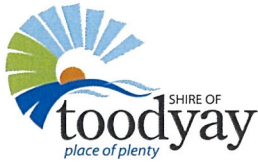


# AROC

## Avon Regional Organisation of Councils



## Memorandum of Understanding for the operation of the AROC Group Agreement

BETWEEN THE:

SHIRE OF GOOMALLING  
SHIRE OF NORTHAM  
SHIRE OF TOODYAY  
SHIRE OF VICTORIA PLAINS  
SHIRE OF YORK

*Adopted at an AROC Meeting held on 21 September 2020*

*(Res. No. 16/09/20)*

**September 2020**

*Memorandum of Understanding*  
*Avon Regional Organisation of Councils (AROC)*

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***Memorandum of Understanding***  
***Avon Regional Organisation of Councils (AROC)***

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**A. Description of the Memorandum of Understanding (MOU)**

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1. The purpose of this document is to set out the framework for regional cooperation between the member local governments.
2. The regional body shall be known as the Avon Regional Organisation of Councils, or under the short form AROC.
3. AROC will not be a legal entity or a body corporate and may only operate under the auspices of one or more-member local governments.
4. AROC operates under the authority of Section 3.68 of the *Local Government Act 1995*.

**B. Period of Agreement**

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1. This agreement shall apply from the date it is adopted by the member local governments for a period of five years. At the end of that period the members may:
  - Renew the agreement;
  - Change the agreement; or
  - Take no action, in which case the agreement ceases to have effect.
2. The agreement may be modified or cancelled at any time with the unanimous agreement of the member local governments.

**C. Membership**

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1. Membership of the Avon Regional Organisation of Councils shall consist of the following organisations. Each member is a local government constituted under the Western Australian *Local Government Act 1995*.
2. Member local governments of the Avon Regional Organisation of Councils are:
  - Shire of Goomalling;
  - Shire of Northam;
  - Shire of Toodyay;
  - Shire of Victoria Plains; and
  - Shire of York.

**D. Mission Statement**

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The mission of the Avon Regional Organisation of Councils is to:

**“Work cooperatively for the benefit of the region and well-being of the community”**

**E. Purpose**

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The purpose of AROC is to arrange and facilitate Members:



- working together cooperatively to address regional problems, issues or challenges and advance the interests of the region;
- developing and implementing resource sharing strategies or regional service delivery models;
- delivery of training and development programs for elected members or staff; and
- Undertaking joint tendering or purchasing arrangements.

## F. The AROC Governance Group

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1. The prime decision-making body for AROC shall be the Governance Group;
2. The Governance Group will meet every two months at a time and place agreed by the group;
3. Each member local government shall have equal representation on the Governance Group;
4. The Governance Group shall consist of:
  - one Elected Member from each member local government, usually the mayor or Shire President;
  - one Senior Officer from each member local government, usually the CEO;
5. Each local government shall nominate an Elected Member to represent it on the Governance group;
6. Proxies are permitted;
7. Each member local government shall have a single vote to be exercised by their nominated elected member or proxy, or in the absence of an elected member by the CEO or senior officer present;
8. Governance Group meetings are not open to the public, but additional elected members from member local governments are encouraged to attend as observers;
9. Invited guests may attend the meeting to address particular issues and can remain for the remainder of the meeting unless decided otherwise by the meeting;
10. Members may attend by prior arrangement through instantaneous electronic communication.

## G. The AROC Officer's Group

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1. The AROC Officers Group will meet every two months at a time and place agreed by the Officers Group, in the months when the Governance Group does not meet;
2. Each member local government shall have equal representation on the Officers Group, usually the CEO;
3. Proxies are permitted; and
4. Decisions shall be by consensus.

## H. Authority

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1. The Governance Group will have authority from member local governments to deal with funds held by AROC from members and third-party contributions; except

2. The individual local government that is auspiced to deliver a program or project under third party grant funding shall ensure that the program or project is delivered and the funds are expended and acquitted in accordance with the grant agreement.

## I. Meetings

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1. AROC Governance Group meetings shall be convened at the time and at the place determined by the group;
2. The secretariat will prepare a program for the meeting that will consist of:
  - Matters referred by the Officers Group for consideration or decision;
  - Matters raised by individual member local governments for consideration;
  - Review of actions and progress arising from previous meetings or decisions;
  - Submissions, presentations or representations from third parties arranged by the secretariat or agreed by the Chairperson;
  - Such other matters as may be agreed by the Governance Group.
3. The meeting Program will generally be circulated one clear week prior to the Governance Group Meeting.
4. A quorum shall consist of delegates from four-member local governments.

## J. Chairperson and Deputy Chairperson

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1. The Chairperson and Deputy Chairperson of the Governance Group will be elected at the first Governance Group meeting following the local government Ordinary Elections, or at such other times as may be necessary if the position is vacated;
2. The Chairperson and Deputy Chairperson must be elected members from the member local governments;
3. The Chairperson shall have a deliberate vote only and no casting vote. Unresolved matters are to be referred to the next meeting;
4. If the Chairperson is absent, whether represented by a proxy or not, the Deputy Chairperson will preside;
5. If both the Chairperson and the Deputy Chairperson are absent, whether represented by proxies or not, the group will elect a presiding member for that meeting only.

## K. Secretariat

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1. An individual, member local government or other corporate body may be appointed to provide secretariat support to AROC. Unless the Governance Group determines otherwise the secretariat will be provided by the local government represented by the Chairperson;
2. The Governance Group will determine an annual fee for the provision of secretariat services at the time that it adopts its annual budget.



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## L. Treasury

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1. A member local government will be appointed to act as Treasurer to hold, manage and account for funds held on behalf of AROC;
2. The Treasurer will provide regular financial reports to the Governance Group;
3. The Governance Group may determine an annual fee for the provision of Treasury services at the time that it adopts its annual budget.

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## M. Annual Financial Contribution

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1. Each year at its April meeting the Governance Group will determine the annual contribution for member Councils for the following financial year;
2. The annual contribution shall be identical for each member Council;
3. The annual contribution will be not less than \$5,000 and not more than \$10,000 per member local government.

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## N. Project Financial Contribution

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1. AROC through the Governance Group may decide to undertake a project or projects which require additional financial contributions from member local governments;
2. Projects must involve at least two local governments, but could involve all member local governments;
3. Each project will have a separate form of agreement which will ensure that:
  - The costs of the project are equitably distributed;
  - That any additional costs or savings are equitably distributed to participating local governments; and
  - That there will be no impost on, or windfall to those member local governments that choose not to participate.

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## O. New AROC Members

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1. The Governance Group may by unanimous agreement:
  - Allow an additional local government to become a member; or
  - Invite an additional local government to become a member.
2. Any new member will be required to buy in to the Avon Regional Organisation of Councils;
3. The buy in figure will be determined by preparing a balance sheet for AROC and dividing the net equity position by the number of Members.

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## P. Withdrawal of AROC Members

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1. AROC members recognise and agree that participation in AROC is a long-term strategy and any decision to withdraw should be reflective of the long-term nature of the commitment;

2. A retiring member must give at least one full financial year notice of an intention to withdraw;
3. At the conclusion of the notice period the departing member will be entitled to receive a payout calculated as the AROC net position not including any restricted funds, at 30 June divided by the number of members;
4. A member may withdraw at any time without notice but will be required to pay any contributions due and payable up to the end of the current financial year but will not be entitled to any distribution of assets.

## Q. Focus Areas

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1. AROC will agree on key focus areas that will inform priorities, planned projects and activities for the next two-year period;
2. The focus areas will be outlined in a schedule to this MOU;
3. The Schedule will be reviewed annually.

R. Executed by the Parties

Shire of Goomalling

SHIRE PRESIDENT

Barry Haywood  
Printed Name

[Signature]  
Signature

\_\_\_\_\_  
Date

CHIEF EXECUTIVE OFFICER

Peter Bentley  
Printed Name

[Signature]  
Signature

\_\_\_\_\_  
Date

Shire of Northam

SHIRE PRESIDENT

Christopher Richard Antonio  
Printed Name

[Signature]  
Signature

\_\_\_\_\_  
Date

CHIEF EXECUTIVE OFFICER

JASON BRIAN WHITEAKER  
Printed Name

[Signature]  
Signature

\_\_\_\_\_  
Date



**Shire of Toodyay**

SHIRE PRESIDENT

ROSEMARY MADACSI  
Printed Name

R. Madacsi  
Signature

16.11.20  
Date

CHIEF EXECUTIVE OFFICER

SUZIE HASLEHURST  
Printed Name

S. Haslehurst  
Signature

16.11.20  
Date

**Shire of Victoria Plains**

SHIRE PRESIDENT

Pauline Bantock  
Printed Name

P. Bantock  
Signature

16.11.20  
Date

CHIEF EXECUTIVE OFFICER

Glenda Teede.  
Printed Name


G. Teede  
Signature

15.02.21.  
Date

**Shire of York**

**SHIRE PRESIDENT**

Denese Smythe  
Printed Name

  
Signature

16/11/2020  
Date

**CHIEF EXECUTIVE OFFICER**

Chris Linnell  
Printed Name

  
Signature

16-11-2020  
Date

## S. Schedule 1 – AROC Focus Areas

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It is agreed that the key Focus Areas for activities undertaken by the Avon Regional Organisation of Councils will include:

1. Regional Effectiveness (e.g. regional waste management contract);
2. Economic Development (e.g. tourism development, events); and
3. Other specific projects (e.g. governance, infrastructure activities).