

TOWN OF BASSENDEAN

MINUTES

AUDIT AND RISK MANAGEMENT COMMITTEE

HELD IN THE COUNCIL CHAMBER, 48 OLD PERTH ROAD, BASSENDEAN
ON WEDNESDAY 9 DECEMBER 2015 AT 5.30PM

1.0 ELECTION OF PRESIDING MEMBER AND DEPUTY PRESIDING MEMBER

Election of Presiding Member

An election was held for Presiding Member in accordance with Section 5.12 of the Local Government Act (1995) and pursuant, therefore, to Schedule 2.3 Division 1 of the Local Government Act (1995). There being an equality of votes (Schedule 2.3 Division 1 part 5) the officer conducting the election adjourned the meeting until 5.30pm of the same day.

Under delegated authority of the Chief Executive Officer, the Director Corporate Services conducted the election of the Presiding Member.

One nomination was received for Cr Gerry Pule. One nomination was received for Cr Mike Lewis.

A secret ballot was conducted in accordance with the Local Government Act, Schedule 2.3, resulting in Cr Gerry Pule receiving three votes and Cr Mike Lewis receiving two votes.

The Director Corporate Services declared Cr Gerry Pule the Presiding Member.

Election of Deputy Presiding Member

The Presiding Member conducted the election of the Deputy Presiding Member.

One nomination was received for Cr Mike Lewis. One nomination was received for Michelle Rutherford.

A secret ballot was conducted in accordance with the Local Government Act, Schedule 2.3, resulting in Cr Mike Lewis receiving three votes and Michelle Rutherford receiving two votes.

The Presiding Member declared Cr Mike Lewis as Deputy Presiding Member.

2.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open, welcomed all those in attendance and conducted an Acknowledgement of Country.

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Present

Cr Gerry Pule
Cr Mike Lewis
Cr Paul Bridges
Ian Walters
Michelle Rutherford

Staff

Mike Costarella, Director Corporate Services
Amy Holmes, Minute Secretary
Ron Back, Consultant Financial Advisor

4.0 DEPUTATIONS

Nil

5.0 CONFIRMATION OF MINUTES

5.1 Minutes of the Meetings held on 14 October 2015

COMMITTEE/OFFICER RECOMMENDATION – ITEM 5.1

MOVED Michelle Rutherford, Seconded Cr Gerry Pule, that the minutes of the meeting held on 14 October 2015 be confirmed as a true record.

CARRIED UNANIMOUSLY 5/0

6.0 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

The Presiding Member welcomed Committee members for the 2015/2017 term.

7.0 DECLARATIONS OF INTEREST

Nil

8.0 BUSINESS DEFERRED FROM PREVIOUS MEETING

Nil

9.0 REPORTS

9.1 Request for a Rate Exemption – Morley Baptist Church 33 Hanwell Way, Bassendean (Ref: RAT&VAL/RTPAYMT/2 – Ken Lapham, Manager Corporate Services)

APPLICATION

The purpose of this report is to reconsider an exemption from Council rates could be granted under Section 6.26(2)(d) of the Local Government Act, following deferral of this item from the previous meeting.

BACKGROUND

This item was considered at the Audit Committee meeting held on 14 October 2015. The Officer recommendation was that the Committee recommends to Council that the Trustees of the Morley Baptist Church be eligible for a rates concession of 100% of the rates levied for the 2015/16 financial year in accordance with Section 6.47 of the Local Government Act.

STRATEGIC IMPLICATIONS

Leadership and Governance

Improve capability and capacity

- *Ensure Financial sustainability*
- *Monitor and enhance organisational performance and service delivery*

COMMENT

A request has been received from the Morley Baptist Church requesting that the Council consider exempting the property from rates. The property concerned was purchased by the Morley Baptist Church in December 2014. It is now a place of worship and associated activities of the church.

A religious body may apply for an exemption from rates if they can demonstrate the land is used exclusively as a place of public worship or in relation to that worship, a place of residence of a minister of religion.

The Director Corporate Services visited the property to seek clarification of the activities that were proposed to be undertaken by the church on the property. The Chairman of the church advised the DCS who explained that the initial projected uses of the facility would not be achieved during the 2015/16 financial period.

Council may decide to provide a full rate exemption, or reject the application, but given the nature of the activities as described by the applicant, that being "primarily as a place of worship" and normal activities of a Baptist Church. Planning approval was given as a place of worship, and as a function centre.

Granting full exemption in accordance with the Local Government Act would be the most suitable resolution, given the fact that the property is being primarily used in accordance with the requirements of Section 6.26 (2) (d).

Section 6.26 (2)(d) states:

Land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery or occupied exclusively by a religious brotherhood or sisterhood.

STATUTORY REQUIREMENTS

Local Government Act S6.26(2) (d)

FINANCIAL CONSIDERATIONS

Provides a rate exemption of the 2015/16 rates levied totalling \$9,540. There will be an amendment in the rubbish charge from \$335 per service to the exempt properties charge of \$400 per service. FESA levies are still required to be paid. Rates income was levied to account #312051 (General Rates) will be reduced by \$9,540, with the proposed write-off.

The adjustment will impact account #312051 in that it will be over budget by \$3,660 after the write off.

COMMITTEE/OFFICER RECOMMENDATION – ITEM 9.1

ARMC - 1/12/15 MOVED Cr Paul Bridges, Seconded Cr Mike Lewis, that Council, pursuant to Section 6.26(2) (d) of the Local Government Act, approves a Rate Exemption on 33 Hanwell Way, Bassendean, to the Trustees of the Morley Baptist Church Inc. for the 2015/16 financial year, on the basis that it be used exclusively as a place of worship.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

10.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

11.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

Nil

12.0 CONFIDENTIAL BUSINESS

COMMITTEE RESOLUTION – ITEM 12.0(a)

ARMC - 2/12/15 MOVED Cr Paul Bridges, Seconded Ian Walter, that the meeting go behind closed doors, in accordance with Section 5.23 of the Local Government Act 1995, the time being 5.56pm.

CARRIED UNANIMOUSLY 5/0

All members of the public vacated the Chamber, the time being 5.56pm.

12.1 Underground Power Charge - 49 Ashfield Parade, Ashfield (Ref: EAST/CONCTN/2-Mike Costarella, Director Corporate Services)

This matter was considered with members of the public excluded from the Chamber under Clause 5.23 (2) (b) of the Local Government Act 1995, as the officer report discusses the personal affairs of a person.

COMMITTEE/OFFICER RECOMMENDATION – ITEM 12.1

- ARMC - 3/12/15** MOVED Cr Paul Bridges, Seconded Ian Walter, that the Committee adopts the Officer Recommendation shown the Confidential Report attached to the Audit and Risk Management Committee Agenda of 9 December 2015.
CARRIED UNANIMOUSLY 5/0

COMMITTEE RESOLUTION – ITEM 12.0(b)

- ARMC - 4/12/15** MOVED Michelle Rutherford, Seconded Ian Walter, that the meeting proceeds with open doors, the time being 6.00pm.
CARRIED UNANIMOUSLY 5/0

As no members of the public returned to the Chamber, the reading aloud of the motions passed behind closed doors was dispensed with.

13.0 **CLOSURE**

The next Audit and Risk Management Committee Meeting will be held on 9 March 2016.

There being no further business, the Presiding Member declared the meeting closed, the time being 6.02pm.