

Shire of Cocos (Keeling) Islands

Shire of Cocos (Keeling) Islands

Agenda

Ordinary Meeting of Council

Wednesday 27 March 2024, 1:00pm

Council Chambers, Shire Administration Building

Lot 256 Jalan Bunga Melati, Home Island

Disclaimer

Members of the public should note that in any discussion regarding any planning or other application that any statement or intimation of approval made by any member or officer of the Shire during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire. No action should be taken on any item discussed at a Council meeting prior to written advice on the resolution of the Council being received. Any plans or documents contained in this document may be subject to copyright law provisions (Copyright Act 1968, as amended) and the express permission of the copyright owner(s) should be sought prior to the reproduction.

OUR VALUES

Service

Provide the best service we can.

We serve the community and each other.

Accountability

We take responsibility for our own actions.

We do what we say we will do.

Mistakes are an opportunity to learn.

Support

We support our team and our community.

Look for opportunities to help each other.

Respect

We respect and value others.

Our interactions are always respectful towards others.

Integrity

We will be honest and transparent with all our dealings.

Maintain confidentiality.

Trust each other.

Achievement

Being proactive and enabling the outcomes.

Be creative and think outside the square.

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1. OPENING/ANNOUNCEMENTS OF VISITORS

2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4. PUBLIC QUESTION TIME

In accordance with section 5.24(1) (a) of the *Local Government Act 1995*, time is allocated for questions to be raised by members of the public, as follows:

(1) The minimum time to be allocated for the asking of and responding to questions raised by members of the public at ordinary meetings of councils and meetings referred to in regulation 5 is 15 minutes.

(2) Once all the questions raised by members of the public have been asked and responded to at a meeting referred to in sub regulation (1), nothing in these regulations prevents the unused part of the minimum question time period from being used for other matters.

Pursuant to regulation 7(4) (a) of the *Local Government (Administration) Regulations 1996*, questions from the public must relate to a matter affecting the local government.

In accordance with section 5.25 (1)(f) of the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996* regulation 11(e) a summary of each question raised by members of the public at the meeting and a summary of the response to the question will be included in the minutes of the meeting.

Where a question is taken on notice at the meeting, a summary of the response to the question will be included in the agenda for the following Council meeting.

5. LEAVE OF ABSENCE

The *Local Government Act 1995* (Section 2.25) provides that a Council may, by resolution, grant leave of absence to a member for Ordinary Council Meetings. A member who is absent, without first obtaining leave of the Council, throughout three consecutive Ordinary meetings of the Council is disqualified from continuing his or her membership of the Council. Disqualification from membership of the Council for failure to attend Ordinary Meetings of the Council will be avoided so long as the Council grants leave prior to the member being absent. The leave cannot be granted retrospectively. An apology for non-attendance at a meeting is not an application for leave of absence.

5.1 LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Councillor	Date of Leave	Approved by Council
Cr Knight	16 January to 16 April 2024	13 December 2023

5.2 APPLICATION FOR LEAVE OF ABSENCE

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING(S)

7.1 Ordinary Council Meeting held on 28 February 2024 - Attachment 7.1

OFFICER RECOMMENDATION

THAT COUNCIL BY SIMPLE MAJORITY, PURSUANT TO SECTIONS 5.22(2) AND 3.18 OF THE LOCAL GOVERNMENT ACT 1995 (WA)(CKI), RESOLVES THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 FEBRUARY 2024 AS PRESENTED IN ATTACHMENT 7.1 BE CONFIRMED AS A TRUE AND CORRECT RECORD OF PROCEEDINGS.

8. ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS

9. DECLARATION OF INTERESTS

Councillors are to complete a Disclosure of Interest Form for each item they are required to disclose an interest in. The Form should be given to the Presiding Member before the meeting commences. After the meeting, the Form is to be provided to the Governance and Risk Coordinator for inclusion in the Disclosures Register.

Name	Item No.	Interest	Nature

10.REPORT FROM COMMITTEES AND OFFICERS

10.1 CHIEF EXECUTIVE OFFICER

10.1.1 CEO REPORT MARCH 2024

Report Information

Date: 8 March 2024
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest:
 Reporting Officer: Chief Executive Officer
 Island: Shire wide
 Attachments: 10.1.1.1 - Correspondence from the Hon Chris Bowen MP
 10.1.1.2 - TVRI World Programme
 10.1.1.3 - Letter of Assignment

Authority / Discretion

Definition

<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. E.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes and policies. Review when Council reviews decisions made by officers.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application / matter that directly affects a person's right and interest. The judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits / licenses.</i>
<input checked="" type="checkbox"/>	Information	<i>Includes items provides to Council for information purposes only that do not require a decision of Council (i.e. – for noting).</i>

Report Purpose

The purpose of this report is to provide Council with an update of the actions of the Chief Executive Officer for the February/March 2024 reporting period.

Relevant Documents

Available for viewing at the meeting.

Background

Amongst daily meetings with staff, community members, a myriad of Commonwealth and State Government agencies and their staff and visitors to the Cocos (Keeling) Islands, of note for this month's report is the following.

Waste and Resource Recovery Strategy

The GHD developed Waste and Resource Recovery Strategy – Indian Ocean Territories – Christmas Island and Cocos (Keeling) Islands and the Implementation Plan Cocos (Keeling) Islands are finalised as far as the Commonwealth i.e., the Department of Infrastructure, Transport, Regional Development, Communications, and the Arts (DITRDCA) and West Australia Government Department of Water and Environmental Regulation are concerned.

See the following:

- *“IOT Waste Management and Resource Recovery Strategy: All feedback has been incorporated and the document is now considered final. We will now be looking for the endorsement of both Shires before the Waste Management Strategy is released to the communities of both Christmas Island and the Cocos (Keeling) Islands.*
- *Christmas Island and Cocos (Keeling) Islands Implementation Plans: as requested during the first Waste Management Strategy Workshop, GHD have compiled separate Implementation Plans for both Christmas Island and the Cocos (Keeling) Islands. It is important to note that these documents provide guidance for the implementation of the IOT Waste Management and Resource Recovery Strategy. The purpose is to provide short-, medium- and long-term steps for the implementation of the Strategy, the order of priority for each action, the opportunities and challenges of these actions, and which organisation/s are responsible for the implementation of the action. We would appreciate your input and comments on the Implementation Plans.*
- *Organic Waste Recycling Pre-Feasibility Assessment: GHD have completed the first draft of the Organic Waste Recycling Pre-Feasibility Assessment, which focuses on organic waste recycling and potential for reducing residual waste quantities. It includes assessment of local market potential for recycling organic products, technology options, regulatory requirements, available technologies, and financing options. We would appreciate your input and comments on this document”.*

A request for consideration of further works and review especially in terms of investigating the opportunities provided for by sea dumping continues to be ignored. Despite repeated requests to DITRDCA, advice is there is not going to be any amendments to the documents as tabled.

Consequently, a stalemate has occurred, and the documents are now tabled for Council information.

Minister for Climate Change

Correspondence (Attachment No 10.1.1.1) from the Department of Climate Change, Energy, the Environment and Water indicates that Minister Bowen is not able to support an application from the Shire for funding under the Disaster Ready Funding program.

Embassy of Republic of Indonesia

Correspondence (Attachment No 10.1.1.2 and 10.1.1.3) from the Embassy of the Republic of Indonesia, Canberra relating to a visit to Cocos (Keeling) Islands for *Televisi Republik Indonesia* (National Television of the Republic of Indonesia/TVRI). Staff attended a zoom meeting with TVRI World Program, Bonny Moku to discuss the visit from 8 March 2024 to 12 March 2024. Bonny and his coworkers to be assisted by the Community Development and IT Communications staff during their visit.

Department of Premier and Cabinet

Met with Shane Jaffar from the Department of Premier and Cabinet west Australia, who was on Cocos (Keeling) Islands. Held discussions regarding abandoned vehicles, funding for local government, 1991 MOU and Trust Deeds. Declined to commit to a visit to the Cocos (Keeling) Islands by the Premier.

Annual leave

With the Chief Executive Officer of the Shire taking annual leave from 08 March 2024 to 22 March 2024, the Acting Chief Executive Officer for this period will be the Manager for Governance, Planning and Risk, Ibrahim Macrae.

Comment

Nil

Policy and Legislative Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority.

OFFICER RECOMMENDATION – ITEM NO 10.1.1

THAT THE COUNCIL, BY A SIMPLE MAJORITY, RESOLVES TO FORMALLY ACKNOWLEDGES, NOTES, AND RECEIVES THE CEO'S REPORT.

10.1.2 PROPOSED COVERED AREA/VERANDAH HOME ISLAND MOSQUE LOT 223 JALAN RAYA

Report Information

Date: 17 March 2024
 Location: Lot 223 Jalan Raya, Home Island
 Applicant: Persatuan Islam Pulu Cocos Inc.
 File Ref:
 Disclosure of Interest: Nil
 Reporting Officer: Chief Executive Officer
 Island: Home Island
 Attachments: 10.1.2.1 - Proposed New Veranda to Mosque Plans

Authority / Discretion

Definition

<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. E.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes and policies. Review when Council reviews decisions made by officers.</i>
<input checked="" type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application / matter that directly affects a person's right and interest. The judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits / licenses.</i>
<input type="checkbox"/>	Information	<i>Includes items provides to Council for information purposes only that do not require a decision of Council (i.e. – for noting).</i>

Report Purpose

For Council to consider an application for development approval from the Cocos Island Islamic Association to construct a new veranda/covered area attached to the Home Island Mosque, Home Island.

Relevant Documents

Available for viewing at the meeting.
Plans.

Background

The applicant states;

Our project involves the construction of a new veranda slash covered area at the rear of the mosque building. This addition is intended to provide sheltered space for worshippers and community gatherings.

The reasons for this development are clear. The new veranda will protect worshippers from adverse weather conditions, such as rain and harsh sunlight, ensuring a comfortable environment for prayer and events. Additionally, it will serve as a versatile space for community gatherings, fostering a sense of unity and inclusivity among residents. Improving accessibility is another key goal, allowing all community members, including those with mobility challenges, to participate fully in mosque activities.

Comment

The land that the Mosque is situated is zoned Residential R15. Proposed setback meets existing setbacks as well as meeting residential zoning setbacks. The mosque takes up a significant footprint on the site.

There is no heritage implications.

Policy and Legislative Implications

Shire of Cocos (Keeling) Islands Local Planning Scheme No.1:
Property is located within the Residential Zone (R15)

Local Planning Policies

Nil applicable

Financial Implications

The item has no financial implications.

Strategic Implications

Will foster community gatherings and events.

Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Compliance	Building permit not obtained prior to construction	Low (1)	Advice note added to planning approval

Risk Matrix

Consequence / Likelihood	Insignificant (1)	Minor (2)	Medium (3)	Major (4)	Extreme (5)
Almost Certain (5)	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely (4)	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible (3)	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely (2)	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare (1)	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Voting Requirements

Simple Majority

Conclusion

The proposed additions will complement the existing mosque and provide a space for community gathering and shelter. Given that the site is already occupied mostly with the mosque, the proposed additions are supported.

OFFICER RECOMMENDATION – ITEM NO 10.1.2

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO THE SHIRE OF COCOS (KEELING) ISLANDS LOCAL PLANNING SCHEME NO.1, RESOLVES TO GRANT DEVELOPMENT APPROVAL TO PERSATUAN ISLAM PULU INC. FOR A VERANDAH/COVERED AREA ATTACHED TO THE HOME ISLAND MOSQUE SUBJECT TO THE FOLLOWING CONDITIONS AND ADVICE NOTES:

1. DEVELOPMENT MAY BE CARRIED OUT ONLY IN ACCORDANCE WITH THE DETAILS OF THE APPLICATION AS APPROVED HEREIN AND ANY APPROVED PLAN.
2. ANY ADDITIONAL DEVELOPMENT WHICH IS NOT IN ACCORDANCE WITH THE APPLICATION THE SUBJECT OF THIS APPROVAL OR ANY CONDITION OF APPROVAL WILL REQUIRE THE FURTHER APPROVAL OF THE SHIRE OF COCOS (KEELING) ISLANDS.

ADVICE NOTES:

- A. THIS IS A DEVELOPMENT APPROVAL OF THE SHIRE OF COCOS (KEELING) ISLANDS UNDER ITS LOCAL PLANNING SCHEME NO.1. IT IS NOT AN APPROVAL TO COMMENCE OR CARRY OUT DEVELOPMENT UNDER ANY OTHER LAW. IT IS THE RESPONSIBILITY OF THE APPLICANT/LANDOWNER TO OBTAIN ANY OTHER NECESSARY APPROVALS, CONSENTS, PERMITS (INCL. BUILDING PERMITS), LEASES, AND LICENSES REQUIRED UNDER ANY OTHER LAW, AND TO COMMENCE AND CARRY OUT DEVELOPMENT IN ACCORDANCE WITH ALL RELEVANT LAWS.
- B. IF THE DEVELOPMENT THE SUBJECT OF THIS APPROVAL IS NOT SUBSTANTIALLY COMMENCED WITHIN A PERIOD OF TWO (2) YEARS, THE APPROVAL SHALL LAPSE AND BE OF NO FURTHER EFFECT.
- C. WHERE AN APPROVAL HAS SO LAPSED, NO DEVELOPMENT SHALL BE CARRIED OUT WITHOUT THE FURTHER APPROVAL OF THE LOCAL GOVERNMENT HAVING FIRST BEEN SOUGHT AND OBTAINED.

- D. SHOULD THE APPLICANT BE AGGRIEVED BY THE DECISION (IN PART OR WHOLE) THERE IS A RIGHT PURSUANT TO THE PLANNING AND DEVELOPMENT ACT 2005 TO HAVE THE DECISION REVIEWED BY THE STATE ADMINISTRATIVE TRIBUNAL. SUCH AN APPLICATION MUST BE LODGED WITHIN TWENTY-EIGHT (28) DAYS FROM THE DATE OF THE DECISION.**

10.1.3 COMMUNITY DEVELOPMENT SECTION UPDATE – MARCH 2024

Report Information

Date: 19th of March 2024
 Location: Cocos (Keeling) Islands
 Applicant: Community Development Coordinator
 File Ref:
 Disclosure of Interest: Nil
 Reporting Officer: Adim Hajat
 Island: Cocos (Keeling) Islands
 Attachments: Nil

Authority / Discretion

Definition

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<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. E.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
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<input checked="" type="checkbox"/>	Information	<i>Includes items provides to Council for information purposes only that do not require a decision of Council (i.e. – for noting).</i>

Report Purpose

To provide Council with an update of the programs and projects of the Community Development team for the month of March 2024.

Relevant Documents

Available for viewing at the meeting.

Background

Shell Repatriation Project

Ms Sally Clarke first reached out to the Shire of Cocos (Keeling) Islands in August 2023. As a professional visual artist from NSW, she is embarking on a project, The Repatriation Project: Rituals for Letting Go, the aim of which is to reimagine a large seashell collection into a series of artworks and actions to highlight the plight of mollusc ecologies. A large proportion of her collection of shells have come from the Cocos (Keeling) Islands and would love to consult and involve the Cocos (Keeling) Islands communities in the project.

Ms Clarke resided on the Cocos Keeling Island many years ago - in the 1970s - when her father, Dr Marcus Clarke, regularly relieved the permanent Commonwealth Medical Officer appointed to the Islands. She has a connection to the islands and its people. With great fondness and always longed to return one day. She acknowledges the islands have had significantly changed for the better with new forms of governance self-determination, and the establishment of the marine park and habitat protection zones.

Ms Clarke will be undertaking an artist residency at the Fremantle Arts Centre from 1-30 September 2024. It is her plan to visit the Cocos (Keeling) Islands prior to the residency in August and contribute to our already vibrant cultures through this project. She will be seeking funding from various organisations to achieve this.

During our regular stays on Cocos Ms Clarke's father succumbed to the shell-collecting-mania that gripped the temporary residents of West Island during the era. Together they grew a sizeable collection, one that she has been carrying around in boxes ever since.

In consultation with the community Ms Clarke would very much like to repatriate the shell collection back to the islands. The collection, while very beautiful, is not something that has sat comfortably with her. The trade in seashells as collectables has pushed many species to the brink of extinction and caused much damage to marine environments around the world.

It has reached a point in history where the collection of 'specimens' from nature and cultural artefacts from around the world, and the way this has been done, is regarded as completely unacceptable. Witnessed the call for the return of many items held by, for example, England, such as the Parthenon (Elgin) Marbles to Greece; the Kohinoor diamond to Punjab; the Rosetta Stone to Egypt; and the remains and artefacts of First Nation Peoples to Australia. It is within this climate of dialogue that I wish to return the shells to Cocos (Keeling) Islands.

The Proposal consists of that she returns to Cocos (Keeling) Islands with the shell collection. Ideally, returning the shells to the sea and the beaches, however, if the communities have a preferred option for the collection, for educational or cultural purposes, then this is for the communities to decide. Consultation plays an important role in this process. Ms Clarke is currently talking to Biosecurity experts to ensure there are no disease risks to the marine ecologies by doing this.

Through perhaps performance, ceremony, painting, drawing and mixed media would feature in the consultation process. Art plays an important role in changing attitudes and shifting

cultures for positive futures. If there is the possibility of running workshops or holding an exhibition on the islands Ms Clarke would certainly be up for that and would view this as an inclusive event for the community.

Ms Clarke has approached the Australia Council for the Arts and other bodies for funding. She does not expect any resources from the Cocos Islands communities to be invested in this project. However, community spaces were available to run workshops for the community, or an exhibition that would be ideal.

Ms Clarke's qualifications include the following: trained in painting and drawing at the University of NSW, completing a PhD in 2008. Lecturer at UNSW for 14 years and also taught at the National Art School for 6 years. She has explored with the possibility of a wide range of materials and formats, having expanded through to video and installation. Interested in humanity's relationship with the natural world and how, as a species, interpret, imitate, and manipulate it to fulfil our own needs and desires.

It is the consideration of the way people engage through land, sea, and air as foundations for societies, cultures and political systems, and the role acts of creation and destruction play in this process. She operated an Art Gallery, Airspace Projects, from 2014 to 2018. Resides in Mittagong and works from her studio.

In May she is holding an exhibition at ANCA Gallery in Canberra to kick off the 'shell' project.

Community Development Officer – Heritage and Culture - Update

Jukong Restoration Project

Tim Eastwood recently visited the islands from the 16th of Feb until the 23rd of Feb. Working closely with Community Development Officer and Cultural and Heritage Officer on all matters regarding the progression of the Jukong Restoration Programme and the proposed Home Island Museum upgrade works.

The Jukong Restoration Project is progressing extremely well with Zaitu Feyrel (Nek Callum) is making great progress, almost all of the hull panelling is on. Largely shaped by hand using eye and planers.

A Timelapse camera has been implemented to record his work process. We are interested in utilising Ramnie Mokta (Nek Su) onboard to create metalwork accessories for the boats such as cleats, stay adjusters and the rudder assembly clevis pins.

There is also interest from CIDHS WI Year 3-6 teacher for an excursion to visit the Chula Shed. Mo Sparks has received the Purchase Order for Chula Shed Electrical upgrade works – this should be underway imminently. Once installed the other machines such as the table saw, mitre saw, jointer and bandsaw will be fitted out into the Chula Shed.

The ABC are interested in doing an online and Radio piece on the Jukong Restoration Project. Aiming for their team to come up from the 16th – 23rd of April to interview a few people related to the project.

Act of Self Determination Day Committee

Fortnightly meetings with PKPK team continue. The winner of the Logo Design competition has been selected. Alfiyah Nurdin will receive a hat and t-shirt with her logo design on it. The winning ASDD 40th Anniversary Logo has been touched up for printing by Henrique Kwong on Christmas Island.

Additional ferries have been requested to ensure West Island and Home Island can be together for the festivities. Program to be released shortly once approved by the planning committee.

Home Island Museum

Allowances have been made to allow an enclosed storeroom to be built within the museum Tim Eastwood has supplied materials. This space to become a workspace/storage space for anything pressing.

Some of the Collections are being packed into metal crates to make room for the internal storeroom works. With the increase in additional donations from Ex Pats the museum has acquired a small storeroom at the Retail Precinct for much needed museum storage. Shelving has been ordered to fill out storeroom. In discussions with Ramnie Mokta (Nek Su) there are several artefacts that we would like to increase and enhance their display - the Proclamation Plaque, the Albatross bow sprit and all of the Clunies Ross Busts.

Progressing further into having the community have a more active role in the Home Island Museum there is interest in establishing a "Friends of the Museum" Programme so there will be a board to make decisions about museum matters.

Friend's group's main purpose is to provide support and assistance to the museum. Aiming to bring people and museums closer together by raising the profile of the museum in the community. Their activities usually fall into one of four categories: Generating income, public relations, recruiting members and providing valuable volunteers to assist with Cataloguing.

The Home Island Museum to have an open day during the 40th Anniversary of ASDD. It is an opportunity to explore the upgrades and visit the Chula Shed to see the Jukong Restoration works.

Tim Eastwood and a graphic designer in Perth are working on a brochure for this year's ASDD 40th anniversary. This will include the timeline that is currently on display so that this can be relocated to make way for the new layout design.

Oral Histories

Oral Historian Dr Elaine Rabbitt from Broome is coming to Cocos from the 21st to the 31st of May. The Senior's Coordinator has invited Elaine to the Seniors meeting. The recordings could be set up in the Playgroup room to ensure a good quality of recording is captured.

Textile Workshop

Textile workshops will be on Cocos from Tuesday 30th April, to Tuesday 7th May. Ms Jacky Cheng is the selected artist who will be running workshops on both Home Island and West

Island. We will ideally run workshops through the school, and with the wider community. Emma Washer and the Big Barge will be involved in this process.

Cocos Community Arts Group

With the success of Sculptures by the Sea in 2023 the Community Development team are investigating on how best to support this Group in the future and to progress with community arts projects on Cocos. The CDO & CH Officers has reached out to the former members, Chempaka, Emma, Chloe, Nadya and Azia to see who may be interested in continuing.

40 Tahun 40 Cerita

Our ICT Trainee, Sofiya Aindil has been working tirelessly collecting content for the ASDD 40th anniversary book. The CD team have assisted her with the graphic layouts, proof reading and translating the stories. 40 people have been interviewed. The plan is for their stories to be written in both Cocos Malay and English and it is hoped that the interviewees will be able to provide as many images as possible to accompany their text.

Youth and Recreation Officer Update

Sport & Recreation Visits

Football West coaches Mr Agha Shah and Perth Glory player Ms Bella Wallhead will be on island from the following dates.

Agha and Bella will be visiting CI and CKI:

- CI – Tuesday 16 April to Tuesday 23 April 2024
- CKI – Tuesday 23 April to Tuesday 30 April 2024.

This visit has been scheduled to support the 40th Anniversary of ASDD on CKI. Mr Shah is staying on Home Island and Ms Wallhead is staying on West.

Active after school programs:

The officer ran several after school sporting activities in February and will continue to do so after the end of fasting, April 10th. The statistics from these activities are tabled below:

Date	Activity	Venue	Number of children attended
9 th Feb	Twilight Soccer	Home Island	23
21 st Feb	Cricket	West Island	8
28 th Feb	Volleyball	Home Island	15
29 th Feb	Volleyball	West Island	5

Comment

The community development commits to engaging the whole community, working with community groups and participates in debriefing and receiving feedback from participants for improvements of the delivery of its programs, content, logistics, volunteering levels and budget allocations.

Policy and Legislative Implications

Strategic Plan

- 3.1.2 Protects the Islands environment
- 4.1.1 To provide leadership to the community
- 2.1.3 Maintain the cultural heritage

Corporate Business Plan

- S2.1.2.3 Develop and implement a volunteer support program to encourage, incentivise, acknowledge and thank our volunteers

Financial Implications

Nil.

Strategic Implications

Shire’s Corporate Business Plan – ED 1.1.3.3

Shire’s Strategic Plan – E 1.12

Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	Cost of labour hours and use of plant and equipment increase	Moderate 6	Increase in budget allocation for the following financial year.
Health & Safety	Community activities and events.	Moderate 6	Risk assessment plan conducted prior to commencing events and activities
Reputation	Shire to take a leading role and setting high standards.	Low 3	Transparency and management of programs in accordance with Policies and Strategic direction.
Compliance	Programs undertaken by Shire to adhere to Work, Health & Safety Policy.	Low 3	Risk assessment, JSA and HR policies.
Property	Programs and events conducted on Shire owned property or land (where possible)	Low 3	Written permission and follow procedures when undertaken

			events on non-Shire property.
Environment	Adhere to Shire's Strategic Plan – environment.	Low 3	Consult with parks Australia North on environmental impacts.
Fraud	Compliance with Shire's Policy and Procedures.	Low 3	Void program and investigate cause.

Risk Matrix

Consequence / Likelihood	Insignificant (1)	Minor (2)	Medium (3)	Major (4)	Extreme (5)
Almost Certain (5)	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely (4)	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible (3)	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely (2)	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare (1)	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Voting Requirements

Simple majority.

OFFICER'S RECOMMENDATION – ITEM NO. 10.1.3

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO S 3.1 OF THE LOCAL GOVERNMENT ACT 1995 (WA) (CKI) NOTES AND RECEIVES THE SHIRE'S COMMUNITY DEVELOPMENT SECTION MONTHLY UPDATE FOR FEBRUARY 2024.

10.2 MANAGER FINANCE AND CORPORATE SERVICES

10.2.1 MONTHLY FINANCIAL REPORT – FEBRUARY 2024

Report Information

Date: 6 March 2024
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest: Nil
 Reporting Officer: Manager Finance & Corporate Services
 Island: Shire Wide
 Attachments: 10.2.1.1 - Monthly Financial Report –February 2024
 10.2.1.2 - CONFIDENTIAL Note 12 Additional Information for Council

Authority / Discretion

Definition

<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. E.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes and policies. Review when Council reviews decisions made by officers.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application / matter that directly affects a person’s right and interest. The judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits / licenses.</i>
<input type="checkbox"/>	Information	<i>Includes items provides to Council for information purposes only that do not require a decision of Council (i.e. – for noting).</i>

Report Purpose

The purpose of this report is to provide a monthly financial report for February 2024, which includes rating, investment, reserve, debtor, and general financial information to Elected Members in accordance with Section 6.4 of the *Local Government Act 1995 (WA) (CKI)*.

Relevant Documents

Available for viewing at the meeting.

Nil

Background

The reporting of monthly financial information is a requirement under section 6.4 of the *Local Government Act 1995 (WA) (CKI)*, and Regulation 34 of the *Local Government (Financial Management) Regulations 1996* and provides oversight of the Shire's finances to Council.

Comment

The period of review is February 2024. The current closing municipal surplus for this period is \$2,817,757 compared to a budget position of \$2,800,439.

Income for the period year to date is \$8,487,777 which is made up \$8,132,611 in operating revenues and \$355,166 in capital grants. The budget estimated \$8,480,695 would be received for the same period. The variance to budget is \$7,082.

Expenditure for the period year to date is \$5,996,731 excluding depreciation. This is made up of \$4,282,718 in operating expenditure and \$1,714,013 in capital expenditure. The budget estimated \$5,982,961 would be spent for the same period. The variance to budget is (\$13,770).

Details of all material variances against the current budget are provided in the notes to the Monthly Financial Report contained within Attachment 10.2.1.1.

Policy and Legislative Implications

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* requires all Local Governments to prepare each month a Statement of Financial Activity reporting on the revenue and expenditure for the month.

Financial Management Regulation 34 also requires this statement to be accompanied by:

- a. An explanation of the composition of the net current assets, less committal assets and restricted assets;
- b. An explanation of material variances; and
- c. Such supporting information that is relevant to the Local Government

Strategic Implications

Nil

Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	That budget allocations are significantly exceeded.	Moderate (6)	Variances are monitored and highlighted to Council on a monthly basis for corrective action.
Reputation	The monthly financial statements are open to public scrutiny.	Low (3)	Procedures in place to ensure all expenditure is justifiable.
Compliance	The report is to be presented to Council within two months in order to comply with relevant legislation.	Low (3)	There are processes in place to ensure compliance with legislation.
Fraud	That the report is manipulated.	Low (3)	Interim and end of year audits.

Risk Matrix

Consequence / Likelihood	Insignificant (1)	Minor (2)	Medium (3)	Major (4)	Extreme (5)
Almost Certain (5)	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely (4)	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible (3)	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely (2)	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare (1)	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Voting Requirements

Simple majority.

Conclusion

That the Monthly Financial Report for the period ending 29 February 2024, including explanations of material variances, be received.

OFFICER RECOMMENDATION – ITEM NO 10.2.1

THAT COUNCIL, BY SIMPLE MAJORITY:

1. RECEIVES THE MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 29 FEBRUARY 2024, AS CONTAINED IN ATTACHMENT 10.2.1.1; AND
2. ACCEPTS THE EXPLANATIONS FOR MATERIAL VARIANCES FOR THE PERIOD ENDING 29 FEBRUARY 2024, AS CONTAINED IN ATTACHMENT 10.2.1.1.

10.2.2 SCHEDULE OF ACCOUNTS PAID FOR THE PERIOD FEBRUARY 2024

Report Information

Date: 18 March 2024
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest: Nil
 Reporting Officer: Senior Finance Officer
 Island: Shire Wide
 Attachments: 10.2.2.1 - Schedule of Accounts Paid February 2024

Authority / Discretion

Definition

<input type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. E.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes and policies. Review when Council reviews decisions made by officers.</i>
<input checked="" type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application / matter that directly affects a person's right and interest. The judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits / licenses.</i>
<input type="checkbox"/>	Information	<i>Includes items provides to Council for information purposes only that do not require a decision of Council (i.e. – for noting).</i>

Report Purpose

The purpose of this report is to present to Council a list of accounts paid under delegated authority for the period February 2024, as required by the *Local Government (Financial Management) Regulations 1996*.

Relevant Documents

Available for viewing at the meeting.

Nil

Background

Council has delegated, to the Chief Executive Officer, the exercise of its power to make payments from the Shire's Municipal and Trust funds. In accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996* a list of accounts paid is to be provided to Council, where such delegation is made.

Comment

The following table summarises the payments for the period by payment type, with further details of the accounts paid contained within Attachment 10.2.2.1.

Payment Type	Amount (\$)
EFT Payments #10434 to #10501	\$392,249.37
Direct Debit Payment	\$71,697.72
Cheque Payment 11735 to 11736	\$10,509.36
Total Payments	\$474,456.45

Contained within Attachment 10.2.2.1 is a detailed transaction listing of payments, including credit card expenditure and fuel card expenditure as per the Summary table above.

Policy and Legislative Implications

The schedule of accounts paid is submitted in accordance with regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*

Strategic Implications:

Shire of Cocos (Keeling) Islands Community Strategic Plan 2022-2037

Objective L2: To ensure that Shire resources are utilised in a manner that represents the best interest of the whole community.

Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	That budget allocations are significantly exceeded.	Moderate (6)	Variances are monitored and highlighted to Council monthly for corrective action.
Reputation	The accounts paid report is open to public scrutiny.	Low (3)	Procedures in place to ensure all expenditure is justifiable.
Compliance	The report is to be presented to Council in order to comply with relevant legislation.	Low (3)	There are processes in place to ensure compliance with legislation.

Fraud	That the report is manipulated.	Low (3)	Interim and end of year audits along with sequence checks.
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Risk Matrix

Consequence / Likelihood	Insignificant (1)	Minor (2)	Medium (3)	Major (4)	Extreme (5)
Almost Certain (5)	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely (4)	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible (3)	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely (2)	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare (1)	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Voting Requirements

Simple majority.

Conclusion

It is recommended that Council receives the reports provided for the period February 2024

OFFICER RECOMMENDATION – ITEM NO 10.2.2

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO REGULATION 13(1) OF THE *LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996*

1. RECEIVES THE REPORT FROM THE CHIEF EXECUTIVE OFFICER ON THE EXERCISE OF DELEGATED AUTHORITY IN RELATION TO PAYMENTS MADE FROM MUNICIPAL OR TRUST FUNDS FOR THE PERIOD FEBRUARY 2024 TOTTALLING \$474,456.45 AS CONTAINED IN ATTACHMENT 10.2.2.1.
2. RECEIVES THE DETAILED TRANSACTION LISTING OF CREDIT CARD AND FUEL CARD EXPENDITURE FOR THE PERIOD FEBRUARY 2024, AS CONTAINED IN ATTACHMENT 10.2.2.1.

10.3 MANAGER INFRASTRUCTURE

10.3.1 INFRASTRUCTURE REPORT

Report Information

Date: 27 March 2024
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest: Nil
 Reporting Officer: Infrastructure Manager
 Island: Cocos (Keeling) Islands
 Attachments: Nil

Authority / Discretion

Definition

<input checked="" type="checkbox"/>	Advocacy	<i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. E.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes and policies. Review when Council reviews decisions made by officers.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application / matter that directly affects a person's right and interest. The judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits / licenses.</i>
<input checked="" type="checkbox"/>	Information	<i>Includes items provides to Council for information purposes only that do not require a decision of Council (i.e. – for noting).</i>

Report Purpose

The purpose of this report is to provide Council with an update on the status of key capital works projects and the operations of the infrastructure team over the reporting period.

Relevant Documents

Nil

Background

The Shire has an ambitious capital works program to deliver in 2023/2024 in addition to ongoing maintenance and private works projects.

This report is provided to outline known status progress on works, budget allocation, forecast and variant implications for the Council approved capital projects. Some of these projects are those that have been rolled over into this financial year's budgets. With these continuances we have seen some completions, positive advancement of works for some and unavoidable delays on others.

CAPITAL PROJECTS

Retail Precinct

The Shire has undertaken trenching and engaged a Contractor to connect the consumer mains to the retail. We are awaiting IOTPS to connect the new cable and unfortunately the new tenancies cannot be serviced until that occurs.

Studio Unit

The unit has finally been transferred to Home Island and placed adjacent the footings. Clarification is being sort from Christmas Island Maintenance Services (CIMS) as to their commitment to the project given the lengthy delay in transporting the unit between islands.

We are exploring the option of completing the works internally however are awaiting advice from CIMS on location of materials.

Kampong Rental Housing Renewal

With the review of the current Housing Policy advice was sought from Civic Legal as to our maintenance responsibility for Leased Properties. The Chief Executive Officer has directed, no capital works will occur, until that advice has been considered and discussed with the new Council.

Capital expenditure for this project has been substantially reduced in the mid-year review.

Direction Island Works

Works have commenced on the replacement of the balustrade and fretwork at the Emben memorial. Unfortunately, the Supplier has supplied steel rather than aluminium materials as provided for in the quote. Staff are working with the Supplier for either a replacement or credit.

Materials have been received for the Shelter 2 replacement and works are scheduled to be undertaken in April/May.

Plant Replacement Program

The wheeled loader has arrived with handover and machinery maintenance training undertaken between 5 and 8 March 24.

A purchase order has been issued for the supply of a crusher bucket to process waste concrete, bricks, pavers, and coral.

Quotes have been sought for the replacement of the Home Island mower through WALGA Vendor panel. The RFQ closes 25 March 2024.

OPERATIONAL WORKS

Tropical Low Cleanup

Fortunately, there was minimal structural damage to Shire infrastructure as a result of the tropical low which passed in early March.

Cleanup of green waste has been continuing with priority given to opening roads and boat ramps, making areas safe and then general aesthetics. The small truck on Home Island has made progress slower.

Home Island Office

The water damaged ceiling in the Home Island office entry has been replaced. The replacement of the lino flooring will be budgeted in the 2024/2025 annual business plan.

Road Maintenance

Line marking paint has arrived and application has commenced on Home Island.

Patrol grading has occurred on West Island with further works to occur when conditions are suitable.

Due to no coral material on Home Island, it is difficult to maintain the unsealed road network on Home Island. Patching the roads with sand would be ineffective and potentially dangerous.

Verge Trimming/Tree Management

The stump grinder has been progressively removing some of the larger stumps on Home Island – the mulch is being used at the retail precinct.

Clearing of overhanging branches along the road network on Home Island has been undertaken.

Boat Ramp – West Island

Significant volumes of sand have moved onto the ramp following the extreme weather of recent weeks. The concrete panels at the temporary ramp at the end of Mahoon Road have been lifted and re-laid.

ENVIRONMENTAL INITIATIVES

Vegetation

Tree planting has started around the recently finished Retail Centre. The aim of this is to enhance the visual appeal of this area.

Propagation of native species continues in the nursery to ensure we can continue re-vegetating areas and planting to prevent coastal erosion where possible.

Several large trees were damaged or destroyed in the recent tropical low that passed, we will work to re-plant native vegetation to assist with protecting these vulnerable areas.

Marine debris

Additional marine debris bags have arrived. These will be put out at the marine debris collection locations.

Waste/Water Education

Water education sessions will be undertaken with the Cocos Island District High School at the start of term two with representatives from Department for Environment and Water, this will be with the primary students on both Islands. Whilst on island it is planned to host a community beach clean-up on Home Island, Saturday 20 April 24.

Waste Management

Another container of tyres has been sent off island for recycling. The remaining tyres at the transfer station have been stacked on pallets and are being cleaned to be loaded into containers as they become available.

A further container of asbestos has been sent off island on the last ship.

A second container of container of batteries was successfully sent off island and has been collected for recycling.

Waste management staff are continuing to sort, clean and stack scrap metal on pallets for storage and future off island disposal.

Two containers were purchased and have arrived for asbestos removal. Planning is underway to remove legacy abandoned asbestos at the container park and stored asbestos. These two containers should have space to remove almost all asbestos remaining on Home Island.

Planning is also underway to purchase four more containers for waste management purposes including for off island disposal.

Comment

This report outlines the status of current projects that have commenced. Again, we have an ambitious capital works program and with limited qualified trades staff and no project management staff there is some risk of project delays and budget.

Policy and Legislative Implications

Nil

Financial Implications

Project finances are monitored to ensure wherever possible works are done within scope and set allocated budget. Should there be any unforeseen variances such as increase in freight and shipping these will be identified earlier rather than later for each of the projects that are yet to commence.

Strategic Implications

Projects will continue to be delayed and not delivered on time if issues of staffing or external trades staff are not resolved.

Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	Projects exceed budget allocation	Moderate	Ensure projects are delivered in schedule time and finances are monitored.
Health & Safety	Staff do not comply with Work Health and Safety requirements	Moderate	Adequate training all for staff and constant monitoring by WHS Representatives, Supervisors and Managers that requirements are adhered to.
Reputation	Projects are not delivered and up to required standard	Moderate	Works are scheduled and project updates are provided accordingly
Service Interruption	Loss of key personnel to undertake project	Moderate	Ensure adequate staff is available for project delivery – limit number of projects to be delivered each FY
Compliance	Non-compliant with regulations and codes	Low	Ensure Supervisors and Managers have the necessary knowledge in standards, regulations and codes.
Property	Damage to property	Moderate	Ensure staff are aware of their surroundings and to avoid damage to property as necessary.

Environment	Damage to environment and surroundings	Moderate	Ensure minimal impact on environment at every means possible. Rehabilitation and replanting of area at the completion should it be impacted by project.
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Risk Matrix

Consequence / Likelihood	Insignificant (1)	Minor (2)	Medium (3)	Major (4)	Extreme (5)
Almost Certain (5)	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely (4)	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible (3)	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely (2)	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare (1)	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Voting Requirements

Simple majority.

OFFICER RECOMMENDATION – ITEM NO 10.3.1

THAT THE COUNCIL ACKNOWLEDGES AND RECEIVES THE INFRASTRUCTURE MANAGER'S MONTHLY UPDATE FOR MARCH 2024.

11.MINUTES TO BE RECEIVED

Nil

12.ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

13.MOTIONS WITHOUT NOTICE WITH LEAVE OF COUNCIL

Nil

14.MATTERS BEHIND CLOSED DOOR

Nil

15.MATTERS RELATING TO THE LAND TRUSTS



MATTERS RELATING TO THE LAND TRUST 1979 AND LAND TRUST 1984

The Australian Government transferred ownership of portions of land on the Cocos (Keeling) Islands, under two separate deeds, to the Territory's local government being the Cocos (Keeling) Islands Council. On 1 July 1992, the Territories Law Reform Act came into effect by which the Commonwealth Government applied Western Australian laws to the Cocos (Keeling) Islands. The *Local Government (Transition) Ordinance 1992* established the Shire of the Cocos (Keeling) Islands by absorbing the Cocos (Keeling) Islands Council. By this arrangement, the body corporate called the Shire of Cocos (Keeling) Islands became the Trustee for both Land Trusts. Decisions relating to the Trust are made by Council as the decision-making arm of the body corporate.

The 1979 Deed: The 1979 Trust Deed applies to all of the land above the high-water mark on Home Island, except Lot 13, Lot 14 and Pulu Gangsa (Cemetery Island). The Deed states that the land is to be held 'upon trust for the benefit, advancement and wellbeing of the community formed by the Kampong residents.' No other terms were expressed in the Deed. 'Kampong residents' were described in the 1979 Trust Deed as 'the residents from time to time of the Kampong area'.

The 1984 Deed: The 1984 Trust Deed applies to all parcels of land situated and being above high-water mark within the Cocos (Keeling) Islands, including North Keeling Island, but not including parcels of land as described in the First Schedule of the 1984 Trust Deed. This transferred land was to be held by the Council (and later, by its successor, the Shire) 'upon trust for the benefit, advancement and wellbeing of the Cocos (Keeling) Islander's resident in the Territory on land owned by the Council.'

15.1 TRUSTS ADMINISTRATION

Nil

15.2 TRUSTS LEASES

Nil

15.3 TRUSTS FINANCE

Nil

16. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING (LATE ITEM)

Nil

17. CLOSURE