited.
- Wording is about specific use Reserves.
- The 10 Year Financial Plan will detail expenditure of those secured Reserves.

The Chairman asked that Participants keep in mind if this information is placed on the website it will create “spot fires” requiring action.

The Executive Officer advised that every scenario cannot be protected, and at the end of the day clarification will need to be provided. Mr G Fardon provided input on specific reserves being quarantined, with the Chairman commenting on the understanding from “layman’s” terms.

The Chairman then raised concern in relation to wording on page 38, detailed as follows:

“14.0 SUMMARY

Disadvantages

3. Transitional costs associated with amalgamation may not be fully funded under the Local Government Structural Reform Program.”

Mr G Fardon suggested that the Minister’s letter which clearly details funding years and extra requests, be included on the website as clarification.

The Executive Officer advised that this matter will be covered in a newsletter detailing that there is no disadvantage. Mr G Fardon then suggested that clarification in relation to Reserves Funds should also be detailed in a newsletter, demonstrating full discussion on the subject.

Cr G Cooper provided comment that there is no guarantee that grants will increase under the proposed restructure, and that this matter will be picked up as an issue. Further, the Group will need to answer this question appropriately.

The Executive Officer advised that this matter was confirmed by Mr R Earnshaw, namely that grants will reduce after a five year period, however is less significant compared to four single entities. Further, that this needs to be interpreted and explained to the community.

Cr G Cooper offered his interpretation, detailing the six year cycle associated with grants, and that averages were taken from Years 2, 3, 4 and 5, resulting in a progressive reduction of grants, not an immediate \$600,000 reduction as implied.

Discussion followed with input by the Executive Officer, Cr G Cooper and the Chairman, with agreement that the Executive Officer will provide explanatory detail to Participating Local Governments on funding to assist in communicating this aspect to their communities.

It was then:

MOVED Cr S Uppill, Seconded Cr T Boyle, that Report No RTG-003-13 – Revised Regional Business Plan – Executive Summary, be received.

CARRIED UNANIMOUSLY

RTG-004-13	FINANCIAL STATEMENTS FOR THE PERIOD 1 JULY 2012 TO 31 DECEMBER 2012 (File: rtg004-13)
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The Chairman drew attention to Report RTG-004-13, taking the opportunity to thank the Shire of York as Banker, and the Executive Officer for the extensive work involved in relation to the Group's Financial Statements.

Discussion centred on the presentation in detailing the statements on one page, with Cr D Smythe clarifying that earlier voting was “four/nil” as opposed to the Chairman’s call of “five/nil”.

The Executive Officer provided comment on:

- Connecting Local Government
 - First grant received under SEAVROC.
 - Part of the funding for Asset Management Plans comes from this account, inclusive of the Shires of Beverley and Brookton.
 - Sufficient funds remaining to finalise Asset Management Plans and Local Laws.
 - These are the only outstanding projects under Connecting Local Government.
- Asset Management Plans
 - Completed.
 - Funds totally utilised.
 - Balance of funding from Connecting Local Government.
- Regional Business Plan
 - Revised Regional Business Plan funding yet to be received.
 - York contributions also to be received.
 - Balance will be zero.
- Strategic Planning
 - \$50 over expenditure.
 - Grant has been finalised.
- Long Term Financial Plan
 - Work being undertaken.
 - Sufficient funds to complete.

It was then:

MOVED Cr R Carter, Seconded Cr S Uppill, that the following Statements of Receipts and Payments for the period 1 July 2012 to 31 December 2012, be received for:

- ***Connecting Local Government and Structural Reform Implementation Grant;***
- ***Strategic Planning;***
- ***Regional Business Plan;***
- ***Asset Management Plans; and***
- ***Financial Planning.***

CARRIED UNANIMOUSLY

7. BOARD MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

8. NEW BUSINESS OF AN URGENT NATURE

Nil.

GENERAL BUSINESS

There being no matters of an urgent nature, the following general business was raised for discussion:

1. Shire of Tammin – Roman II Asset Management Data

Following Cr P Hooper's query, the Executive Officer confirmed that Cardno's Roman II asset management data for the Shire of Tammin was apparently forwarded via email, however this has been unable to be located. The Executive Officer and Mr I Bodill will make enquiries in this regard to ascertaining a copy.

2. Shared Services

Mr R Hooper queried the future of shared services, including Natural Resource Management (NRM), should amalgamation not occur, suggesting that the 10 Year Financial Plan needs to address this. Further comment was provided in relation to resourcing and budget requirements in this regard.

The Chairman suggested that if amalgamation does not occur, the status quo will remain in relation to shared services. Mr G Fardon then suggested that shared services will be progressed over time, with preference for teams rather than individual officers undertaking service provision.

Mr R Hooper advised that the Executive Officer will be undertaking 10 Year Financial Planning for Participating Local Governments in the coming weeks and will require input in relation to shared services.

3. Capital Grants

Mr R Hooper drew attention to Capital Grants being due in November, advising that the Shire of York has received a grant to build an airconditioned cattery in compliance with RSPCA requirements.

4. Community Consultation

The Chairman took the opportunity of thanking those who attended the recent Quairading public meeting in relation to the structural reform process, providing comment on:

- 180 people in attendance at the meeting.
- A lot of emotion at the meeting.
- Positive in that Quairading is raising awareness on the process.
- Has been a level of apathy toward structural reform process.
- The element of “not wanting to know” and to “place blame” is shifting.
- Additional meeting to be held on 9 April 2013 with similar numbers expected.
- Dispelling of misinformation and misconceptions is draining.
- Community is starting to realise there is room for structural reform.
- Concern that a poll will topple the process.

The Chairman then sought input from other Participating Local Governments on their respective public consultation.

Cr S Uppill Tammin will conduct another public meeting in April to go through information and field questions.

Cr R Carter Advised that:

- The community appears more distracted with other matters such as the hospital closure than amalgamation.
- Newsletters distributed to ratepayers have kept them informed.
- Feels that things are quietly taking their course.
- There are no plans at this point for an additional public meeting.

Cr T Boyle Provided comment on the following:

- Decision to wait for the Advisory Board to visit and make presentation in York.
- Following this, a general public meeting will be held.
- The Shire has formally responded to the group against the process via detailed correspondence.
- Will continue to liaise with this group on a monthly basis.
- Flyer to be produced and distributed monthly highlighting structural reform.

- Possibly June before more public meetings are held.
- Will continue to keep the public informed and on board.

The Chairman reaffirmed the need to keep the information out in the public arena, and ensure that the community understands the process.

5. Electoral Process and Wards

Wards

Mr R Hooper advised that he understood from Mr R Earnshaw that information on the electoral process and wards was required straight away.

The Executive Officer stated that his understanding was that the name could wait until Governor's Orders are to be documented. Further, that the assumption was for the Wards to be named "Cunderdin", "Quairading", "Tammin" and "York".

Mr R Hooper then suggested the Group formalise a resolution today, for the four Participating Local Governments to then endorse.

Cr P Hooper drew attention to the sage advice received from Cr M Congerton that Wards are not named "The Shire of . . . Ward", with Cr G Cooper suggesting "the Locality of".

Cr M Duperouzel suggested that each ward be simply called "York", "Cunderdin", etc, as this would be perceived that each area remains as is.

The Executive Officer advised that "locality" would come in when signage is installed, namely "this is the locality of . . .", with Cr M Duperouzel concurring with this comment.

The Chairman confirmed the Group's agreement that Wards are to be "Cunderdin", "Quairading", "Tammin" and "York".

Elections

Following Mr R Hooper's query on whether election of a President for the new entity is to be at large or by the Council, the Executive Officer then queried whether elections were to be in person or postal.

General discussion followed:

- Cr P Hooper Election in person given costs.
- Cr T Boyle - In person voting is more involved.
 - To get numbers over the line, in person may be more beneficial.
- Chairman If people want to vote, they will make the effort for an in person election.
- Mr G Fardon Queried the need for a resolution on this matter.
- Mr R Hooper Advised a resolution was required in order to permit the Executive Officer to act.
- Executive Officer Queried if the resolution was to be to the Advisory Board or to each Participating Council.
- Mr R Hooper Suggested a resolution to the Advisory Board to be endorsed by each Participating Council.

The Executive Officer then suggested the following wording:

The South East Avon Regional Transition Group advise the Local Government Advisory Board that:

1. The election of president is to be by Council.
2. The names for each ward will be "Cunderdin", "Quairading", "Tammin" and "York".
3. Ward boundaries will remain as per current Participating Local Government boundaries.

The Executive Officer suggested that the matter of an in person or postal election be settled when the Group knew if they were to go to the poll, and queried whether this was a matter for the Group or for the respective Participating Councils.

Cr R Carter commented that the Group should make this decision with each Participating Council to endorse, with Mr G Fardon's advice that endorsement would occur on the minutes of this meeting being adopted by each Council.

Following Cr D Smythe's query, Mr G Fardon and the Executive Officer confirmed that the electors had the ability to call the poll, however the Council determined the nature of the poll.

The Executive Officer sought confirmation that "should a poll be requested, that preference is for an in person election" be included with the three items of advice suggested.

With agreement, it was then:

MOVED Cr T Boyle, Seconded Cr S Uppill, that:

The South East Avon Regional Transition Group advise the Local Government Advisory Board that:

- 1. The election of president is to be by Council.***
- 2. The names for each ward will be "Cunderdin", "Quairading", "Tammin" and "York".***
- 3. Ward boundaries will remain as per current Participating Local Government boundaries.***
- 4. Should a poll be requested, that preference is for an in person election.***

CARRIED UNANIMOUSLY

The Chairman took the opportunity of thanking Mr R Hooper for raising the pertinent points discussed.

9. NEXT SOUTH EAST AVON REGIONAL TRANSITION BOARD MEETING

The Executive Officer sought direction on forthcoming meetings, enquiring if monthly meetings were now necessary, with the Chairman suggesting that this would be appropriate in order to maintain momentum, and for the Group and communities to remain up to speed on the process.

With agreement, it was confirmed that meetings would occur monthly, on the first Thursday of the month, with the next meeting to be Thursday, 4 April 2013 in York.

Following the Chairman's invitation, Ms J Burges advised that she had no comment to make on the meeting, other than to suggest the Group were on the right track and that Cr M Congerton and Mr R Earnshaw have provided responses to queries raised.

10. CLOSURE OF MEETING

The Chairman took the opportunity of thanking all Attendees for their presence and input, with particular thanks extended to the Shire of Tammin for hosting the Meeting.

There being no further business, the Chairman declared the Meeting closed at 2:00pm.
