

## CAPES REGION ORGANISATION OF COUNCILS (CAPEROC)

### TERMS OF REFERENCE

#### 1.0 Introduction

The Councils of the Shire of Augusta-Margaret River and the City of Busselton (the Councils) following a resolution of the respective Councils establish a Voluntary Regional Organisation of Councils (VROC) to be known as the *Capes Region Organisation of Councils (CapeROC)*.

The Councils jointly appoint to CapeROC those positions whose names appear in Section 4.0 below. Membership of CapeROC shall, unless otherwise specified, be for a term ceasing at the date of the Local Government election in the year the local government elections are held, after which time the Councils may appoint members for a further term.

The CapeROC shall act for and on behalf of the two Councils in accordance with provisions of the *Local Government Act 1995*, local laws and the policies of the respective Councils and this document.

#### 2.0 Name

The name of the Voluntary Regional Organisation of Councils shall be the Capes Region Organisation of Councils (CapeROC).

#### 3.0 Objectives

CapeROC seeks to enhance the capacity of both local governments to deliver social, economic and environmental benefits to their communities and the region.

The objectives of the CAPEROC are:

- To explore opportunities to foster Economic Development in the Capes Region;
- To explore avenues to foster tourism in the Capes Region and improve the coordination of major regional events;
- To safeguard, strengthen and grow the Margaret River and Busselton brands;
- To explore opportunities to undertake projects of mutual benefit to the Shire and the City eg Rails to Trails network; joint waste management facilities; joint funding of infrastructure requirements;
- To develop opportunities to undertake capacity building activities for Councillors and staff in the Shire and the City;
- To explore opportunities to develop funding submissions on a regional basis;
- To evaluate possible resource sharing arrangements between the Shire and the City;
- To identify skill shortages and to undertake workforce planning on a regional basis;
- To explore opportunities to simplify and standardise policies in the region where appropriate;
- To consider the feasibility of establishing a Capes Regional Council.

#### 4.0 Membership

The membership of the CapeROC shall be:

1. The President of the Shire of Augusta-Margaret River;
2. The Mayor of the City of Busselton;
3. Two Councillors appointed by the Shire and two Councillors appointed by the City;
4. The CEO of the Shire and the CEO of the City.

Deputy Members may be appointed by each Local Government.

#### 5.0 Presiding Member

The role of Presiding member shall be rotated between the Shire and the City on an annual basis and the administration of the meetings will be conducted by the organisation from which the Presiding Member is appointed. The Deputy Presiding Member shall be appointed by the alternative organisation from the Presiding Member.

The Presiding Member shall ensure that minutes of the proceedings are kept and that business is conducted in a less formal manner than Council meetings but in accordance with the accepted rules of conduct for the Shire's and City's Council and committee meetings.

The Presiding Member must cast a second vote if the votes of the members present are equally divided.

The *Local Government Act 1995* places responsibility for speaking on behalf of the Councils with the President and Mayor, or the CEOs if the President and Mayor agree. Statements on behalf of the CapeROC shall be by joint communiqué by the President and Mayor.

The members of the CapeROC with the exception of the President and Mayor are to refrain from speaking publicly on behalf of the CapeROC, or to issue any form of written material purporting to speak on behalf of the CapeROC without the prior approval of the President and Mayor.

#### 6.0 Meetings

The CapeROC shall meet on a quarterly basis or as required.

6.1 Notice of meetings shall be given to members at least 5 days prior to each meeting.

6.2 If any member is absent from 3 consecutive meetings without leave of the CapeROC, they shall forfeit their position on the CapeROC. The respective Council shall be informed, who will then appoint a replacement for the balance of the member's term of appointment.

6.3 The Presiding member shall ensure that detailed minutes of all meetings are kept and shall, not later than 5 days after each meeting, provide both Councils with a copy of such minutes.

6.4 All members of the Committee shall have one vote. If the votes of the members present are equally divided, the person presiding is to cast a second vote as is required under the Local Government Act.

#### 7.0 Quorum

Quorum for a meeting shall be at least 50% of the number of offices, whether vacant or not. A decision of the CapeROC does not have effect unless it has been made by a simple majority.

#### 8.0 Delegated Powers

The CapeROC is a facilitation, advocacy and advisory body established to assist both Councils to achieve greater effectiveness and efficiency. CapeROC is funded by the Councils to conduct activities consistent with the Objectives of the Committee shown at section 3.0 of this Terms of Reference.

Other than to consider proposals that are presented to CapeROC which must be consistent with the Objectives of the Committee, the Committee has no delegated powers.

CapeROC may approve proposals referred to above provided that the cost of all proposals is within the funding limit allocated by the Councils.

#### 9.0 Termination of Committee

Termination of the CapeROC shall be by decision of either Council or jointly to discontinue participation in the Voluntary Regional Organisation of Councils.

#### 10.0 Amendment to the Terms of Reference

This document may be altered at any time by the two Councils jointly passing a motion of their respective Councils on the recommendation of the CapeROC, or independently by joint decision of the two Councils.

#### 11.0 Committee Decisions

Other than to approve proposals that are presented to CapeROC which are consistent with the Objectives of the Committee shown at section 3.0 of this Terms of Reference, CapeROC decisions shall not be binding on the two Councils and need to be ratified by the Councils.

<b>History</b>	
18 August, 2017	CAP1708/005 Review
21 October, 2013	SC1310/186 Membership
9 October, 2013	C1310/267 Establishment
12 October, 2011	C1110/315
25 November, 2009	C0911/410