

**South East Avon
Voluntary Regional
Organisation of Councils
(S E A V R O C)**

MINUTES

Executive Committee Meeting
held at the

Perth Convention and Exhibition Centre

Meeting Room 11 - 1:15pm Thursday, 7 August 2014



SEAVROC

(SOUTH EAST AVON VOLUNTARY REGIONAL ORGANISATION OF COUNCILS)

MINUTES OF EXECUTIVE COMMITTEE MEETING

MEETING ROOM 11, PERTH CONVENTION AND EXHIBITION CENTRE
1:15PM THURSDAY, 7 AUGUST 2014

The Minutes of this meeting have been provided on the proviso that the Executive Committee is to determine what constitutes a quorum for the South East Avon Voluntary Regional Organisation of Councils (SEAVROC) Group.

In attendance at this Meeting were six voting Members, and three non voting Councillors. The question of a quorum was considered, and as the SEAVROC Memorandum of Understanding (MOU) is silent in this regard, and the fact that no prior precedent has been set, no resolutions have been acted upon. All matters will therefore be returned to the subsequent meeting of the Executive Committee for consideration.

Cr R Carter welcomed attendees, commenting on the need for the meeting to proceed despite a number of apologies, and advising that there were three Councils wishing to withdraw from the SEAVROC Group. Further, that this meeting may eliminate the need for an additional meeting in September.

Attention was then drawn to the SEAVROC Executive Committee Meeting of 8 July 2014, where the Chair was elected for that one meeting, and therefore there was a requirement for a Chair to be elected at this meeting.

The Executive Officer called for nominations, with Cr P Hooper nominating Cr R Carter as Chair for this meeting.

There being no further nominations, the Executive Officer declared Cr R Carter as Chair of the SEAVROC Executive Committee for this meeting, with Cr R Carter accepting the appointment.

The Chairman then declared the meeting open.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**1.1 Opening**

The Chairman formally declared the meeting open, and drew attention to the Notice Paper before the meeting.

1.2 Announcement of Visitors

Invitations were extended to:

- 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**

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|---------------------|----------------------|---------------------------|
| Shire of Cunderdin | - Cr Rod Carter | - Shire President (Chair) |
| Shire of Cunderdin | - Cr Clive Gibsone | - Deputy Shire President |
| Shire of Cunderdin | - Cr Terri Jasper | - Councillor |
| Shire of Cunderdin | - Mr Peter Naylor | - Chief Executive Officer |
| Shire of Quairading | - Cr Darryl Richards | - Shire President |
| Shire of Quairading | - Cr Brian Caporn | - Deputy Shire President |
| Shire of Quairading | - Mr Graeme Fardon | - Chief Executive Officer |
| Shire of Tammin | - Cr Scott Uppill | - Shire President |
| Shire of Tammin | - Cr Carol Crane | - Deputy Shire President |
| Shire of Tammin | - Mr Brian Jones | - Chief Executive Officer |

Shire of York	- Cr Mark Duperouzel	- Deputy Shire President
Shire of York	- Cr Pat Hooper	- Councillor
Dominic Carbone and Associates (DCA)	- Mr D Carbone	- Executive Officer

2.2 Apologies

Nil.

2.3 Leave of Absence

Nil.

3. DEPUTATIONS/PRESENTATIONS

3.1 Deputations

Nil.

3.2 Presentations

Nil.

4. CONFIRMATION OF MINUTES

Executive Committee Meeting of SEAVROC held on Tuesday, 8 July 2014.

There being no business arising from the Minutes of the Executive Committee Meeting of 8 July 2014, it was then:

MOVED Cr D Richards, Seconded Cr S Uppill, that the Minutes of the South East Avon Voluntary Regional Organisation of Councils (SEAVROC) Executive Committee Meeting, held on Tuesday, 8 July 2014, be received.

CARRIED UNANIMOUSLY

5. ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

6. REPORTS OF THE EXECUTIVE OFFICER

SE-004-14 STATUS REPORT – OUTSTANDING BUSINESS FROM EXECUTIVE COMMITTEE MEETINGS
(File: serpt004-14)

The Executive Officer drew attention to this item of business, advising that two additional items had been listed, namely the preparation of a background paper on the LGS Software, and future direction of SEAVROC projects and initiatives.

Item

Local Law Review

Comment

Local Laws for the Shire of Brookton have been completed.

The consultant met with the Chief Executive Officers of the Shires of Beverley, Cunderdin, Quairading and York in March 2014 to progress the review.

For the Shires of Beverley, Cunderdin, and Quairading, relevant Local Laws have been drafted. Consultant is awaiting feedback in relation to any amendments. The Shire of Cunderdin has now confirmed the content of the Draft Local Laws. Consultant is drafting Council reports for the adoption of the Local Laws.

Chief Executive Officers to progress the matter.

Future Direction of SEAVROC
Projects and Initiatives

With the Minutes of the Meeting now complete, the Executive Officer will inform Member Local Governments of items listed for consideration and request feedback.

LGS Software

Executive Officer to prepare background paper.

Following a query from Mr P Naylor in relation to ownership of the Western Australian rights of the LGS Software should the SEAVROC Group split; the Executive Officer advised that he would notify LGS and query their acceptance of more than one group being involved in such ownership. Further, there is nothing binding on the respective Member Local Governments, there is a choice on participation. In addition, no difficulties are anticipated in this regard.

The Chairman suggested that this matter would be a "work in progress" with SEAVROC continuing until the end of the current Financial Year.

The Executive Officer advised that:

- The Memorandum of Understanding (MOU) states that there is nothing binding.
- If the parties to the MOU decide to do something different, then there is a need for a majority vote.
- A unanimous vote would be appropriate, should the Group wish to conclude activities earlier, and SEAVROC not progressing any further.
- A withdrawal procedure is detailed in the MOU, being the underlining document that brought the Group together.
- Three months notice to withdraw is required, with withdrawal to be effective from the end of the relevant Financial Year.

Following comment from the floor in relation to the MOU withdrawal procedure being "designed" for one local government participating or not participating, and that the current situation is somewhat different, the Executive Officer advised that this could be a matter listed for discussion at the September meeting of the SEAVROC Executive Committee.

The Chairman suggested that if all parties were in agreement, SEAVROC activities could cease forthwith, particularly given that the Group was a voluntary organisation.

The Executive Officer advised that there was an issue with Connecting Local Government Funding, and that there would need to be a determination as to who the funds belong to, and how they are to be utilised. Further, that some funds may need to be returned to the Department of Local Government if not expended as required.

Following a query by the Chairman, the Executive Officer advised that a breakdown of the funding could be provided at the next meeting.

It was then:

MOVED Cr S Uppill, Seconded Cr R Carter, that Report NO SE-004-14 – Status Report – Outstanding Business from Executive Committee Meetings, be received.

CARRIED UNANIMOUSLY

SE-005-14	WITHDRAWAL OF MEMBERSHIP FROM THE SOUTH EAST AVON VOLUNTARY REGIONAL ORGANISATION OF COUNCILS (SEAVROC) (File: serpt005-14)
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The Chairman drew attention to this item of business, providing comment on the following:

- Advice provided to SEAVROC Member Local Governments that the Shires of Cunderdin Quairading and Tammin have resolved to withdraw their membership.
- It is the intent of the Shires of Cunderdin, Quairading and Tammin to form a new Voluntary Regional Organisation of Councils.
- This meeting was requested by the three Shires to be held as soon as possible to deal with this matter.
- The three Shires have decided to pursue a different direction.

The Chairman then opened the matter for discussion, summarised as follows:

- | | |
|-------------|--|
| Cr P Hooper | <ul style="list-style-type: none">• Stated that the withdrawal was always a possibility.• Discussions in this regard occurred at the commencement of SEAVROC.• Sees this as a natural progression.• Concerns in relation to funding, however confident that the Executive Officer will address this matter.• Sad moment; however is reality.• Believed there to have been a lot of good will amongst the Group, with good times had, and with the right intent.• This withdrawal will not change Cr Hooper or Cr Duperouzel's attitude toward the Group.• A strong interest will be retained in how Cunderdin, Quairading and Tammin go about their business. |
| Chairman | <ul style="list-style-type: none">• Endorsed Cr P Hooper's comments.• Considers it to have been a positive experience being involved in the Group. |

- It has been an interesting journey going from the original five Councils, with different personalities and points of view, and seeing how that gradually bonded to become one.
 - Unfortunately, this fragmented as time went on.
 - Interesting to transpose that into the metropolitan situation with the current reform process.
 - Cannot bring strong Councils and personalities together in a short period of time, it took this Group a number of years to achieve that harmony and working together for a common cause.
 - Suggested that Cr P Hooper would be a positive speaker for the metropolitan reform process.
 - Times and personalities have changed and the Group must move on.
- Cr D Richards
- Drew attention to the Group as it stood in 2007, advising that Cr P Hooper and Mr G Fardon being the only remaining original Members of the Group.
 - Reiterates that the personalities have changed, and the Group must move on.
 - Agreed with Cr P Hooper's comments in relation to the sad reality, given the good will and spirit between the Group over the years.
 - The change of personnel has changed the dynamics of the Group.
 - The Group should keep in mind that personalities can alter the dynamics which in turn will determine the level of success achieved.
- Chairman
- Concurred with Cr D Richards' comments.
 - Suggested that the withdrawal of Cunderdin, Quairading and Tammin, did not necessarily determine the conclusion of SEAVROC.
 - The Shires of Beverley, Brookton and York will need to make a determination in this regard.

- Mr G Fardon
- A distinct intention was provided at the last meeting that the Shires of Beverley and Brookton would welcome Pingelly's membership.
 - It took a number of years for Tammin to be welcomed to the Group, with both Beverley and Brookton initially voting against this.
 - Suggested that Beverley, Brookton and Pingelly are their preferred grouping.
 - Such a grouping would provide for two sub sets of three; ie Beverley, Brookton, Pingelly, and Cunderdin, Quairading, Tammin, with a question on York.
 - Believed that the Group were to concentrate on their core without extending membership at this stage.
 - The Group have seen and survived the changes in personnel.
 - Good will has always been invested in the Group.
 - The Group has gone back too many steps too quickly.
 - This may be an affect of the RTG decision.
 - There is a need to concentrate and get back to core issues.
 - Sees the Grouping (Cunderdin, Quairading and Tammin), as nothing more than neighbours trying to assist Tammin at this stage.
 - Accepting of change, but disappointed that the Group cannot get over the recent personnel changes.
 - Change is inevitable; however the three Councils have had to take a stand that the Group could not continue after the last meeting.
 - Not progressing and taking the Group back several years is not an option.
- Chairman
- Nothing stays the same.
 - Reform is a lengthy process.

- Questioned the purpose unless something could be achieved.
 - Suggested that the future of SEAVROC be listed for discussion at the September 2014 meeting, given three Councils advising of their withdrawal from the Group.
- Cr M Duperouzel
- The three Shires withdrawing from the Group are further from the metropolitan area than the other Member Councils.
 - Times are tough and people are becoming more scarce in those areas.
 - Hope that the three can "stick together" and "look after each other" into the future; they should "grasp each other and hang on to it".
- Chairman
- Concurred with Cr M Duperouzel's comments.

The Chairman then drew attention to the recommendation, detailed on page 7 of the Notice Paper presently before the meeting, viz:

1. That the notice of withdrawal from SEAVROC from the Shires of Cunderdin, Quairading and Tammin, be received.
2. That the withdrawal of the Shires of Cunderdin, Quairading and Tammin, from SEAVROC to take effect as from 30 June 2015.
3. That the Executive Officer calculate each party's entitlements, taking into account proceeds and any surplus funds which are payable if SEAVROC is wound up.

Cr P Hooper queried part 2 of the recommendation, with the suggestion that the date be removed.

General comment followed in relation to the date, with confirmation provided on the requirements of the MOU in this regard. It was suggested that the date be removed, and that the following meeting determine the timing of withdrawal.

- Chairman
- Quorum of the Group could change the MOU.
- Mr G Fardon
- Notice would have to be provided to all Member Local Governments.

- Intent being that the three withdrawing Local Governments do not have to honour the date of 30 June 2015.
 - Three Councils would seek an earlier withdrawal once grant funding requirements are finalised.
- Executive Officer
- If the date is removed from part 2, this would provide ability to report that consideration be given to an earlier withdrawal.
- Mr G Fardon
- Commented on the notice provided, and the minimum of three months to be honoured as opposed to the end of the Financial Year.
 - September meeting to be the "winding up" or continuation by the other councils.
- Mr P Hooper
- Suggested that a motion be moved to remove the date from part 2 of the recommendation.
- Mr G Fardon
- Suggested that the wording be amended accordingly.
- Chairman
- Part 3 remains as is.
- Cr P Hooper
- This would provide for an earlier withdrawal rather than waiting until 30 June 2015.
- Cr S Uppill
- Suggested there was not reason to drag on the matter, advising that he was happy to move such an amendment to the recommendation.
- Executive Officer
- Advised that there was no business before SEAVROC, until a determination was made on initiatives and projects.
- Cr P Hooper
- Queried the ability for Councils to belong to two ROC's and funding in this regard.

- Chairman • Queried what constitutes a quorum.
- Executive Officer • Advised that the Local Government Act determined at minimum of fifty percent.
- Chairman • Confirmed that the meeting stands with a quorum.

It was then:

MOVED Cr S Uppill, Seconded Cr D Richards, that part 2 of the recommendation be amended by deleting the date.

CARRIED UNANIMOUSLY

With the agreement of Members, the Chairman then put the recommendation as amended, viz:

1. ***That the notice of withdrawal from SEAVROC from the Shires of Cunderdin, Quairading and Tammin, be received.***
2. ***That the withdrawal of the Shires of Cunderdin, Quairading and Tammin, from SEAVROC is to take effect.***
3. ***That the Executive Officer calculate each party's entitlements, taking into account proceeds and any surplus funds which are payable if SEAVROC is wound up.***

Mr G Fardon confirmed that there are two votes per SEAVROC Member Local Government, as opposed to one vote per Council for the SEARTG Group.

The Chairman then confirmed the vote:

CARRIED UNANIMOUSLY

7. DELEGATES MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

8. NEW BUSINESS OF AN URGENT NATURE**8.1 Delegates**

Nil.

8.2 Executive Officer

Nil.

GENERAL BUSINESS**Regulation 17 – Risk Management Framework**

- Mr G Fardon
- This matter was raised at the last meeting.
 - Group of six Councils under LGIS to deliver this Framework.
 - Suggests that this be best changed to the two groupings.
 - Discussion required with LGIS in this regard.
 - To be completed in liaison with the Executive Officer.

Delegation and Policy Review – SEARTG Project

- Executive Officer
- Delegation and Policy review is a SEARTG project.
 - Considerable amount of work undertaken in this regard.
 - Funded under pre release funding.
 - Payment received prior to project being finalised.
 - No funds utilised.
 - Inappropriate that payment made before completion of the project.
 - There has been a considerable amount of delay.

- Proposal determined that the project should have been completed by 24 March 2014.
 - Instruction given that the monies are refunded to the Shire of York as host Council.
 - No invoice will be provided until project completion.
 - Member Councils will need to determine whether to proceed with this project.
- Cr B Caporn
- Queried status of the project.
- Executive Officer
- Advised that each Member Local Government needs to determine required Delegations for a template to be prepared.
 - Policies would then follow.
 - References would be provided between Delegations, Policies and legislation.
- Cr B Caporn
- Confirmed that feedback is to be provided.
- Executive Officer
- Concerned about the holding of funds for a project that is yet to be completed.
 - Not willing to hold funds any longer.
 - None of the funds have been utilised, and no invoices have been raised as the project has not been completed.
 - In view of the circumstances, correspondence will be forwarded to all parties that the funds have been returned to the Shire of York.
 - Happy to conclude the project, however timing has expired, and there is a need to recommence accordingly.
- Cr B Caporn
- Suggested that Cunderdin, Quairading and Tammin develop uniform Delegations.

- Mr G Fardon • Queried progress, with confirmation that all Member Councils are in the same position, without any being more advanced than the others.

- Executive Officer • Have not received any direction, and therefore cannot hold funds any longer.

- No choice but to refund monies.

Correspondence to SEAVROC Member Local Governments

- Cr D Richards • Suggested that correspondence be forwarded on behalf of Cunderdin, Quairading and Tammin, to all Member Local Governments in appreciation of the cooperation of these neighbouring Councils.

- Mr G Fardon • Correspondence should be drafted by the Executive Officer on behalf of the three Councils, to be signed by the three Presidents.

- Chairman • Concurred with Mr G Fardon's suggestion.

9. CLOSURE OF MEETING

Next Meeting

Through discussion, it was determined that the next SEAVROC Executive Committee Meeting would be held on Thursday, 4 September 2014.

Closure

The Chairman offered special thanks to the Executive Officer for the work undertaken and for organising this meeting on such short notice. Appreciation was also extended to the Executive Officer for his consistent professionalism in dealing with all matters.

There being no further business, the Chairman declared the Meeting closed at 1:48pm.
