

Shire of Cocos (Keeling) Islands

Shire of Cocos (Keeling) Islands

Agenda

Ordinary Meeting of Council

Wednesday 31 July 2024, 4:00pm

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

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 26 June 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 26 JUNE 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 JULY REPORT

Report Information

Date: 22 July 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 - The Emergency Management Plan and Disaster Recovery 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 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 June/July reporting period.

Relevant Documents

Available for viewing at the meeting

Nil

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.

Previous Council Meeting Actions:

May 2024

- *That Council make a written submission to the Regional Telecommunications Independent Review by due date of 31 July 2024. **Ongoing - draft development to be completed post meeting with the Chair.***
- *That Council lobby for a virtual meeting with Regional Telecommunications Independent Review Committee (the Committee), led by the Hon Alannah MacTiernan, as Chair. Mr Ian Kelly, the Hon Fiona Nash, Dr Jessa Rogers, and Ms Kristy Sparrow to discuss the uniqueness of the Cocos (Keeling) Islands telecommunications requirements. **Ongoing – contact made, awaiting response for meeting time.***

June 2024

- *That Council request further clarification of the application by CKI Port Linx for sea dumping to dispose of the "old barge" in an area with a depth of 300 metres outside the boundary of the Marine Park prior to making a decision on this matter. **Request for further information sent 16 July 2024.***

Advice received 17 July 2024:

It is intended with approval the James Capstan and additional scrap steel will be skuttled in 300-350m of water in an area outside the Marine Park boundaries, between Direction Island and Horsburgh Island. The preferred dump site is located in waters adjacent to the Cocos (Keeling) Islands at 12.5.10oS, 96.52.00oE. The site is approximately 10 km from the port, 1.4km from Direction Island and 2.2 km from Horsburgh Island.

This area was chosen as it provides the deepest water available outside the Marine Park. The barge will contain no Hydrocarbons or hazardous materials, that could potentially have an environmental impact.

As part of this application, we have engaged with major stakeholders, AMSA and Parks Australia Allyn White Assistant Director IOT Marine parks, provide the below in support of the process.

- *Parks Australia notes that the proposed dump site is not within a Commonwealth Reserve and therefore has no regulatory role in relation to this proposal. In that context we have the following feedback:*

- *We understand the waste management challenges faced by the Cocos (Keeling) Islands and the time sensitivity in terms of pursuing this option for the old barge while it*

remains sufficiently seaworthy. We are therefore generally supportive of this proposal subject to assessment and approval under the Sea Dumping Act.

Further advice received 18 July 2024 via Shire President:

Thanks for reaching out for CMC's view on the issue.

I personally think that sea dumping should be the last resort to any waste management and that all options and alternative solutions have been exhausted in the first instance. There are a number of issues we need to clarify to have a better understanding of the whole process. It would be helpful for CMC if the following could be clarified and considered.

Are we able to get the GPS coordinates for the dumping site?

The preferred dump site is located in waters adjacent to the Cocos (Keeling) Islands at 12.5.10oS, 96.52.00oE the site is approximately 10 km from the port, 1.4km from Direction Island and 2.2 km from Horsburgh Island. Depth of water is approximately 300 meters.

Repurposing of the barge is an option?

We researched several options for disposal, Scrap: we were only offered \$29,000. Delivery for disposal off island \$412,000. We are unable to dispose of on Island, cannot be buried and could create environmental issues if removed and placed on the land, and add to the rubbish issues we already have. Sea Dumping was the best option if approved.

One option was to take the barge out and rebuild, this option was quickly removed as a new far superior barge was a cheaper option. This is now already in construction.

Will the vessel be stripped of all potentially hazardous materials, what are they?

There are no hazardous materials on the vessel. The vessel itself is constructed entirely of steel. It is an un-motorised barge and therefore there are no engines or tanks containing hydrocarbons (e.g. oil, fuel) or other hazardous substances on-board. There is very little anti-fouling paint remaining on the vessel. All accessories (e.g. tyres used as fenders, ropes) will be removed prior to scuttling.

Is the identified location have any sensitive habitats (i.e. Bare sand and nothing else). 300-350 deep ocean doesn't automatically mean there aren't important habitats down there?

The CSIRO In conjunction with RV Investigator completed expedition (IN2022_V08) surveyed seafloor habitats in the Cocos (Keeling) Islands Territory in 2022. This provides the most comprehensive study of marine environments in the CKI region.

The Cocos (Keeling) Islands are located in the Cocos Volcanic Field region, which is a chain of seamounts that run in an east-west direction along latitude 12oS. The geomorphology of the seabed of the Cocos (Keeling) Island group, including the dump site, is classified as a seamount / guyot. There is approximately 50,000 km² of this geomorphic feature in the CKI territory. The sediments on seamounts are dominated by sand with frequent gravels, which are mostly derived from volcanic material. There has been limited sediment sampling close to the CKI, however, the existing records indicate the seafloor substrate is sand dominated with some mud and <1% gravel.

***Would a scuppering process be followed so that it does in fact sink in the right location?
There have been instances where sea dumping has gone wrong, e.g. in the Caribbean when they tried to sink a boat to make into a dive site, they miscalculated the currents, and it ended up sliding down a coral reef and caused heaps of damage.***

The location chosen provides less risk of movement due to tidal flow through this area is not affected via flood or ebb tidal flow, unlike the western passage. We can only monitor the scuttling of the barge till it leaves the surface then monitor via sounder.

Has approval under the Sea Dumping Act been awarded?

No, this consultation process is part of the application, once completed will be send to Department for approval along with the \$12,500.00 fee. This does not necessarily mean approval is guaranteed.

Is the area between DI and Horsburgh the most appropriate location ecologically?

Beyond just depth? The main criteria is to stay outside the zone of the marine Park. This gives us limited area to work with. The area chosen provided the deepest water, does not present a hazard to navigation or environmental risk.

Councillors in Canberra

Meetings attended - the Hon Kristy McBain - Minister for Territories, Senator the Hon Malarndirri McCarthy – Senator for the NT and Assistant Minister for Indigenous Australians, the Hon Matt Thistlethwaite - Assistant Minister for Defence, Marion Scrymgour MP – Member for Lingiari and as a guest of the Norther Territory LGA Roundtable Senator the Hon Murray Watt – Minister for Emergency Management, The Hon Catherine King MP – Minister for Infrastructure, the Hon Linda Burney MP – Minister for Indigenous Australians.

Receptions and discussions were very forthright discussions about a range of issues including government funding, legacy waste management, social housing on Home Island, CHRMAP, rising sea levels, flood mitigation and a UN delegation to visit Cocos.

While there were a lot of positives coming from the meetings, the highlight, thanks to the support and lobbying by Marion Scrymgour MP, the Prime Minister has convened a Ministerial Council chaired by the Hon Kristy McBain MP, and consisting of Marion Scrymgour MP, Senator the Hon Malarndirri McCarthy, the Hon Matt Thistlethwaite MP, the Hon Tanya Plibersek MP, and the Hon Jenny McAllister to travel to Cocos (Keeling) Islands at the end of July to view and discuss our issues first hand. Disappointingly this visit has since been postponed until at least October 2024.

With the postponement, comes the challenge for Council to continue engagement with the various Ministers to progress issues discussed in Canberra.

Department of Infrastructure Regional Development Communications and the Arts

Whilst in Canberra, attended a meeting with Sarah Vandebroek, First Assistant Secretary, Territories Division and Adam Stankevicius, Assistant Secretary, Indian Ocean Territories Branch, Department of Infrastructure, Transport, Regional Development, Communications, and the Arts (DITRDCA).

Discussion topics included:

Payment of rates and fees and charges for 2023 – 2024 Financial year. The position of DITRDCA was explained as, they are currently seeking legal advice as to whether the rates and fees and charges are lawful and must be paid or not.

Q Station lease – advice given was DITRDCA are seeking legal advice regarding the lease of the land areas in between buildings proposed to be occupied by the Commonwealth and the Shire. This could take a month or two to sort out.

Emergency Management

The Emergency Management Plan and Disaster Recovery Plans developed for the Cocos (Keeling) Islands have now been signed off by the Indian Ocean Territories Administrator Farzian Zainal. A copy of the two documents is attached with this report (Attachment No 10.1.1.1) for information of Council.

Indian Ocean Territories Administrator

Attended a team's meeting with the Indian Ocean Territories Administrator Farzian Zainal and advisor John Buncle. The main points of discussion surrounded the Councillors visit to Canberra and postponement of the proposed visit by Ministers and Senators to Cocos (Keeling) Islands. A copy of the Administrators Bulletin relating to the postponement of the visit is tabled with this report.

Policy and Legislative Implications

Nil

Financial Implications

The nonpayment of rates and fees and charges is an impost on Council's annual budget and if the Commonwealth continues with its presence stance, a budget review will need to be undertaken for 2024 – 2025 financial year.

Strategic Implications

Continued engagement with Commonwealth Ministers and Senators is strategically prudent.

Voting Requirements

Simple majority.

OFFICER RECOMMENDATION – ITEM NO 10.1.1

THAT COUNCIL, BY SIMPLE MAJORITY:

- 1. NOTE AND RECEIVE THE CEO'S JULY REPORT.**
- 2. COUNCIL ADVISE WHETHER IT SUPPORTS THE SEA DUMPING APPLICATION OF PORTS/LINX AS OUTLINED IN THIS REPORT.**

10.1.2 UPDATE IT AND TELECOMMUNICATIONS

Report Information

Date: 23 July 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: 10.1.2.1 - SODA Formal request optic fibre

Authority / Discretion

Definition

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<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes and policies. Review when Council reviews decisions made by officers.</i>
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<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 update the Council on the progress of the transition from Indian Ocean Territories Telecom (IOTT) to the Shire and Cocos Communications and IT (CC&IT) for IT/Telecommunications services across the Cocos (Keeling) Islands.

Relevant Documents

Available for viewing at the meeting

Nil

Background

Further to the previous report to Council, the transition from IOTT to the Shire and CC&IT continues to progress smoothly.

The final transfer of land at Lot 190 Embden Walk, along with all associated infrastructure, is scheduled for settlement on 27 July 2024.

Levi Fowler and the CC&IT team are actively troubleshooting any issues as they arise and are advancing the migration from IOTT to optical fibre, which will provide a significantly more reliable service.

On 8 July 2024, I travelled to Brisbane to meet with Belle Lajoie, Co-Chief Executive Officer of Soda Infrastructure and Chief Operating Officer of Soda Group, the owners of the SubCo undersea optical fibre cable. The meeting was a positive step forward in establishing a strategic relationship to address the logistics and processes involved in accessing additional optical fibre bandwidth. A formal request has been submitted to Soda Group (see Attachment No 10.1.2.1) to begin formalising this strategic partnership.

During a subsequent meeting with Levi Fowler from CC&IT on 19 July 2024, we discussed the technical aspects of connecting optical fibre between West Island and Home Island. We reviewed various implementation methods, addressed potential challenges, and considered the necessary infrastructure to ensure a reliable and efficient connection.

We also discussed the reporting process for any internet-related issues that may arise within the community. This included outlining procedures for users to report problems and clarifying the responsibilities of different parties involved in resolving these issues. The aim is to ensure a clear and effective process for managing and addressing any concerns that could impact the connectivity experience for internet users.

It was decided that community meetings on both Home and West Islands should be scheduled as soon as possible to inform residents and visitors about the current status of the transition and the planned way forward.

To achieve 4G or 5G mobile coverage, it will be necessary for the Shire to develop a strategic partnership with Telstra or a similar organisation as the mobile network provider. Meetings with Telstra, NBN, and WaveLink are being planned to determine their roles and capacities in supporting mainstream IT and telecommunications services for the Cocos (Keeling) Islands.

Comment

The access to the undersea optical fibre cable represents a significant opportunity, and its impact on advancing the Cocos (Keeling) Islands IT/Telecommunications Strategy cannot be overstated.

Policy and Legislative Implications

Nil

Financial Implications

Expenditure to date amounts to \$113,659.66. Future spending will be in line with the .cc TLD funding previously approved by the Council.

Strategic Implications

Formalising relationships and developing an IT/Telecommunications Strategy will ensure both the integrity of the process and outcomes that are focused on the community's needs.

Voting Requirements

Simple majority

OFFICER RECOMMENDATION – ITEM NO 10.1.2

THAT COUNCIL, BY SIMPLE MAJORITY, NOTE AND RECEIVE THE CEO'S UPDATE REPORT ON INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS.

10.1.3 HONEYBEES PRODUCTIONS

Report Information

Date: 23 July 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: 10.1.3.1 – Cocos Keeling Bee Project

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>
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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

The purpose of this report is to seek Council's guidance and advice regarding a request for support in reintroducing honeybees to Home Island.

Relevant Documents

Available for viewing at the meeting

Nil

Background

Following a meeting on 17 July 2024 with Paula Carnell, who is currently residing at Oceania House on Home Island, this report is submitted to the Council for endorsement of the reintroduction of honeybees to Home Island.

Paula and Greg Carnell, who reside at Oceania House and manage the property for its owners, are involved with Golden Bee Productions CIC. Their work, as detailed on their website, focuses on producing films about bees and communities, with a particular emphasis on Cocos Keeling native bees and sustainable, natural methods.

([https://www.instagram.com/goldenbeeproductions/? d=1](https://www.instagram.com/goldenbeeproductions/?d=1))

Following the meeting on 17 July 2024, the email below was received:

“Thank you for your time and valuable insights this morning.

As promised here is a brief outline of my project and the considerations for the Shire Council.

Honeybees are endangered globally, as are other bee species. Cocos Keeling is in the unique position of having had Apis mellifera introduced in the 1940s and successfully established since then. Initially they were on Home Island, although currently there are no colonies managed or wild here.

West Island has around 10 managed colonies plus several wild colonies, Pulu Plan Madar and Pulu Atas also have currently and recently wild colonies living in the trees.

By bringing a colony of wild honeybees split from one of Johnny Clunies- Ross’s hived bees, back to Home Island it ensures pollination security for the islands, as well as security in protection of the honeybees should anything happen to the existing colonies on other islands. Due to the prevailing winds, honeybees are unable to fly from West Island to Home Island, although they would be able to fly the other way.

Concerns for having honeybees on Home Island.

The main concern is the chance of being stung by a honeybee. Bees are not usually aggressive- and the Cocos ones are definitely very calm, stings only being received when working closely with bees in their hive, or by accidentally squashing one underfoot, or between fingers, underarms etc. The sting from a honeybee is proven to be medicinal, and in the rare instance that someone should have an anaphylactic reaction, a swift EpiPen administration would be sufficient.

Adequate education is essential, and part of my program which has already included public talks as well as a talk and presentation at the Home Island School.

Benefits of having honeybees on Home Island.

- *Honey*
- *Propolis and other products from the hive*
- *Production of skin and lip balms, candles etc*
- *Bees are known to be beneficial in treating PTSD and many other health conditions.*
- *Pollination. Honeybees, although general pollinators, are essential in protecting food security and sustainable food production on Home Island. Although some Cocos native plants are self-pollinating, fruit and nut production is greatly impacted by the effects of bee pollination.*
- *A new transferable skill to be learnt and shared.*
- *The bees of cocos will be part of a documentary film.*

The initial colonies will be within the grounds of Oceania House, it would be beneficial to eventually offer the common city farm area a colony to aid with pollination and to produce community honey.

I would be grateful of the support of the council and wider community and will continue to include the community in the bee project and offer training and education as often as required. During my preparation I have also found three other bee species inhabiting the islands, previously unrecorded. This is very exciting for the natural history of the islands.

As the sea almond trees are currently in blossom, now is the best time to relocate the bees giving them the best chances of survival.

Please feel free to circulate this email to any who this information would be of interest to.

*Kindest regards,
Paula Carnell*

Golden Bee Productions CIC Reg no 15510087

In addition to the email above, further information in the form of a facts sheet (see Attachment No 10.1.3.1) was supplied for the information of Council.

If the re-introduction of honeybees to Home Island is a matter for Council determination, then it is suggested that Paula Carnell has only provided her view which may contain some bias. A review of information freely available on the web shows the following three opinions at a minimum.

“Feral European honeybees can outcompete native fauna for floral resources, disrupt natural pollination processes and displace endemic wildlife from tree hollows” (<https://www.dcceew.gov.au/>)

“Taken together, the evidence increasingly suggests that managed and introduced bees negatively affect wild bees, and this knowledge should inform actions to prevent further harm to native ecosystems” (<https://www.sciencedirect.com/science/article/pii/S2666515822000154>)

“A Curtin University study has found the introduced European honeybee could lead to native bee population decline or extinction when colonies compete for the same nectar and pollen sources in urban gardens and areas of bush” (<https://www.curtin.edu.au/news/media-release/honeybee-numbers-and-dance-skills-harmful-combination-for-native-species/>)

It is also important to note that of the “domestic” hives on West Island, wild colonies of honeybees have gone as far as South Island and across West Island.

The view of Marc Widmer – Senior Technical Officer, Invasive Species and Environmental Biosecurity, Department of Primary Industry and Regional Development, West Australia regarding the request from Paula Carnell is as follows:

“As an entomologist with an environmental bias, I don’t like honeybee at all. They are pugnacious with proliferating propensities, can be destructive, have a dangerous sting and usurp significant nectar and pollen resources from native bees and other organisms. At the same time - bee products can be easily sourced on the open market.

On West Island I believe European honeybees have gotten a bit out of hand, with many feral colonies spreading over the island, and on South Island I even saw a large hive situated dangerously over the walking track.

If, by the visitor, you are referring to Paula Carnell, I believe she is an experienced bee consultant and a scientist and would be capable of preventing dispersal of wild swarms from any managed hives on HI. If this is the case, then perhaps managed bees could provide an educational interest whilst providing bee products and pollination benefits.

I believe, however, there should always be the caveat of completely mitigating dispersal of wild swarms, and the dangers of susceptible people being stung.

Finally, I believe CKI might be in an enviable position with few of the bee parasites and diseases, if any, affecting bees on the mainland and overseas. Considering this, care should be taken procuring bees and bee products for future bee-keeping enterprises on CKI”.

Comment

It should be noted that between 17 July 2024 and the date of this report, a hive of bees has been relocated from West Island to Oceania House.

Additionally, it is important to mention that honeybees were previously kept at Oceania House on Home Island, but the details of their disappearance are not fully documented.

Given that Paula Carnell has identified three different bee species across the islands in the past two months, the potential impact of reintroducing honeybees to Home Island warrants careful consideration. The coexistence of these bees with existing species must be evaluated to address any possible concerns.

In the absence of a comprehensive scientific study on the effects of honeybee reintroduction, the potential risks to the fragile ecosystem remain uncertain and should be thoroughly investigated prior to proceeding.

Policy and Legislative Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority

OFFICER RECOMMENDATION – ITEM NO 10.1.3

THAT COUNCIL, BY SIMPLE MAJORITY, DOES NOT SUPPORT PAULA CARNELL’S REQUEST TO REINTRODUCE HONEYBEES TO HOME ISLAND DUE TO LACK OF A SCIENTIFIC STUDY ON THE POTENTIAL IMPACTS ON THE LOCAL ENVIRONMENT AND COMMUNITY.

10.1.4 2024 WALGA ANNUAL GENERAL MEETING

Report Information

Date: 7 June 2024
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref: Nil
 Disclosure of Interest: Nil
 Reporting Officer: Chief Executive Officer
 Island: Shire wide
 Attachments:

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 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 have Council nominate two (2) voting delegates for the 2024 Western Australian Local Government Association Annual General Meeting (AGM).

Relevant Documents

Available for viewing at the meeting

Nil

Background

The 2024 Western Australian Local Government Association (WALGA) Annual General Meeting will be held at the Perth convention and Exhibition Centre on Wednesday, 9 October 2024.

All Member Local Governments are entitled to be represented by up to two (2) Voting Delegates at the AGM. In the event one or both of the registered Voting Delegates is unable to attend, provision is made for up to two Proxies to also be registered. Only registered Voting Delegates or Proxies will be permitted to exercise voting entitlements on behalf of Member Local Governments at the AGM.

Delegates may be Elected Members or officers.

Attendance at the AGM as either a Voting Delegate or (non-voting) observer is free.

Registration of Voting Delegates must be by the Chief Executive Officer, by due date Friday, 27 September.

It is the practice of Council to formally endorse the two Voting Delegates.

Comment

Council is requested to nominate two (2) delegates and, if desired, two proxy delegates who will be registered to vote at the WALGA AGM.

Policy and Legislative Implications

Nil

Financial Implications

Nil

Strategic Implications

Nomination of voting delegates give the Shire of Cocos (Keeling) Islands an opportunity to vote at the WALGA AGM especially on any matters that may impact the Shire.

Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Reputation	Should Council not nominate voting delegates, there will be a lack of voting representation regarding the issues raised at the AGM.	Low (4)	Nil

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 10.1.4

THE COUNCIL, BY SIMPLE MAJORITY, NOMINATE CR_____ AND CR_____ AS THE SHIRE'S VOTING DELEGATES FOR THE WALGA ANNUAL GENERAL MEETING TO BE HELD IN PERTH CONVENTION AND EXHIBITION CENTRE ON WEDNESDAY, 9 OCTOBER 2024.

10.1.5 COMMUNITY DEVELOPMENT REPORT JULY 2024

Report Information

Date: 26 July 2024
 Location: Cocos Keeling Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest:
 Reporting Officer: Community Development Coordinator
 Island: Shire wide
 Attachments: 10.1.5.1 - Football West – Kick off sessions.
 10.1.5.2 - Culture and Heritage Officer – Cultural Precinct Report.

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

To update the Council on the programs and events managed by the Community Development Team for July 2024.

Youth & Recreation Officer/Community Development Coordinator Updates

NRL Visit: Rugby coach Gethin Thomas arrives on CKI from Tuesday, July 23rd to Friday, July 26th. He will conduct school workshops during the day and host community sessions in the afternoon and evening for both Home and West Island.

Territory Week: Territory Week on Christmas Island from the 4th of October – 8th of October 2024. Christmas Island has invited members of the Youth Councils (CIYC) and Community Development Team along with volunteers to do Traditional Scottish Dance (Dangsa Set) and music alongside with a market day with Cocos Island’s Seniors Group, SUKA DUKA. Flights and

accommodations have been paid for by the Christmas Island Shire through a grant funding they have received for this event. The ethos of the event is about strengthening through cultural exchanges as well as preserving the cultures on both islands through passing on cultural traditions from past to newer generations in Cocos.

RUOK Day: RUOK Day falls on the 12th of September 2024 this year but our event will fall on the Saturday 14th September which gives everyone the chance to join us. Event will be a collaboration with the Indian Ocean Territories Health Services IOTHS, given that the Cocos Islands have a Community Mental Health Nurse, Leah Hobbs who will be speaking on the significant day and talk about the importance of Mental Health in the community. Event will be on Home Island as it will attract a much wider demographic and is easily accessible for our seniors and people with disability. Event location is tbc and preferable time of event is 10.30am – 12.00pm given that we will wait for anybody from West Island to arrive on the ferry.

“Mini Roos” – Kick Off Session: On request from a community member, the community development team have been looking into ways to continue running sessions in a specific sport, after the coaches leave. After discussing our want to find a suitable program, Football West and Department of Sports and Recreation have provided us with a 10-week training guide from the MiniRoos program. This will enable a series of preplanned sessions to be run by the Youth and Recreation Officer, alongside eager parents, and community members. The training sessions are appropriate for ages 4-12, covering a range of skills and game play exercises. We intend to run these sessions once a week throughout Term 4, with the support of CIDHS in borrowing equipment.

Community Development Officer – Culture and Heritage Updates

Projects:

- Museum Logo.
- Entry statement and signage.
- Museum Collection and West Island Collection.
- Building Review.
- Jukong Restoration Project.
- Chula Shed.

Museum Logo Proposal: Council to review and comment. Potentially to gain approval.

Please review Attachment No 10.1.5.2 for more information.

Entry statement and signage proposal:

- Portable roadside signage to be displayed when the Museum is open.
- Stencil Style Font to reference stencils in the Museum collection.
- Door painted in branding colour and logo design applied.
- Bulletin board installed for all museum information (remove postings from internal door glass).

Please review Attachment No 10.1.5.2 for more information.

Museum Collection and West Island Collection: The museum team have been working to separate the Museum into 3 clear sections.

- Kampong Life.
- The Estate.
- Boat building + Maritime History.

Please review Attachment No 10.1.5.2 for more information.

West Island Collection: There is an outstanding need to have a more cohesive process between the Home Island Museum hub, and the small offshoot display on West Island. It would be preferable that the West Island collection focus on covering the West Island story; items such as the cable station and the World War involvement.

Building Review: The salt attack in the building's walls is of significant concern considering that it is eating away at the bricks and mortar, potentially causing structural damage within the walls themselves.

Strategy to slow the impacts of the salt attack involves:

1. Scraping back the salt deposits that back built up below the surface layer of paint.
2. Carefully scrub the areas removed with a stiff wire brush
3. Wipe the affected area with a damp cloth and allow to dry
4. Paint over the cleaned, affected area with a lime based, breathable paint to reduce the opportunity for Salt build up in future (currently sampling Porters limewash paint).

Jukung Restoration Project: Nek Callum is a committed and meticulous shipwright who has worked hard to complete Lantar Pujeh - The first of the 5 heritage Jukongs. The next Jukung that has been selected for restoration is Selerang, beginning July 24th.

A visit from the Year 1+2 Class from Cocos Islands District High School. The class had built model Jukongs as part of their art class with Mr Ryan Borbas. To further educate the youth of Cocos and encourage leaning about the Jukongs, Niamh Swingler has created a Cocos Malay, Jukung Dictionary poster with the assistance of Nek Suhanie, Nek Callum, and Pak Qush.

Chula Shed: The Chula Shed is being upgraded to make it a more functional, community space. There has already been an electrical upgrade completed to ensure there is adequate power access and lighting moving forward.

1. Secure the building - Build and install lockable doors.
2. Additional Tables - Build necessary additional mobile tables/plinths for machinery + tools as per Tim Eastwood's planning.
3. Install Machinery + Tools - Once there are adequate locations for the tools, all machinery to be installed.

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

OFFICER RECOMMENDATION – ITEM NO 10.1.5

THAT COUNCIL, BY SIMPLE MAJORITY, NOTE AND RECEIVE THE SHIRE'S COMMUNITY DEVELOPMENT COORDINATOR'S MONTHLY UPDATE FOR JULY 2024.

10.2 MANAGER FINANCE AND CORPORATE SERVICES

10.2.1 LONG TERM FINANCIAL PLAN 2024-2034

Report Information

Date: 28 June 2024
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest:
 Reporting Officer: Manager Finance & Corporate Services
 Island: Shire wide
 Attachments: 10.2.1.1 - Long Term Financial Plan 2024-2034

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 for Council to adopt the Long-Term Financial Plan 2024-2034.

Relevant Documents

Available for viewing at the meeting

Nil

Background

In accordance with Section 5.56 (1) and (2) of the *Local Government Act 1995 (WA)(CKI)*, a Local Government is required 'to plan for the future of the district'. The requirements for this

plan are set out in section 19 of the *Local Government (Administration) Regulations 1996 (WA) (CKI)*.

Comment

The Long-Term Financial Plan (LTFP) has been prepared in accordance with the Integrated Planning and Reporting framework guidelines. The LTFP is a mechanism in determining financial projections for the period 2023/24 to 2033/2034 and has been prepared based on a number of objectives and assumptions that are outlined throughout the document. The LTFP analyses financial trends over a ten-year period on a range of assumptions and provides Council with information to assess resourcing requirements and capabilities to achieve its strategic objectives and to assist in ensuring future financial sustainability.

In compiling the Plan, consideration has been given to the economic drivers that will influence the future cost of providing facilities and services. The values disclosed in the Plan therefore represent estimated future prices and costs. One of the key challenges for the Shire is to ensure it achieves ongoing financial sustainability in order to provide appropriate services and infrastructure for the community into the future. The long-term financial estimates are an integral part of Council's strategic planning process and represent a ten-year rolling plan that informs the Corporate Business Plan to activate Strategic Community Plan priorities.

Policy and Legislative Implications

Section 5.56(1) and (2) of the *Local Government Act 1995* requires that each local government is to plan for the future of the district.

Financial Implications

The Plan outlines a clear approach for the delivery of services into the future. Year 1 of the Long-Term Financial Plan is based on the 2024/25 Budget.

In subsequent years adopted budgets will continue to be closely aligned with the proposals in the Long-Term Financial Plan and assumptions underpinning this. A review of the Long-Term Financial Plan will occur each year prior to budgets being prepared to account for performance information and changing circumstances.

Strategic Implications

Shire of Cocos (Keeling) Islands Strategic Community Plan 2016 – 2026:

Outcome 4.1 - An Informed Council working with other to advance our islands

Objective 4 – Ensure efficient and effective management of the organisation and financial resources.

Risk Implications

The Long-Term Financial Plan highlights a number of opportunities and risks that may impact the ability of the Shire to plan for a positive and sustainable future. Many of these risks relate to uncertainty around Commonwealth projects, strategies and funding. The Plan will be continuously reviewed to reflect new information, the prevailing economic conditions and changing community needs placed on the Shire.

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	Fees & Charges do not adequately generate income to support the cost of providing services	Low (3)	The budget has been prepared with sufficient rigour to provide a high level of confidence in all estimates
Reputation	The LTFP does not reflect community aspiration and priority	Moderate (3)	Council has considered a balanced approach of meeting both community expectations and the cost of providing services
Compliance	The fees & charges does not comply	Low (4)	The fees & charges have been prepared in accordance with all legislative requirements

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

Officers submit the Shire's 2023-2033 Long Term Financial Plan for endorsement as required under Section 5.56 of the *Local Government Act 1995 (WA) (CKI)*.

OFFICER RECOMMENDATION – ITEM NO 10.2.1

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO SECTION 5.56(1) AND (2) OF THE LOCAL GOVERNMENT ACT 1995 (WA)(CKI), ENDORSE THE LONG-TERM FINANCIAL PLAN 2024-2034 AS DETAILED IN ATTACHMENT NO 10.2.1.1.

10.2.2 SCHEDULE OF ACCOUNTS PAID FOR THE PERIOD JUNE 2024

Report Information

Date: 22 July 2024
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest:
 Reporting Officer: Senior Finance Officer
 Island: Shire Wide
 Attachments: 10.2.2.1 - Schedule of Accounts paid

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 checked="" 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 present to Council a list of accounts paid under delegated authority for the period June 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 #10737 to #10796	\$456,216.39
Direct Debit Payment	\$97,567.17
Cheque Payment 11745 – 11746	\$7,537.55
Total Payments	\$561,321.11

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 June 2024

OFFICER RECOMMENDATION – ITEM NO 10.2.2

THAT COUNCIL:

1. BY SIMPLE MAJORITY, PURSUANT TO REGULATION 13(1) OF THE *LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996* 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 JUNE 2024 TOTTALLING \$561,321.11 AS CONTAINED IN ATTACHMENT 10.2.2.1.
2. RECEIVES THE DETAILED TRANSACTION LISTING OF CREDIT CARD AND FUEL CARD EXPENDITURE FOR THE PERIOD JUNE 2024, AS CONTAINED IN ATTACHMENT 10.2.2.1.

10.3 MANAGER INFRASTRUCTURE

11. MINUTES TO BE RECEIVED

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

13. MOTIONS WITHOUT NOTICE WITH LEAVE OF COUNCIL

14. MATTERS BEHIND CLOSED DOOR

14.1 CONFIDENTIAL - COMMONWEALTH AGENCIES UNPAID RATES AND FEES AND CHARGES

Report Information

Date: 25 July 2024
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref: Nil
 Disclosure of Interest:
 Reporting Officer: Chief Executive Officer
 Island: Shire wide
 Attachments: Nil

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>

This report is confidential under Section 5.23 (2) of the Local Government Act 1995 and is circulated under a separate cover.

(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following—

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and

(d) Legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and

(e) a matter that if disclosed, would reveal —

(i) a trade secret; or

(ii) information that has a commercial value to a person; or

(iii) information about the business, professional, commercial or financial affairs of a person,

14.2 CONFIDENTIAL - eNIC .CC REGISTRY ACTIVITY MONTHLY REPORT – JUNE 2024

Report Information

Date: 23 July 2024
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest:
 Reporting Officer: ICT Coordinator
 Island: Shire wide
 Attachments: CONFIDENTIAL Circulated under separate

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>

This report is confidential under Section 5.23 (2) of the Local Government Act 1995 and is circulated under a separate cover.

(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following–

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and

(d) Legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and

(e) a matter that if disclosed, would reveal –

(i) a trade secret; or

- (ii) *information that has a commercial value to a person; or*
- (iii) *information about the business, professional, commercial or financial affairs of a person,*

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

15.1.1 KAMPONG TERMITE INFESTATION

Report Information

Date: 22 July 2024
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest:
 Reporting Officer: Chief Executive Officer
 Island: Home Island
 Attachments: 15.1.1.1 - Confidential – Circulated under separate cover

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 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 seek Council's advice and direction regarding the termite infestation in the Home Island Kampong Houses.

Relevant Documents

Confidential – Circulated under separate cover.

Background

For many years, residents and Commonwealth and West Australian Government Departments have been aware of termite infestations in the houses of the Home Island Kampong.

The infestation of "dry wood termites" is so significant that the Australian Government's Department of Agriculture website contains a fact sheet specifically about Cocos (Keeling) Islands Drywood Termites. A copy of this sheet is attached for Council information (Attachment No 15.1.1).

The West Australian Department of Primary Industry and Regional Development, Invasive Species, and Environmental Biosecurity has also been aware of the infestations for many years. Although some "heat mapping" of known infestations has been conducted by the Department, little to no remediation work has been done.

Despite the long-standing awareness of termite infestations in Kampong houses, there has been no coordinated approach to eradicate the termites. Anecdotally, it is arguable that "the termite battle has been lost," and the infestations in Kampong houses can no longer be remedied. It is predicted that the majority, if not all, of the houses on Home Island are infested with Drywood Termites.

To begin assessing the full extent of the Kampong infestation, the Shire engaged Jack Clunies-Ross of Happy Jacks CKI Pty Ltd to inspect three houses in the Kampong. Following the inspections, he produced reports for each house inspected, and copies of these reports are attached under a separate cover for Council information (Attachment No 15.1.1.2).

As reported and evidenced in the tabled reports, Drywood Termites were found to be present in the inspected houses and have caused substantial damage to the timber areas of these houses.

Comments

The Drywood Termite infestation in the Kampong houses is of such a scale, in terms of abatement and control, that it is likely beyond the capacity of the Shire, acting as Trustee for the houses, to resolve on its own.

Ignoring the situation is no longer a viable option. It is essential for the Shire, the Home Island community, and relevant West Australian and Commonwealth Government Departments and stakeholders to collaborate and develop a comprehensive strategy to address this complex issue.

Policy and Legislative Implications

The Cocos (Keeling) Islands Housing Policy is still under development and once full implications of the Kampong Drywood Termite infestation are fully known will have a bearing on that policy.

Financial Implications

Financial implications are going to be significant and more than likely prohibitive to treat the termite infestation in all kampong houses. Significant funding and financial assistance from the West Australian and Commonwealth Government will be required if it is possible to rectify the issue.

Strategic Implications

Shire of Cocos (Keeling) Islands Annual Work Plan 2024 – 2025 OL 4.1 Continue to investigate the insurance of Kampong houses to determine best value for service. Continue to investigate the annual cost of delivery of housing services to the community and develop a full cost recovery model for community discussion and debate.

Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	Cost to repair termite infestation to houses is significant.	Moderate (6)	Seek funding and
Compliance	Does not meet required building and health standard.	Low (3)	Ensure compliance with relevant legislation.

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 15.1.1

THAT COUNCIL, BY SIMPLE MAJORITY:

- 1. PROVIDE ADVICE AND DIRECTION REGARDING THE KAMPONG TERMITE INFESTATION; AND**
- 2. REQUEST THAT THE CHIEF EXECUTIVE OFFICER, AS A PRIORITY, SEEK MEETINGS WITH THE DEPARTMENT OF INFRASTRUCTURE, TRANSPORT, REGIONAL DEVELOPMENT, COMMUNICATIONS, AND THE ARTS, AND THE HON. CATHERINE HILL, MINISTER FOR INFRASTRUCTURE, TRANSPORT, REGIONAL DEVELOPMENT AND LOCAL GOVERNMENT, TO SEEK SUPPORT FOR FUNDING TO DEVELOP A SUITABLE STRATEGY TO ADDRESS THE KAMPONG TERMITE INFESTATION.**

15.2 TRUSTS LEASES

15.2.1 CONFIDENTIAL - APPLICATION FOR NEW LEASE PART LOT 18 HOME ISLAND RETAIL CENTRE TENANCY 4 RESTAURANT AND KITCHEN

Report Information

Date: 26 July 2024
 Location: Part Lot 18 Home Island Retail Centre – Tenancy 4 Restaurant and Kitchen
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest:
 Reporting Officer: Leasing and Property Development Officer
 Island: Home Island
 Attachments: Confidential – Circulated under separate cover

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>

This report is confidential under Section 5.23 (2) of the Local Government Act 1995 and is circulated under a separate cover.

(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following–

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and

(d) Legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and

(f) a matter that if disclosed, would reveal —

- (i) a trade secret; or*
- (ii) information that has a commercial value to a person; or*
- (iii) information about the business, professional, commercial or financial affairs of a person,*

15.3 TRUSTS FINANCE

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

17. CLOSURE