

# **TOWN OF BASSENDEAN**

## **MINUTES**

### **AUDIT AND RISK MANAGEMENT COMMITTEE**

**HELD IN THE COUNCIL CHAMBER, 48 OLD PERTH ROAD, BASSENDEAN**  
**ON WEDNESDAY 4 FEBRUARY 2015 AT 9.37AM**

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#### **1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

The Presiding Member declared the meeting open and welcomed those in attendance.

#### **Acknowledgement of Country**

The Town of Bassendean acknowledges the Wadjuk People of the Nyoongar Nation as the traditional owners of the land on which we gather to conduct this meeting, and pays its respects to their Elders, both past and present.

#### **2.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE**

##### Present

Cr Mike Lewis, Acting Presiding Member  
Ms Michelle Rutherford, Community Representative  
Mr Craig Weller, Community Representative  
Mr Ron Back, Financial Advisor (until 10.45am)  
Mr Michael Costarella, Director Corporate Services  
Mr Ken Lapham, Manager Corporate Services  
Mr Tim Clark, Acting Manager Recreation and Culture

##### Visitors

Mr Phil Kelly, Vice President, Ashfield Sport Club  
(until 10.40am)  
Mr Matt Carruthers, Football Operations, Ashfield Sports Club  
(until 10.40am)

##### Leave of Absence

Cr Gerry Pule

### **3.0 DEPUTATIONS**

Mr Phil Kelly, Vice President, and Mr Matt Carruthers, Football Operations, of the Ashfield Sports Club gave brief overview of the future direction of the Club and provided information on the outstanding debt and unauthorised works.

### **4.0 CONFIRMATION OF MINUTES**

#### **4.1 Minutes of the Meeting held on 10 December 2014**

##### **COMMITTEE/OFFICER RECOMMENDATION – ITEM 4.1**

MOVED Craig Weller, Seconded Michelle Rutherford, that the minutes of the meeting held 10 December 2014 be confirmed as a true record.

**CARRIED**

### **5.0 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

Nil

### **6.0 DECLARATIONS OF INTEREST**

Nil

### **7.0 BUSINESS DEFERRED FROM PREVIOUS MEETING**

Nil

### **8.0 REPORTS**

#### **8.1 Local Government Compliance Audit Return 2014 (Ref: GOVR/LREGLIA/9 – Mike Costarella, Director Corporate Services)**

##### **APPLICATION**

The report presents the Local Government Compliance Audit Return 2014, 1 January to 31 December 2014 to Council in order that the report be adopted.

## BACKGROUND

The Department of Local Government initially introduced a voluntary self-assessment return in 1995, which is now mandatory, for local governments to determine the level of compliance with the Local Government Act and associated Regulations.

In 2007, the Department of Local Government developed an online return, enclosed under separate cover is a printout from the return prepared on the Department's website.

## STRATEGIC IMPLICATIONS

### ***Leadership and Governance***

- We will provide leadership and build a sustainable place through our regional and government partnerships.
- We will be accountable and make decisions for the good of the community
- We will engage with our community, building cohesive community and support community participation

## COMMENT

Each Local Government Authority is required to complete a Compliance Audit Return for the period 1 January to 31 December 2014. The Compliance Audit Return 2014 must be submitted to the Director General, Department of Local Government by 31 March 2015.

The return is one of the tools that allow Council to monitor how the organisation is functioning. It places emphasis on the need to bring to Council's attention, issues of non-compliance, or issue where full compliance was not achieved.

In addition to explaining or qualifying cases of non-compliance, the return also requires Council to endorse any remedial action taken or proposed to be taken in regard to instances of non-compliance.

The document contains a total of 78 questions to test compliance with the Local Government Act and Regulations. The list of response types is shown below and includes prior year responses.

<b>RESPONSE</b>	<b>2014</b>	<b>2013</b>	<b>2012</b>	<b>2011</b>	<b>2010</b>
Areas of Compliance	56	58	46	52	208
Areas of Non Compliance	0	0	0	0	0
Not Applicable	22	20	32	26	75
<b>Total</b>	<b>78</b>	<b>78</b>	<b>78</b>	<b>78</b>	<b>283</b>

### STATUTORY REQUIREMENTS

Local Government Act 1995 and associated Regulations

### FINANCIAL CONSIDERATIONS

Nil.

### COMMITTEE/OFFICER RECOMMENDATION – ITEM 8.1

**ARMC-1/02/15** MOVED Craig Weller, Seconded Michelle Rutherford, that Council adopts the Compliance Audit Return 2014 for the period 1 January to 31 December 2014, as attached to the Audit & Risk Management Committee Agenda of 4 February 2015.

CARRIED

### 9.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

### 10.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

Nil

## **11.0 CONFIDENTIAL BUSINESS**

### **11.1 Outstanding Debtor and Unauthorised Works – Ashfield Recreation Reserve Ashfield and Lease Dispute (Ref RECC/LIAIS/1 - Tim Clark, A/Manager Recreation and Culture, Michael Costarella, Director Corporate Services & Ken Lapham, Manager Corporate Services Lapham)**

*This matter was considered with members of the public excluded from the Chamber under Clause 5.23 (2) (e) (iii) of the Local Government Act as the officer report discussed a matter that if disclosed, would reveal information about a business, professional, commercial or financial affairs of a person.*

*Mr Phil Kelly and Mr Matt Carruthers left the Chamber, the time being 10.40am, and did not return.*

*Mr Ron Back left the Chamber, the time being 10.45am, and did not return.*

#### **COMMITTEE RECOMMENDATION – ITEM 11.1(a)**

**ARMC-2/02/15** MOVED Craig Weller, Seconded Michelle Rutherford, that the meeting go behind closed doors, in accordance with Section 5.23 of the Local Government Act 1995, the time being 10.45am.

**CARRIED**

#### **COMMITTEE RECOMMENDATION – ITEM 11.1(b)**

**ARMC-3/02/15** MOVED Craig Weller, Seconded Michelle Rutherford, that the Audit and Risk Management Committee makes the following recommendation to Council:

1. The financial statements and budget presented to the Audit and Risk Management Committee be received;
2. The Ashfield Sports Club is requested to provide monthly financial statements to 30 June 2015;
3. In order that the Club can pay the majority of its arrears debt (to the 31 December 2014) \$19,352 by the 30 June 2015, the Club is required to make the following monthly payments, by direct debit :

February	\$2,500	No change
March	\$2,500	No change
April	\$4,500	
May	\$4,500	
June	\$4,500	

4. The current direct debit for the loan repayment of \$1,377 be continued as a separate reimbursement of the existing loan;
5. Any invoice incurred after the 1 January 2015 be paid in full by the due date (30 days from the issue of the invoice);
6. Any unauthorised works is rectified no later than the 28 February 2015;
7. A retrospective building application be submitted to Council together with a certified plan for approval by the Town by 28 February 2015; and
8. Subject to the unsuccessful outcome of any of the above items, the CEO be delegated authority to terminate the lease and seek expressions of interest from other sporting clubs or non-profit organisations to the lease the property under a new lease agreement until the expiry of the existing lease.

CARRIED

COMMITTEE RECOMMENDATION – ITEM 11.1(c)

**ARMC-4/02/15** MOVED Craig Weller, Seconded Michelle Rutherford, that the meeting proceeds with open doors, the time being 11.14am.

CARRIED

**12.0** **CLOSURE**

The next meeting will be on Wednesday 6 May 2015, commencing at 9.30am.

There being no further business, the meeting closed at 11.15am.