

Shire of Cocos (Keeling) Islands

Shire of Cocos (Keeling) Islands

Agenda

Ordinary Meeting of Council

Wednesday 27 November 2024, 4:00pm

Community Resource Centre Meeting Room

Administration Building, West 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
Nil		

5.2 APPLICATION FOR LEAVE OF ABSENCE

Cr Badlu requested to apply for leave of absence for the period 15 November 2024 to 02 December 2024.

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING(S)

7.1 Ordinary Council Meeting held on 23 October 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 23 OCTOBER 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 CHIEF EXECUTIVE OFFICER REPORT OCTOBER/NOVEMBER 2024

Report Information

Date: 19 November 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 - Letter from Hon Kristy McBain MP
 10.1.1.2 - Shire of Cocos (Keeling) Islands DRF Round 2 Letter
 10.1.1.3 - Cat Culling Activity – October/ November 2024
 10.1.1.4 - WASPS Sting Register – October/ November 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 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 Council with an update on the Chief Executive Officer's activities for the October/November 2024 reporting period.

Relevant Documents

Available for viewing at the meeting.

Nil

Background

During the reporting period, the Chief Executive Officer engaged in meetings with staff, community members, Commonwealth and State Government agencies, and visitors to the Cocos (Keeling) Islands. Key activities are outlined below.

Auditors

Discussions were held with the Shire's auditors onsite and via phone regarding the audit's completion. Further details will be presented at the December 2024 Ordinary Council Meeting.

AuIGF Attendance

The CEO attended the Australian Internet Governance Forum in Melbourne with the Governance, Risk and Planning Manager, ICT Coordinator, and Shire President. The forum highlighted gaps in understanding Internet Governance and its connection to the .cc Top-Level Domain. An ICT Coordinator report on this is included in this meeting's agenda.

Department of Infrastructure (DITRDCA)

A phone meeting with Kim Forbes, First Assistant Secretary of the Territories Division, covered the following:

1. Waste Management Fees – The Commonwealth maintains its position of only paying residential fees for residential properties and commercial fees for commercial premises. Relevant correspondence is attached (Attachment 10.1.1.1).
2. Commonwealth Leases – Commonwealth debts related to waste management fees affect lease renewals for properties such as schools and health facilities. The Commonwealth emphasized that lease refusals could be unfavourable for the Shire.
3. Disaster Ready Fund (DRF) – Feedback was provided on the DRF application. A request to meet with the Minister for Emergency Management was declined.
4. Q Station Lease – This matter is with the WA Department of Lands and Planning; updates are pending.
5. Kampong Houses – Maintenance remains the Shire's responsibility, with no Commonwealth funding applicable.
6. Ports Sea Dumping Application – This fall under the Sea Dumping Act, not the Shire's waste strategy.
7. Fulton Hogan
8. Maritime Constructions is preparing for Material Offload Facility works, with dry hire of machinery and operator needs confirmed for December 2024 and January 2025.

Ministerial Meeting

The scheduled meeting with the Minister was postponed due to Parliamentary Divisions and will be rescheduled.

Shire Rangers Update

Rangers addressed pest control and other regulatory issues:

- Wasps – Active monitoring and community updates. (See attachment 10.1.1.3)
- Cats – Increased trapping and community cooperation. (See attachment 10.1.1.4)
- Rats – Quarterly baiting continues.
- Chickens – West Island culling program addressed resident concerns.
- Mosquitos – Fogging planned for the monsoon season.
- Other Matters – Training on Avian Influenza and ABC interview regarding roosters.

Verisign Update

Progress continues on amending the Trust Deed between IOTT, eNIC/Verisign, and the Shire. The matter is with Verisign's legal team for review.

Policy and Legislative Implications

Nil

Financial Implications

Nil

Strategic Implications

Engaging in Ministerial meetings strengthens Council's strategic awareness.

Voting Requirements

Simple majority.

OFFICER RECOMMENDATION – ITEM NO. 10.1.1

THAT COUNCIL, BY SIMPLE MAJORITY, NOTE AND RECEIVE THE CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT FOR OCTOBER/NOVEMBER 2024.

10.1.2 DELEGATIONS REGISTER UPDATE

Report Information

Date: 17 November 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 - Shire of Cocos (Keeling) Islands Delegation Register
 October 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 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 seek Council endorsement and approval of the updated Shire of Cocos (Keeling) Islands Delegations Manual as tabled.

Relevant Documents

Available for viewing at the meeting.

Nil

Background

Local Government legislation in West Australia requires Council to have an up-to-date Delegations Manual.

The Shire's Chief Executive Officer and management staff have conducted a thorough review of the Shire of Cocos (Keeling) Islands Delegations Manual.

A copy of the updated Delegations Manual is tabled with this report for the information of Council. It should be noted that the updated version as tabled also contains financial delegations for the first time.

Policy and Legislative Implications

By approving the tabled version of the Delegations Register, Council meets its legislative requirements.

Financial Implications

Nil

Strategic Implications

It is strategically prudent for Council to have an up-to-date Delegations Register.

Voting Requirements

Absolute majority.

OFFICER RECOMMENDATION – ITEM NO 10.1.2

THAT COUNCIL, BY ABSOLUTE MAJORITY, ENDORSE AND APPROVE THE UPDATED SHIRE OF COCOS (KEELING) ISLANDS DELEGATION REGISTER AS TABLED.

10.1.3 MEETING SCHEDULE FOR ORDINARY MEETINGS OF COUNCIL 2025

Report Information

Date: 18 November 2024
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest:
 Reporting Officer: Governance Administration Officer
 Island: Shire Wide
 Attachments: Nil

Authority / Discretion

Definition

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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 determine the schedule for Ordinary Meetings of Council for 2025.

Relevant Documents

Available for viewing at the meeting.

Nil

Background

Under Section 5.3 of the *Local Government Act 1995 (WA)(CKI)*, Councils are required to hold Ordinary Meetings no more than three months apart, although for good governance, more frequent meetings are standard practice. The Shire of Cocos (Keeling) Islands usual practice is to hold monthly meetings. However, some Councillors may be off-Island in January 2025, therefore, it may be more appropriate to not hold an Ordinary Meeting in January.

The *Local Government (Administration) Regulations 1996* – Reg 12 requires Council to give local public notice of dates, times, and the location of its Ordinary and Special Meetings.

Meetings, public notice of (Act s. 5.25(1) (g))

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which*
 - (a) the ordinary council meetings; and*
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months*
- 2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in sub regulation (1).*

Comment

The following dates for the Ordinary Meetings of Council for 2025 are proposed for Council's consideration, taking into account external factors, school holidays, and gazetted holidays relevant to the Territory of Cocos (Keeling) Islands.

Councillors should also note that the meeting scheduled for 26 March 2025 will be held at 1:00 pm, in consideration of Ramadan.

The proposed dates for the Ordinary Meetings of Council for 2025 are as follows:

Time	Date	Venue
4pm	Wednesday, 26 February 2025	CRC Meeting Room, West Island
1pm	Wednesday, 26 March 2025	Council Chambers, Home Island
4pm	Wednesday, 23 April 2025	Council Chambers, Home Island
4pm	Wednesday, 28 May 2025	CRC Meeting Room, West Island
4pm	Wednesday, 25 June 2025	Council Chambers, Home Island

4pm	Wednesday, 30 July 2025	Council Chambers, Home Island
4pm	Wednesday, 27 August 2025	CRC Meeting Room, West Island
4pm	Wednesday, 24 September 2025	Council Chambers, Home Island
4pm	Wednesday, 29 October 2025	Council Chambers, Home Island
4pm	Wednesday, 26 November 2025	CRC Meeting Room, West Island
4pm	Wednesday, 24 December 2025	Council Chambers, Home Island

Additionally, it should be noted that this schedule includes two meetings on Home Island for every one meeting on West Island, in recognition that the majority of the community resides on Home Island.

Policy and Legislative Implications

Section 5.3 of the *Local Government Act 1995 (WA) (CKI)* stipulates the requirement to hold regular Ordinary Meetings of Council and Regulation 12 of the *Local Government (Administration) Regulations 1996* requires Council to give local public notice of dates, times and the location of its Ordinary and Special meetings. The officer’s recommendation complies with these statutory requirements.

Financial Implications

Nil, there are no direct financial implications from adopting a schedule of meetings.

Strategic Implications:

Shire of Cocos (Keeling) Islands Strategic Community Plan 2016 – 2026:
Outcome 4.1 - An informed Council leading working with others to advance our Islands.
4.1.2 - Continue to improve organisational planning.

Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Reputation	Council does not encourage active participation in Council meeting processes.	Moderate	Council hold Ordinary Council meetings on both Home Island and West Island.
Compliance	Non-compliance with the <i>Local Government Act 1995 (WA) (CKI)</i> with respect to setting meeting dates and providing the necessary notice.	Low	This report to Council and the associated decision ensures compliance with the Act and Regulations. Public notice is to be given after the Council has set the 2025 Council meeting dates.

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

Simply majority.

Conclusion

The proposed schedule for the Ordinary Meetings of Council for the 2025 calendar year has been developed to ensure dates and times are suitable and do not overlap with public holidays or other significant events; therefore, it is recommended they are adopted as presented.

OFFICER RECOMMENDATION – ITEM NO 10.1.3

THAT THE COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO SECTION 5.3 OF THE LOCAL GOVERNMENT ACT 1995 (WA) (CKI) RESOLVES TO ADOPT THE FOLLOWING SCHEDULE FOR ORDINARY MEETINGS OF COUNCIL FOR 2025 AS FOLLOWS AND GIVE LOCAL PUBLIC NOTICE REGARDING THIS SCHEDULE VIA THE ATOLL IN AT LEAST THREE EDITIONS AND ON THE SHIRE'S WEBSITE.

10.1.4 INFORMATION COMMUNICATIONS TECHNOLOGY REPORT NOVEMBER 2024

Report Information

Date: 12 November 2024
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest:
 Reporting Officer: ICT Coordinator
 Island: Shire Wide
 Attachments: 10.1.4.1 - Overview of the Internet Governance
 10.1.4.2 - Final Report Internet Governance System Map

Authority / Discretion

Definition

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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 provide with an update on the activities of the Information Communications and Technology Coordinator for the month of November 2024.

Relevant Documents

Available for viewing at the meeting.

Nil

Background

The highlight of the past month was attendance at the Australian Internet Governance Forum (AuIGF) held in Melbourne from 28 to 31 October 2024.

As owners of the .cc Top Level Domain (TLD), it is imperative that staff and elected members have a thorough understanding of how the Internet works on a worldwide basis. The AuIGF was a multi-stakeholder platform for discussing internet governance in Australia. Held annually, the event brings together a diverse group of stakeholders, including government representatives, industry stakeholders, civil society, and technical experts to engage in discussions on various aspects of internet governance, policy, and regulation relevant to Australia. It fosters stronger collaboration and partnerships among stakeholder groups, encouraging collective efforts to address the evolving challenges of the digital landscape.

Attendance at the Forum gave an insight of where and how .cc TLD fits into the world of internet governance, especially being part of the Asia Pacific region. Focusing on professional development, knowledge sharing, networking, and influencing global policy. The event provided an excellent opportunity to connect with a broad range of stakeholders from around the world, facilitating cross-sector collaboration and the exchange of ideas between governments, business leaders and civil society organisations. The informal and open environment of the AuIGF fosters relationships that extend well beyond the event itself, supporting long-term partnerships in internet governance, research, and policy development.

The AuIGF provides a unique opportunity for participants to stay informed on the latest trends and challenges in internet governance. The forum covered emerging issues such as privacy and data protection, cybersecurity, artificial intelligence, and the future of internet infrastructure. Although the forum does not make binding policy decisions, it provides a vital space for stakeholders to voice their opinion, share experiences, and propose solutions that influence policy development a national and international levels.

The AuIGF also offered a learning environment, featuring workshops, panel discussions and case study presentations. These sessions allowed participants to learn from successful governance initiatives and practices in various regions, as well as present their own research, policy proposals and projects, and receiving feedback from a diverse audience.

In addition to knowledge sharing, the forum also emphasised professional development. It offered a variety of workshops on topics ranging from technical issues such as cybersecurity and policy matters like data privacy. These workshops are valuable for professionals looking to expand their expertise in internet governance.

One of the core principles of the AuIGF was to promote inclusivity and diversity in internet governance discussions. The forum actively encourages participation from underrepresented groups and offers special sessions for youth, women, and marginalised communities to participate in high-level discussions.

The Internet Governance Forum plays a key role in shaping the future of the internet, and attending this forum gave us the opportunity to engage directly in conversations about the

direction of global digital policies and innovations. The discussions and collaborations at the AuIGF will undoubtedly influence the design and implementation of future internet governance structures. It serves as a critical platform for fostering international cooperation in addressing global challenges from cybersecurity threats to ensuring equitable access to digital resources.

AuIGF provided an overview of how far staff and elected members need to advance their knowledge and have a vital platform for dialogue, learning and collaboration among diverse stakeholders involved in the governance of the global internet.

Department of Infrastructure, Transport, Regional Development, Communications, and the Arts - Internet Governance Team (DITRDCA IG team)

During the forum, a considerable amount of time was spent with the DITRDCA IG team who were invaluable in providing a background and overview of Internet Governance for Australia. This department is very active worldwide in terms of internet governance and one of the team members, Ian Sheldon was initially involved in the .cc CSAM project conducted with the Australian Federal Police and Verisign and leads the DITRDCA IG team.

Building on the relationship between the Shire and DITRDCA IG team will be invaluable for the Shire. Immediate outcomes to be pursued include:

- Shire staff and Internet Governance Team – to start work on what education uplift could support Cocos Keeling residents engaging safely online, and
- Internet Governance Team to consider how Cocos Keeling engagement with ICANN on internet governance could be increased.

DITRDCA IG Overview - The Australian Government supports an open, free, secure, and interoperable Internet, supported by a multistakeholder approach to Internet governance. Their work to support this vision is driven by four key principles:

- Protect the Internet's core technical infrastructure as an essential shared global resource.
- Promote and strengthen multistakeholder Internet governance.
- Engage and coordinate with the Australian stakeholder community.
- Promote Asia-Pacific engagement and regional interests in Internet governance.

The three layers of the Internet

Broadly speaking, Internet governance can be conceived as operating over three layers of the Internet—the infrastructure layer, the technical layer, and the content layer.

Our work on Internet governance primarily focuses on the technical layer of the Internet, including the protocols and services which are necessary for the Internet to function. We have developed a document which describes the three layers in more detail.

In 2023, the Australian Government commissioned some independent analysis on the Internet governance landscape, with a focus on the connections between the key actors and processes.



Australian Government
Department of Infrastructure, Transport,
Regional Development, Communications and the Arts

Three layers of the internet



Content layer

This layer (also referred to as the application layer or societal layer) includes social media platforms, applications, websites and other content which runs on the Internet. These platforms and applications are subject to various national and international policies depending on where they operate. Key issues include content moderation on social media, governance of AI applications and systems, and cybersecurity for Internet users.



Logical layer

This layer (also referred to as the technical layer) includes the protocols and services which are necessary for the Internet to function. This covers the Domain Name System, IP addresses and Internet protocols such as TCP/IP, as well as the multistakeholder forums and processes which govern these systems. These services ensure that Internet connected devices can be uniquely identified and can communicate with each other all over the world. Rules and policies for these services are set internationally by bodies such as ICANN, the RIRs and the IETF.



Infrastructure layer

This layer includes the physical infrastructure which the Internet functions on, such as cables, satellites, telephone towers and internet exchange points. This infrastructure may be constructed and owned by governments or the private sector, with varying policies from country to country. Key issues include building out infrastructure to provide universal access to the Internet, allocation of spectrum for mobile and satellite Internet, and the resilience of critical infrastructure during natural disasters.



The resulting report explores the complex ecosystem which makes up Internet governance. It considers this landscape from within Australia's domestic context, examining how Australian stakeholders contribute to the global Internet governance community.

This report was developed through a series of workshops and interviews with key Internet governance stakeholders from across various sectors, including government, private sector, civil society, and academia. We would like to express our appreciation to all the stakeholders who provided their perspectives throughout this process.

A key element of this report is the high-level visual overview of the Internet Governance landscape, which maps out the key organisations with a role in Internet governance, their level of influence, and how they interact with each other. This overview was shared with stakeholders at Australia's 2023 Internet Governance Forum (NetThing 2023), and the version below has been updated based on their feedback.

Additionally, the DITRDCA IG team have also developed a “*noetic overview of the internet governance landscape*” (see attachment 10.1.4.1 and on 18 November 2024 updated their web site, <https://www.infrastructure.gov.au/department/media/publications/mapping-influence-and-interactions-world-internet-governance> to include a Mapping influence and interactions in the world of Internet governance a copy of which is also tabled (see attachment 10.1.4.2)

Future forums

Tying internet governance with ownership of .cc TLD, now a multi-million dollar a year business for the Shire, it is imperative that staff and elected members continue to attend forums such as the AulGF. Attendance at such forums will assist the Shire and staff to work towards best practice standards and fully understand the ramifications of internet governance and owning a Top-Level Domain. A summary of 2025 events that staff and elected members could attend is as follows.

Australian IGF 2025 – dates and location to be confirmed,

ICANN82 Community Forum in Seattle, USA. Scheduled for March 8 – 13 2025 - the Community Forum is the first meeting in the three-meeting annual cycle, typically held in February or March. The duration of the Community Forum is six total days, running from Saturday through Thursday.

The Community Forum structure includes time for internal work of the Supporting Organizations and Advisory Committees (SO/ACs), cross-community interaction, and plenary sessions on topics of community-wide interest.

Internet Governance Forum 2025 - The United Nations has invited Norway to host the Internet Governance Forum (IGF) in June 2025 – the world's largest forum on Internet governance.

“Norway is committed to ensuring an open, safe, and free Internet for all. In an era where some countries seek to restrict online freedoms, it is more vital than ever for nations like

Norway to engage in the discussions and negotiations regarding the frameworks that govern the Internet. As host country for IGF 2025, the international community trusts Norway to bring together global stakeholders for crucial conversations about the future role of the Internet,” said Karianne Tung, Minister of Digitalisation and Public Governance.

The Internet Governance Forum 2025 will be the largest UN meeting ever hosted in Norway. In June 2025, several thousand participants from around the world will convene in Norway to exchange knowledge, foster collaboration, and collectively address key issues related to digital public policy. The IGF has established itself as one of the most significant platforms for these discussions.

Governments, the private sector, civil society, academia, technical experts, as well as international and intergovernmental organisations from both developing and developed countries will collaboratively discuss and set the agenda for the future of the Internet, all while celebrating the forum’s 20th anniversary.

Asia Pacific Internet Governance Forum 2025 – Hybrid – Kathmandu - October 2025 - The Asia Pacific Regional Internet Governance Forum (APrIGF) serves as a regional platform for dialogue, collaboration, and exchange on Internet governance. Bringing together national IGF discussions and fosters progress in Internet governance throughout the Asia Pacific region.

By 2010, while the global IGF was already in its fifth year and regional IGFs had been established in regions like Africa, Europe, and Latin America, Asia had yet to see a similar forum for regional discussions on Internet governance. The first APrIGF was convened in Hongkong, SAR China to fill this gap, aiming to promote awareness and encourage stakeholder participation across the region on issues related to Internet governance.

Cocos Communications and IT (CCIT)

Attended a meeting with CCIT to discuss further development of the Telecommunications Strategy for the Cocos (Keeling) Islands. The platform for the strategy will need to involve Telstra, Subco and the Shire. It is anticipated to hold a joint meeting of these parties on Cocos (Keeling) Islands in February 2025 to progress the strategy. In the interim CCIT will continue to deliver services post the transition from IOTT and will continue to look at indicative costs for a Shire funded model of telecommunications for Cocos (Keeling) Islands.

Policy and Legislative Implications

Internet Governance Policy is complex and not well understood by staff and elected members. There needs to be additional work done in this area by attending forums to gain knowledge and understanding.

Financial Implications

.cc TLD income can fund meeting attendance.

Strategic Implications

It is strategically astute to be aware of all implications of ownership of a Top-Level Domain and this can be supported by attendance at various forums.

Risk Implications

Nil

Voting Requirements

Simple majority.

OFFICER RECOMMENDATION – ITEM NO 10.1.3

THAT COUNCIL, BY SIMPLY MAJORITY:

- 1. FORMALLY ACKNOWLEDGE AND RECEIVE THIS REPORT FOR CONSIDERATION.**
- 2. GRANTS DELEGATION TO THE SHIRE PRESIDENT AND CHIEF EXECUTIVE OFFICER TO APPOINT REPRESENTATIVES TO ATTEND THE INTERNET GOVERNANCE FORUMS FOR THE DURATION OF THE 2025 CALENDAR YEAR, IN LINE WITH RELEVANT PROTOCOLS AND REQUIREMENTS.**

10.1.5 COMMUNITY DEVELOPMENT REPORT OCTOBER/NOVEMBER 2024

Report Information

Date: 18th November 2024
 Location: Cocos Keeling Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest:
 Reporting Officer: Community Development Coordinator
 Island: Cocos Keeling Islands
 Attachments: 10.1.5.1 - Chula Shed Door Drawing
 10.1.5.2 - Cocos Batik Revival Project Completed Application

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 provide Council with updates on programs and events within the Community Development Team for the month of October 2024.

Community Development Coordinator Update

International Day of People with Disability 2024

The Day of Disability event for 2024 will take place on the Wednesday 4December 2024 at the Home Island Cyclone Shelter starting from 6.30pm – 8.00pm.

The event will provide an opportunity to bring the community together to celebrate our diversity and provide an opportunity to showcase small businesses and start – ups that are run by disabled community members, locally. Inclusive activities will include giant games, optional Zumba, arts and crafts run by the Cocos Island Youth Council and promotion of local food providers. The Shire will provide catering for everyone given that our Grants Application were approved for the sponsorship of \$1000.00. in Cocos culture, sharing food is always an effective way to bring community together.

The event is open to all community members and visitors alike, encouraging people from all walks of life to attend the event. The Cyclone Shelter has been selected as the venue for this event as it is holistically universally accessible. There are wheelchair ramps as well as accessible toilets and kitchen that will allow everyone entrance to participate in the event. The space is versatile, with several different rooms that can allow separation for anyone with audio or social aversions.

As this event is run annually, we can be confident that is it always a great success with a wide range of community attendees coming together.

Community Development Officer – Culture and Heritage Updates

Projects: Jukong restoration project/Chula shed and Batik Revival Project

Jukong Restoration Project/Chula Shed:

- Tim Eastwood has sent drawings and timber for building doors on the Chula Shed. This will allow us to secure the space to allow more streamlined use of tools etc. (See attachment 10.1.5.1)
- We on track to spending the 15,000 contribution IOT put towards the Jukong Restoration Project for Senior Shipwright wages. Funds that the Shire have put towards the project will continue to cover labour costs once this funding runs out.
- We have advertised for expressions of interest for a Mast Building Workshop. This workshop will allow any attendees to learn to shape and build a mast with the community's senior shipwrights. We request that attendees just cover the cost of materials – all tools and mentorship will be covered by the Jukong Restoration Project Funds.

Batik Revival Project:

- We have received notification that the Batik Revival Project has been approved for funding, with an equal highest scoring application.
- The Shire of Cocos (Keeling) Islands will receive \$24,824.33 from the Regional Arts Fund to carry out the project in the first half of 2025. This funding will include Professional workshop sessions with Jacky Cheng in cold and hot wax Batik over 2 visitation sessions, professional mentoring throughout the process, all equipment (resists + wax, dyes, brushes, some fabrics) and associated freight.
- Dates for 2025 are still to be confirmed by Jacky Cheng + Community Development Team, but the project will run in 2 main stages of visitation from Jacky Cheng, likely around May and June 2025.

- First stage/project acquittal is required 40 business days after completion date of the project (~September 12th, 2025).
- Grant application is available as an attachment for any councillors who may be interested. (See Attachment 10.1.5.2)

Student Work Experience Intro – Ishraf Lazin

Hi, my name is Ishraf Lazin.

I have chosen to do my work experience at the Shire of Cocos Keeling Islands, with the Community Development Team because I wanted to experience the reality of working in an office, do computer work, and plan out community events.

Since starting my internship, I have learnt that there are many different cool jobs and & roles within the Shire. I have learnt how to make budgets for planning Community events and created event posters which is very interesting.

The most challenging moment I have had during work experience was when I had to practice writing out professional email examples as if I were to apply for a job here. The most fun moment was when I had to visit Nek Callum on the Jukong Restoration Project and take lots of good quality pictures of the Jukong and Nek Callum’s work which was funny and fun. I also enjoyed visiting the Infrastructure Depot and Networking with the other Shire Co-workers.

Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	Budget allocations may be exceeded.	Moderate (6)	Monitor variances and report them to Council for corrective action.
Reputation	Monthly financial statements are open to public scrutiny.	Low (3)	Ensure all expenditures are justifiable.
Compliance	Report to be presented to Council within two months to comply with legislation.	Low (3)	Processes in place to ensure compliance.
Fraud	Risk of report manipulation.	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 OCTOBER/NOVEMBER 2024.

10.1.6 FREEDOM OF INFORMATION STATEMENT

Report Information

Date: 20 November 2024
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest:
 Reporting Officer: Manager Governance Risk and Planning
 Island: Shire wide
 Attachments: 10.1.6.1 - Shire of Cocos Information Statement September 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 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 seek Council's endorsement of the Shire of Cocos (Keeling) Islands Freedom of Information Statement.

Relevant Documents

Available for viewing in meeting.

Background

In 2019, the Shire officers contacted the Office of the Information Commissioner WA (OIC WA) to clarify whether the Shire of Cocos (Keeling) Islands was required to have a Freedom of Information (FOI) Statement. Initially, it was unclear whether the *FOI Act 1992* applied, as the OIC WA had no service delivery agreement with the Commonwealth. Further research confirmed the *FOI Act* does apply to Indian Ocean Territory local governments, leading to the creation of a Service Delivery Agreement between the OIC WA and the Commonwealth to provide FOI services.

During a visit to Cocos Islands from 3–6 September 2024, the Information Commissioner met with Shire officers to confirm the requirement for an FOI Statement under the FOI Act and to address any concerns. The Information Commissioner also briefed staff on FOI responsibilities and its relevance to their roles.

Policy and Legislative Implications

Freedom of Information Act, 1992 – Section 94 and 96.

Financial Implications

Nil

Strategic Implications

Shire of Cocos (Keeling) Islands Strategic Community Plan 2022-2023:
Leadership Objective L1: To be involved, respectful and inclusive and to facilitate diversity and representation within the decision-making process.

Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Reputation	Non-compliance with statutory requirements would result in reputational damage to the Shire.	Moderate (8)	This agenda item aims to ensure that the Shire is compliant.
Compliance	To not adopt the FOI Statement will be in breach of the FOI Act	Moderate (8)	This agenda item aims to ensure that the Shire is compliant with the FOI Act

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

A copy of the Freedom of Information Statement 2024 is attached for Council's consideration.

OFFICER RECOMMENDATION – ITEM NO 10.1.6

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO SECTION 3.18 OF THE LOCAL GOVERNMENT ACT 1995 AND IN ACCORDANCE WITH SECTION 96 OF THE FREEDOM OF INFORMATION ACT 1992, RESOLVES TO ENDORSE THE SHIRE OF COCOS (KEELING) ISLANDS FREEDOM OF INFORMATION STATEMENT 2024 AS PRESENTED IN ATTACHMENT 10.1.6.1.

10.2 MANAGER FINANCE AND CORPORATE SERVICES

10.2.1 MONTHLY FINANCIAL REPORT – OCTOBER 2024

Report Information

Date: 14 November 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 - Monthly Financial Report - October 2024
 10.2.1.2 – CONFIDENTIAL – Note 12 Additional Information 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 October 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 the 4 months ended October 2024. The current closing municipal surplus for this period is \$1.92m compared to a budget position of \$1.08m.

Income for the year to date is \$5.13m which comprises \$5.13m in operating revenues and \$0 in capital grants. The budget for the same period was \$6.18m, resulting in a budget variance of \$1.05m. The main cause of this was a receipt of around \$0.6m being received in June 2024 but budgeted in the 2024/25 financial year and other timing differences relating to ICT income.

Expenditure for the period year to date is \$2.62m excluding depreciation. This is made up of \$2.57m in operating expenditure and \$53k in capital expenditure. The budget for the same period was \$3.69m, resulting in a budget variance of \$1.07m.

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 31 October 2024, including explanations of material variances, be received.

OFFICER RECOMMENDATION – ITEM NO 10.2.1

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO THE *LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996*:

- 1. RECEIVES THE MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 OCTOBER 2024, AS CONTAINED IN ATTACHMENT 10.2.1.1; AND**
- 2. ACCEPTS THE EXPLANATIONS FOR MATERIAL VARIANCES FOR THE PERIOD ENDING 31 OCTOBER 2024, AS CONTAINED IN ATTACHMENT 10.2.1.2.**

10.2.2 SCHEDULE OF ACCOUNTS PAID FOR THE PERIOD SEPTEMBER 2024

Report Information

Date: 14 November 2024
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref: Nil
 Disclosure of Interest: Nil
 Reporting Officer: Senior Finance Officer
 Island: Shire Wide
 Attachments: 10.2.2.1 - Schedule of Accounts Paid October 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 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 October 2024, as required by the *Local Government (Financial Management) Regulations 1996*.

Relevant Documents

Available for viewing at the meeting.

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 #11023 to #11107	\$645,440.47
Direct Debit Payment	\$72,143.65
Cheque Payment 11757 – 11758	\$7,242.24
Total Payments	\$724,826.36

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.

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 October 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 OCTOBER 2024 TOTTALLING \$724,826.36 AS CONTAINED IN ATTACHMENT 10.2.2.1.**
- 2. RECEIVES THE DETAILED TRANSACTION LISTING OF CREDIT CARD AND FUEL CARD EXPENDITURE FOR THE PERIOD OCTOBER 2024, AS CONTAINED IN ATTACHMENT 10.2.2.1.**

10.2.3 2024/25 FEES AND CHARGES - AMENDMENT

Report Information

Date: 15 November 2024
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest:
 Reporting Officer: Manager Finance and Corporate Services
 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 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 seek Council approval to expand the range of services for which Council can charge a Fee/Charge.

Relevant Documents

Council's Annual Budget 2024/25.

Background

Council's 2024/25 Annual Budget includes a range of fees and charges that Council can charge external parties for a range of services that are provided by Council. These Fees and Charges include, in the Plant and Equipment Hire section, a range of fees it will charge for 'wet hire' of its Plant and Equipment.

Note: Wet Hire is the term used when a third party hires Council equipment and Council supply the labour required to operate the equipment. The alternative to Wet Hire is Dry Hire where the third party only hires the equipment and uses other staff to operate the equipment.

The Fees and Charges Schedule states that 'no Dry Hire of the above equipment is available'.

An opportunity has now arisen for Council to 'piggy-back' off a Wet Hire opportunity and provide some Dry Hire services to the private sector.

This requires the Schedule of Fees and Charges to be updated.

Comment

The formal arrangements to enter into the Wet and Dry Hire opportunities are currently being finalised, with appropriate input from Council's insurance broker.

These arrangements are expected to cover the period until February 2025. The nature of the work associated with these arrangements is such that similar work could be ongoing.

The addition of Dry Hire rates to Council's Approved Fees and Charges required public notification. The hourly Dry Hire rates that were subject to the public notification were the Wet Hire rates less \$27, to reflect the lack of basic pay associated with Dry Hire compared to Wet Hire.

Feedback was received from the private sector that the reduction from the Wet Hire rates should be higher, generally between \$80 to \$100.

Officers have considered this and agree that a reduction of \$80 is reasonable.

The Table below shows the current Fees and Charges for Wet Hire and the proposed new fees for Dry Hire:

Plant & equipment hire	Wet Hire	Dry Hire
Excavator - Komatsu PC220LC or PC200	\$350.00	\$270.00
Grader - Case876	\$300.00	\$220.00
Roller	\$275.00	\$195.00
Loader - Home Island - Hyundai HL740	\$275.00	\$195.00
Loader - West Island - Hyundai HL757	\$295.00	\$215.00
Tractor - large, includes attachments	\$240.00	\$160.00
Skid Steer Loader/Bobcat	\$170.00	\$90.00
Mini Excavator - 2.5T	\$185.00	\$105.00
Mini Excavator - 5T	\$220.00	\$140.00
Genie Work Platform - Home Island	\$180.00	\$100.00
Tipper Truck – West Island	\$270.00	\$190.00
Tipper Truck- Home Island	\$200.00	\$120.00
Mowing	\$140.00	\$60.00

Policy and Legislative Implications

Section 6.16 (3) of the *Local Government Act 1995* provides that:

Fees and charges may be imposed when adopting the annual budget but may be-

- (a) Imposed during a financial year; and
- (b) Amended from time to time during a financial year

Note : absolute majority required for this section

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.

Objective E2: To work alongside local businesses to facilitate employment, growth and development.

Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	Approval of the Dry Hire fees will result in Council having an opportunity to access a new revenue source	Low (1)	N/A

Reputation	Approval of the Dry Hire fees should result enhance Council's Reputation.	Low (1)	N/A
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.
Other	Potential Insurance implications arising from inappropriate third party use of Council plant and/or equipment.	High (10)	Review of Dry Hire agreements by Council's Insurer.

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

Absolute majority.

Conclusion

It is recommended that Council approves the Dry Hire fees and charges.

OFFICER RECOMMENDATIONS – ITEM NO 10.2.3

THAT COUNCIL, BY SIMPLE MAJORITY,

1. RECEIVES THE REPORT FROM THE MANAGER OF FINANCE AND CORPORATE SERVICES ON THE 2024/25 FEES AND CHARGES - AMENDMENT.
2. THAT COUNCIL, BY ABSOLUTE MAJORITY, APPROVES THE FOLLOWING DRY HIRE FEES AND CHARGES FOR 2024/25:

	Dry Hire Per hour - no operator
Plant & equipment hire	
Excavator - Komatsu PC220LC or PC200	\$270.00
Grader - Case876	\$220.00
Roller	\$195.00
Loader - Home Island - Hyundai HL740	\$195.00
Loader - West Island - Hyundai HL757	\$215.00
Tractor - large, includes attachments	\$160.00
Skid Steer Loader/ Bobcat	\$90.00
Mini Excavator - 2.5T	\$105.00
Mini Excavator - 5T	\$140.00
Genie Work Platform - Home Island	\$100.00
Tipper Truck - West Island	\$190.00
Tipper Truck- Home Island	\$120.00
Mowing	\$60.00

10.3 MANAGER INFRASTRUCTURE

Nil

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

14.1 APPLICATION TO WAIVE WATER CHARGES – CONFIDENTIAL

Report Information

Date: 27 November 2024
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest:
 Reporting Officer: Manager Finance & Corporate Services
 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</i>

		<i>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

(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 ENIC .CC REGISTRY ACTIVITY MONTHLY REPORT NOVEMBER 2024 - CONFIDENTIAL

Report Information

Date: 12 November 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 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 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,*

14.3 CEO PERFORMANCE REVIEW - CONFIDENTIAL

Report Information

Date: 21 November 2024
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest: Chief Executive Officer
 Reporting Officer: Shire President
 Island: Shire wide
 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–

- (a) a matter affecting an employee or employees: and*
- (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*

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