

Shire of Cocos (Keeling) Islands

Shire of Cocos (Keeling) Islands

Minutes

Ordinary Meeting of Council

Wednesday 28 May 2025, 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

The Presiding Member officially declared the meeting open at 4:02pm and extended a welcome to all Councillors and Officers in attendance.

2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

President: Cr A Minkom

Deputy President: Cr I Minkom

Councillors: Cr Badlu
Cr Knight
Cr Lacy
Cr Sloan
Cr Young (arrived at 4:10pm)

Officers: David Tombs, Manager Finance and Corporate Services
Ibrahim Macrae, Manager Governance Risk and Planning
Nadya Adim, Community Development Coordinator
Azia Bulka, ICT Coordinator
Amallia Alim, Governance Administration Officer
Suzie Bulka, Leasing and Policy Development Officer

Guests: Nil

Public: 4

Apologies: Frank Mills

Approved Leave of Absence: Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

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.

Mr Greg Cahill submitted the following questions during Public Question Time, which were taken on notice. Responses will be provided at a future meeting once all necessary information has been reviewed and confirmed.

Name: Mr Greg Cahill

Topic: Aquaculture Lease Lot 100 Sydney Hwy West Island

Questions Taken on Notice:

1. Does the Shire know that I am not doing Aquaponics at this time as the CE said I am only allowed to do Aquaculture and Hydroponic and I am not allowed to combine then to use the Fish waste to fertilize my green vegetables, even though there are 2 sections in my DA saying that I intend to do Aquaponics.

Also does the Shire know that the Excess building materials that I have on my leased land will be Recycled throughout my Aquaculture Farm due to minimal materials on Island and the excessive costs of freight to the islands.

2. In December 2024, I emailed all Councillors and sent in the registered mail, my acceptance of the Shires offers to the second term on my Aquaculture lease and requested a prompt response.

It is now 28/05/2025, there has been no response for over 5 months. I have a Fisheries approved Aquaculture farmed product to grow and sell but waiting on Shire now. Why is it taking so long?

3. Due to seriousness of the CEO's poor health over the last 6 months or so and him not being on island to discuss matters, I have refrained from clarifying some important issues. The CEO has made many incorrect assumptions in previous correspondence regarding my Aquaculture Development Lease.

So, will the Shire please not that, I reserve the right to correct and misunderstanding prior to any possible negative outcomes that may be considered against me by Council.

4. Does the Shire know that the Concept of my Aquaculture Development has not changed.

Both the CEO and the President said that they haven't got an issue with my choice of Sea Mullet to Grow and Sell nor have an issue of how many I have on my Lease and with my fisheries approval, I can get the CKI Exempt Fisher to restock whenever needed now.

It does not matter if I have Red Claw, Barramundi, Sea Mullet or any other Fisheries approved alternative, the concept remains the same, cook my Aqua cultured grown product at my approved, purpose built Engineered “Product Tasting Shelter” for the enjoyment of tourist and the wider Cocos Community.

5. Does the Shire know that approved Building Plans, Engineering, Energy Efficiency, Aquaculture approved DA had not changed, only my choice of Fisheries Approved Alternative but that should be of no concern of Shire. Therefore, my existing Development Approval that has no End Date is still current and a new DA is not required.

Does the Shire also know that I believe that I have Met Milestone #3 in full and sent evidence to all Councillors last October, 2 months early.

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

Nil

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING(S)

- 7.1 Ordinary Council Meeting held on 23 April 2025 - Attachment 7.1

OFFICER RECOMMENDATION – ITEM NO 7.1

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 APRIL 2025 AS PRESENTED IN ATTACHMENT 7.1 BE CONFIRMED AS A TRUE AND CORRECT RECORD OF PROCEEDINGS.

COUNCIL RESOLUTION – ITEM NO 7.1**MOVED CR I MINKOM****SECONDED CR SLOAN**

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 APRIL 2024 AS PRESENTED IN ATTACHMENT 7.1 BE CONFIRMED AS A TRUE AND CORRECT RECORD OF PROCEEDINGS.

THE MOTION WAS PUT AND DECLARED CARRIED (7/0)

FOR: BADLU, KNIGHT, LACY, MINKOM, MINKOM, SLOAN, YOUNG

AGAINST: NIL

8. ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS

Nil

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
Cr Young	15.2.1	Impartiality	Supporting and assisting the applicant in their lease applicant.
Cr Badlu	15.2.1	Impartiality	The applicant is a relative.

10. REPORT FROM COMMITTEES AND OFFICERS

10.1 CHIEF EXECUTIVE OFFICER

10.1.1 CHIEF EXECUTIVE OFFICER REPORT – MAY 2025

Report Information

Date: 22 May 2025
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 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>

Report Purpose

To provide Council with an update on the activities and matters attended to by the Chief Executive Officer during the April–May 2025 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, the following key items are noted in this month's report

1. Civic Legal

Met with various members of Civic Legal to discuss matters which Civic Legal is providing support to the Shire. The main items of interest are as follows:

- CHRMAP: With all the challenges of CHRMAP and Kampong Housing and Trust Deeds it was determined that the nexus of all these matters that Kampong Housing and Trust Deeds would be rolled into the CHRMAP process. A separate report is in the agenda for the attention of Council with respect to CHRMAP.
 - CEO Recruitment: The Shire President is liaising with Civic Legal prior to the appointment of an appropriate body to support Council through the recruitment and appointment of a new Chief Executive Officer.
- ### 2. Department of Infrastructure, Transport, Regional Development, Communications, and the Arts (DITRDCA)

Met with Kim Forbes and Adam Stankevicius of DITRDCA to discuss the following items:

- CEO Cocos (Keeling) Islands, pathway for the future: Provided advice on the pathway for the future with the current CEO's contract finishing on 22 June 2025. Ibrahim Macrae will act as CEO until a new appointment is made.
- Sydney Highway: Sought any advice given by Commonwealth/DITRDCA to AECOM/Fulton Hogan regarding the use of Sydney Highway during the runway upgrade program and any associated traffic management plans. Advised that DITRDCA has no knowledge of this matter, and it should be referred to Defence.
- Sydney Highway: Sought advice regarding the proposal put forward by the Commonwealth to shift Sydney Highway towards the jungle and away from the beach. Advised that the Commonwealth identified this as an action that has been included in their version of the draft CHRMAP and that it is the Shire's responsibility to determine how to proceed, as roads fall under its jurisdiction.
- Kampong Housing: Sought advice on whether the Commonwealth would accept any responsibility. Response: No.
- Dry Wood Termites: Sought advice that as the Commonwealth/DITRDCA has been aware of Dry Wood Termite issues on Home Island for about 10 years, what are their plans for the future of housing on Home Island. Having been aware of termite issues for about 10 years, what are their plans for future housing on Home Island? Response: The Shire is responsible; no assistance will be provided.

- 1979 and 1984 Trust Deed Review: Sought advice if the Commonwealth/DITRDCA play a pivotal funding role in 1979 and 1984 Trust Deed review as recommended by the joint parliamentary committee after a visit to Cocos (Keeling) Islands.
- Q Station Lease: Sought advice regarding the application by the Shire to lease part of the Q Station for the purposes of housing the West Island Infrastructure team and associated plant and equipment. Advised that this matter is still awaiting action by the WA Department of Lands and Planning.
- Disaster Ready Fund: Advised The process was supportive of Council, and assistance in developing the application was appreciated. Advised that there is limited funding, and it is a very competitive process. Funding was sought for additional pumps to alleviate flooding of the Kampong and to build sea walls on Home Island.
- The Outstanding Waste Management Fees and Charges: Sought advice as to whether the Commonwealth has changed its stance on the payment of outstanding rates and waste management fees and charges. Advised that the stance of DITRDCA has not changed. NB - the outstanding fees and charges have been referred to Civic Legal for action.
- CHRMAP: Sought advice on the Commonwealth plans for the draft CHRMAP pre and post 30 June 2025. Advised that it is expected the Shire will endorse the draft CHRMAP as presented and any submissions the Shire wishes to make must be done prior to 30 June 2025. Also advised that if the Shire does not support the Commonwealth version of CHRMAP as tabled, then the 3 million in funding provided to Cocos (Keeling) Islands as part of the 23.1 million that was awarded for coastal protection works will be withheld. Therefore, the scientific study and investigation into the water lenses on Home Island to determine long term effects and issues that could arise with flooding will not occur until Council agrees to the Commonwealth CHRMAP. Also advised that so far, the Commonwealth has funded the development of their version of CHRMAP, and no funding will be provided to the Shire to do its own investigations and make submissions to the Commonwealth Version of CHRMAP.
- 23.1 million Commonwealth Funding: Sought advice as to what is going to happen with the 15.2 million component of 23.1 million Commonwealth funding being held by DITRDCA for coastal protection works on West Island. Advised that some emergency works behind the medical clinic are in the pipeline with the Shire being assessed to see if they deliver fair value for money. Also advised that some funding will be released for works along Sydney highway in the future.
- Sandbag/seawall collapse: Sought advice regarding a report that was to be prepared regarding seawall failure along William Keeling and Orion Close during ocean swells and tidal inundations in 2024. A copy of the report has now been provided and is attached for information of elected members. It should be noted that our Infrastructure team is currently revising the scope of works with a view to being engaged to carry out works asap.
- Telecommunications Strategy: Development of the Telecommunications Strategy for Cocos (Keeling) Islands has identified the need for housing for a technical support person for the Cocos (Keeling) Islands. Advice was sought if DITRDCA will support the long-term allocation of a Commonwealth house from IOT stock for this purpose? Response - We are

having difficulty in providing sufficient housing for our teachers, nurses and police, so unfortunately, we are unable to assist with your request.

3. Kampong Housing

- A random selection of 10 Kampong houses underwent a thorough inspection to determine the structural integrity due to dry “wood termites” and rot. The inspections have shown that the structural integrity of the sample houses is of great concern. Allowing for the sample being representative of the entire Kampong houses and other structures on Home Island, the enormity of the challenge to address structural integrity cannot be understated.
- A spreadsheet detailing both minor and major repairs enabling the evaluation and development of a comprehensive program of works has now been developed and for the first time an entire program of works can be evaluated and developed.
- The challenge for the Shire as Trustee over the Kampong houses is determining how to address the extensive repairs or rebuilding required.

-

4. Shire Ranger Update

Biosecurity and Pest Control:

- Wasps & Siam Weed: Ongoing surveillance; traps set for winter hibernation studies.
- Fire Ants & Termites: Surveillance and coordination with Infrastructure team.

Animal Management:

- Cats: Active trapping on both islands; spotlighting planned at Home Island Garden Plots.
- Rats: Monthly baiting around key locations; limited DI baiting due to boat issues.
- Chooks: Monitoring and trap setting continue. Community advised to relocate poultry to avoid nuisances.

Inspections and Surveillance on both islands:

- Illegal dumping
- Abandoned vehicles
- Burning and backlane checks
- Cyclone shelter inspections
- Lease area maintenance (West Island)

Mosquitos:

- Scheduled fogging during wet season and Direction Island fogging every 3 months (boat dependent)

Policy and Legislative Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority

OFFICER RECOMMENDATION – ITEM NO 10.1.1

THAT COUNCIL, BY SIMPLE MAJORITY, NOTES AND RECEIVES THE CHIEF EXECUTIVE OFFICER'S REPORT FOR MAY 2025.

COUNCIL RESOLUTION – ITEM NO 10.1.1

MOVED CR LACY

SECONDED CR I MINKOM

THAT COUNCIL, BY SIMPLE MAJORITY, NOTES AND RECEIVES THE CHIEF EXECUTIVE OFFICER'S REPORT FOR MAY 2025.

THE MOTION WAS PUT AND DECLARED CARRIED (7/0)

FOR: BADLU, KNIGHT, LACY, MINKOM, MINKOM, SLOAN, YOUNG

AGAINST: NIL

10.1.2 CHRMAP UPDATE

Report Information

Date: 22 May 2025
 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 – CONFIDENTIAL Shire of Cocos (Keeling) Islands - Letter to Shire
 10.1.2.2 - WA DoT Part 1
 10.1.2.3 - WA DoT Part 2
 10.1.2.4 - WA DoT Part 3

Authority / Discretion

Definition

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<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 development of a submission for the Shire of Cocos (Keeling) Islands Coastal Hazard Risk Management and Adaptation Planning (CHRMAP) document.

Documents

Available for viewing at the meeting

Nil

Background

On 8 February 2025, Kim Forbes, First Assistant Secretary - Indian Ocean Territories, Department of Infrastructure, Transport, Regional Development, Communications and Arts (DITRDCA); Anna Kellerman - Director, Shape Urban; and Peter Wood, Principal Planner – Land Use Planning, Department of Planning, Lands and Heritage, Western Australia, released the latest draft version of the Cocos (Keeling) Islands CHRMAP on Home Island.

Originally initiated in 2021 and years in the making, the document fell short of expectations in terms of its support for the residents of Home and West Island in addressing both present and future challenges related to rising sea levels in the Indian Ocean.

First reported to Council in March 2025, this report is a continuation of advice for the information of Council.

1. Civic Legal

Civic Legal has been engaged to provide advice and direction to staff and Council relating to the 1979 and 1984 Trust Deeds, Kampong Housing Policy and Land Tenure. The advice has been very comprehensive and ongoing. With the release of the DITRDCA draft CHRMAP document, the relationship between work currently being done by Civic Legal and the CHRMAP is so close it essentially “blurs the lines”. After discussion with Civic Legal it was determined that the most positive way forward is to treat CHRMAP, Trust Deeds, Kampong Housing, and Land Tenure as a single matter moving forward.

The next step for Council is recommended to be an appeal to the Minister for Territories, Hon Kristy McBain MP to reconsider her previous veto to extend community consultation period for CHRMAP submissions post 30 June 2025.

In discussing CHRMAP with Civic Legal, a suggested positive addition to support Council would be engagement of Civic Legal and one of their team members, Merinda Logie. A proposal from Civic Legal for this engagement is attached to this report for the information of Council.

Fact file - Merinda Logie

Merinda has over 24 years of legal experience in the fields of planning and environment, native title and heritage and major projects. She has worked for national firms, boutique law firms and as in-house counsel in the Department of Water and Environment.

For ten years Merinda co-wrote and lectured at Murdoch University’s Law School in ‘The Law of Planning’ and ‘Environment, Sustainability and Climate Law’. She regularly attends as a guest tutor on environmental and native title issues in University of Western Australia’s ‘Mining Law Workshop’.

“I take a strategic approach to solving problems and achieving client goals. I enjoy helping people to navigate the regulatory landscapes of planning, development and environment law.”

Experience

Merinda's expertise lies in a deep understanding of regulatory approval processes, resolving complex problems, all aspects of land and environment law.

A meeting with Civic Legal, including Merinda Logie, is scheduled for the morning of Tuesday, 27 May 2025

2. Museums WA

Met with Tim Eastwood representing Museums Western Australia to discuss Museums WA making a submission to Council regarding the future of the museum and historically significant sites, infrastructure, and items especially those on Home Island.

3. Other Consultation

Meetings with Peter Wood (Department of Lands, Planning and Heritage WA) and Anna Kellerman (Shape Urban) have centred around the DITRDCA insistence to have community consultation complete by 30 June 2025. Meetings will continue on a regular basis to glean any information regarding the draft CHRMAP and the way forward.

Meeting with Liam Moore and Carolyn Lambert have centred around the draft CHRMAP and its contents and the need for Management and adaptation as opposed to retreat. Further meetings will be held with Liam and Carolyn and the next meeting will be on 26 May 2025, with an oral report to accompany this written report to Council.

4. Community Consultation

With CHRMAP and housing now being "wrapped together" it is proposed to hold a community information day on Home Island to discuss CHRMAP, Housing Policy, Housing Repairs and Maintenance and Land Tenure. The date for this meeting which is proposed for a Saturday, will be set in June after consultation with the Shire President.

Policy and Legislative Implications

The Shire of Cocos (Keeling) Islands CHRMAP is the most important policy document with respect to occupancy of the islands. Failure to develop an acceptable and achievable CHRMAP will result in non-compliance with policy and legislative requirements.

Financial Implications

As per Civic Legal proposal and 2025 – 2026 budget allocation.

Strategic Implications

It is strategically prudent and appropriate to have a CHRMAP developed after community consultation.

Voting Requirements

Simple majority.

OFFICER RECOMMENDATION – ITEM NO 10.1.2

THAT COUNCIL, SIMPLE MAJORITY, ENDORSE THE CHIEF EXECUTIVE OFFICER TO WRITE TO THE MINISTER FOR TERRITORIES TO REQUEST AN EXTENSION OF TIME FOR THE COMMUNITY CONSULTATION PERIOD FOR THE COCOS (KEELING) ISLANDS SHIRE CHRMAP SUBMISSIONS AND NOTES AND RECEIVES THE REMAINDER OF THIS REPORT.

COUNCIL RESOLUTION – ITEM NO 10.1.2

MOVED CR LACY

SECONDED CR I MINKOM

THAT COUNCIL, SIMPLE MAJORITY, ENDORSE THE CHIEF EXECUTIVE OFFICER TO WRITE TO THE MINISTER FOR TERRITORIES TO REQUEST A 12 MONTH EXTENSION OF TIME FOR THE COMMUNITY CONSULTATION PERIOD FOR THE COCOS (KEELING) ISLANDS SHIRE CHRMAP SUBMISSIONS AND NOTES AND RECEIVES THE REMAINDER OF THIS REPORT.

THE MOTION WAS PUT AND DECLARED CARRIED (7/0)

FOR: BADLU, KNIGHT, LACY, MINKOM, MINKOM, SLOAN, YOUNG

AGAINST: NIL

REASON FOR VARIATION TO THE OFFICER RECOMMENDATION: Within discussion amongst the Elected Members, Councillors have requested that the Chief Executive Officer to write to the Minister for Territories to request for a 12-month extension of time for the community consultation period for the Cocos (Keeling) Islands CHRMAP submissions.

10.1.3 LOCAL GOVERNMENT ORDINARY ELECTION 2025

Report Information

Date: 12 May 2025
 Location: Cocos (Keeling) Islands
 Applicant: Western Australian Electoral Commission
 File Ref:
 Disclosure of Interest:
 Reporting Officer: Chief Executive Officer
 Island: Shire wide
 Attachments: 10.1.3.1 - Cost Estimate Letter – 2025 Local Government Ordinary Election
 10.1.3.2 - Written Agreement – 2025 Local Government Ordinary Election

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

To seek Council's resolution for the Western Australian Electoral Commission (WAEC) to be responsible for conducting the 2025 Local Government Ordinary Election, and any other required elections or polls.

Relevant Documents

Available for viewing at the meeting

Nil

Background

The next Local Government Ordinary Election is scheduled for Saturday, 18 October 2025. For the Shire of Cocos (Keeling) Islands, four (4) full-term vacancies will be open.

The Western Australian Electoral Commission has formally requested that Council declare the Electoral Commissioner responsible for conducting the 2025 election, along with any additional elections or polls that may be necessary (refer to attachments).

Comment

The recommended course of action to have a voting in person election conducted by the Western Australian Electoral Commission will provide an independent, transparent, and accountable election.

Policy and Legislative Implications

The number of vacancies is legislated and required to be filled.

Financial Implications

Estimated cost of the election is \$24,985 (ex GST) and the Commissioner is to conduct elections on a full cost recovery basis.

Strategic Implications

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

L1: To be involved, respectful and inclusive and to facilitate diversity and representation within the decision-making process.

Elections are essential to fill current vacancies and retiring Councillor vacancies.

Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Reputation	Experience of all the election officials is not sufficient to conduct the elections should the WAEC not conduct the elections resulting in reputation damage to both the Shire and potential candidates.	High	Council to declare the Electoral Commissioner responsible for the 2025 Elections.
Compliance	Experience of all the election officials is not sufficient to conduct the elections should the WAEC not conduct	High	Council to declare the Electoral Commissioner responsible for the 2025 Elections.

	the elections. Resulting in non-compliances from both the Shire and potential candidates.		
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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)

Council requires all vacancies to be filled to be able to provide the highest standard of leadership possible to the Cocos (Keeling) Islands.

Voting Requirements

Absolute majority.

OFFICER RECOMMENDATION – ITEM NO 10.1.3

THAT COUNCIL, BY ABSOLUTE MAJORITY, RESOLVE TO DECLARE, IN ACCORDANCE WITH SECTION 4.20(4) OF THE *LOCAL GOVERNMENT ACT 1995*, THE ELECTORAL COMMISSIONER TO BE RESPONSIBLE FOR THE CONDUCT OF THE 2025 ORDINARY ELECTION, TOGETHER WITH ANY OTHER ELECTIONS OR POLLS WHICH MAY BE REQUIRED.

COUNCIL RESOLUTION – ITEM NO 10.1.3

MOVED CR I MINKOM

SECONDED CR YOUNG

THAT COUNCIL, BY ABSOLUTE MAJORITY, RESOLVE TO DECLARE, IN ACCORDANCE WITH SECTION 4.20(4) OF THE *LOCAL GOVERNMENT ACT 1995*, THE ELECTORAL COMMISSIONER TO BE RESPONSIBLE FOR THE CONDUCT OF THE 2025 ORDINARY ELECTION, TOGETHER WITH ANY OTHER ELECTIONS OR POLLS WHICH MAY BE REQUIRED.

THE MOTION WAS PUT AND DECLARED CARRIED (7/0)

FOR: BADLU, KNIGHT, LACY, MINKOM, MINKOM, SLOAN, YOUNG

AGAINST: NIL

10.1.4 COMMUNITY DEVELOPMENT REPORT MAY 2025

Report Information

Date: 21st May 2025
 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: 10.1.4.1 - Home Island Museum Merch
 10.1.4.2 - Batik by Jacky Cheng

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 May 2025.

1. Community Development Coordinator Update

Library Services – Hours of Operation

West Island Library:

- *Non – Freighter Week*
Wednesday 3.30pm to 5.30pm | 6.00pm to 8.00pm.

- *Freighter Week*
Wednesday 3.30pm to 5.30pm | Friday 3.30pm to 5.30pm.

Home Island Library:

- Monday: 7.00pm to 9.00pm.
- Thursday: 3.30pm to 5.30pm.

2. Community Development Officer – Culture and Heritage

Projects:

- Pulu Cocos Museum
- Circuit West – Steve Hensby Band
- Batik Revival Project
- Jukong Restoration Project

Pulu Cocos Museum:

- Ready and GCR have been accepted onto the Australian Register for Historic Vessels. This fantastic achievement would not have been possible without the assistance of the WA Museum's David O'Sullivan, who was instrumental in writing and putting forward the application to the National Maritime Museum panel.
 - In future, this national recognition of boatbuilding excellence on the Cocos Keeling Islands will assist with making a case for future funding, both for the vessels themselves, and the Museum at large.
 - The Pulu Cocos Museum, alongside the WA Museum and the National Maritime Museum will soon put out a public announcement.
- Niamh has organised 2 samples of a cap design to be printed as merch for the Museum. These will be completed in the next few weeks. (See attachment 10.1.4.1)
- Tim Eastwood has been visiting in May, with 3D expert Kevin. Kevin is taking 3D scans of all the Jukongs, Museum vessels and all of the boat building half models that have been collected.

Circuit West – Steve Hensby Band:

- The Steve Hensby Band's performance was a great success. Performances were enjoyed by both Islands, and the band worked with the children on a series of school workshops where they wrote their own song together!

Batik Revival Project:

- Below is a write up from LinkedIn that Niamh has shared.
 - Stage 1 of the Batik Revival Project has concluded with resounding success! The Cocos Islands community have risen to the opportunity, creating over 140 silk scarves over the last 10 days between Community and School workshops with renowned Artist and Facilitator, Jacky Cheng. The passion for art here is

truly special and shows itself in the beautiful designs created throughout the workshops. Stage 1 has been all about access - making the process of resist dyeing approachable and fun for a wide array of interested community members. In order to do so, this stage was focused on Silk Painting, a relatively modern technique which acts as a stepping stone towards the traditional Hot Wax Batik. We look forward to Stage 2 which will take place in early July, where the Community will further their textile skills by working through the meticulous process of Hot Wax Batik, once prevalent on the Cocos Keeling Islands in the late 1990s. Many thanks to Regional Arts WA, Regional Arts Australia, Australian Government for making this project possible through the Regional Arts Project Grants.

- Jacky Cheng and Niamh are looking into future funding options to prolong the project and keeping textiles a prominent art form on Cocos. In the future, it would be amazing to touch on screen printing with a goal of local designs created into clothing or something similar that can be turned into an industry.

Jukong Restoration Project:

- Nek Callum has returned to work on the Jukongs in the Chula Shed.
- All parts are on the ship from Perth for the installation of the doors.

3. Youth & Recreation Officer

Sports Visit:

- NRL Rugby – Coach Gethin Thomas, May 13-16 was a success, both community sessions and a school workshop were enjoyed by the Cocos Community.
- Volleyball – Coach Jose Martinez, June 3 – 6. Offering school workshops and community sessions.
- Olympics – June 24 – 27, including 3 Olympians/coaches offering school workshops, community sessions and interacting with our Cocos Seniors.

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 10.1.4

THAT COUNCIL, BY SIMPLE MAJORITY, NOTES AND RECEIVES THE COMMUNITY DEVELOPMENT COORDINATOR'S MONTHLY UPDATE FOR MAY 2025.

COUNCIL RESOLUTION – ITEM NO 10.1.4

MOVED CR I MINKOM

SECONDED CR YOUNG

THAT COUNCIL, BY SIMPLE MAJORITY, NOTES AND RECEIVES THE COMMUNITY DEVELOPMENT COORDINATOR'S MONTHLY UPDATE FOR MAY 2025.

THE MOTION WAS PUT AND DECLARED CARRIED (7/0)

FOR: BADLU, KNIGHT, LACY, MINKOM, MINKOM, SLOAN, YOUNG

AGAINST: NIL

10.2 MANAGER FINANCE AND CORPORATE SERVICES

10.2.1 MONTHLY FINANCIAL REPORT – APRIL 2025

Report Information

Date: 12 May 2025
 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 – April 2025
 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 April 2025, 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.

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 10 months ended 30 April 2025. The current closing municipal surplus for this period is \$4.5m compared to a budget position of (\$1.4m).

(Note : The budget amendments as per the Mid-Year Budget Review have not yet been fully loaded into the general ledger at the time of generating this report.)

Income for the year to date is:

- | | |
|----------------------|--------|
| • Operating Revenues | \$9.4m |
| • Capital Grants | \$0.1m |
| • Total | \$9.5m |

(Note: cash receipts for the year to date are higher but due to the accounting treatment of the .CC Revenue, some receipts are not recorded as revenue in 2024/25)

The Income budget for the same period was \$9.5m, resulting in an overall Income budget variance of \$0.0m. Note 3 provides further analysis of this variance.

Council's expenditure for the period is summarised in the following table:

Type	Actual	Budget	Variance
	\$m	\$m	\$m
Operating Expenditure			
Excluding Depreciation	5.50	6.99	1.49
Depreciation	1.15	1.25	0.10
Total	6.65	8.24	1.59
Capital Expenditure	0.90	1.40	0.50

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:

- An explanation of the composition of the net current assets, less committal assets and restricted assets;
- An explanation of material variances; and
- 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 30 April 2025, 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 30 APRIL 2025, AS CONTAINED IN ATTACHMENT 10.2.1.1; AND

2. ACCEPTS THE EXPLANATIONS FOR MATERIAL VARIANCES FOR THE PERIOD ENDING 30 APRIL 2025, AS CONTAINED IN ATTACHMENT 10.2.1.2

COUNCIL RESOLUTION – ITEM NO 10.2.1**MOVED CR LACY****SECONDED CR I MINKOM****THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO THE *LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996*:**

1. RECEIVES THE MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 30 APRIL 2025, AS CONTAINED IN ATTACHMENT 10.2.1.1; AND
2. ACCEPTS THE EXPLANATIONS FOR MATERIAL VARIANCES FOR THE PERIOD ENDING 30 APRIL 2025, AS CONTAINED IN ATTACHMENT 10.2.1.2

THE MOTION WAS PUT AND DECLARED CARRIED (7/0)**FOR: BADLU, KNIGHT, LACY, MINKOM, MINKOM, SLOAN, YOUNG****AGAINST: NIL**

10.2.2 SCHEDULE OF ACCOUNTS PAID FOR THE PERIOD MARCH 2025

Report Information

Date: 21 May 2025
 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 March 2025

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 March 2025, 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 11357-11419	\$820,716.39
Direct Debit Payment	\$77,101.58
Cheque Payment #11768-#11769	\$464.60
Total Payments	\$899,695.02

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 March 2025.

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 MARCH 2025 TOTALLING \$899,695.02 AS CONTAINED IN ATTACHMENT 10.2.2.1.
2. RECEIVES THE DETAILED TRANSACTION LISTING OF CREDIT CARD AND FUEL CARD EXPENDITURE FOR THE PERIOD MARCH 2025, AS CONTAINED IN ATTACHMENT 10.2.2.1.

COUNCIL RESOLUTION – ITEM NO 10.2.2

MOVED CR SLOAN

SECONDED CR I MINKOM

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 MARCH 2025 TOTALLING \$899,695.02 AS CONTAINED IN ATTACHMENT 10.2.2.1.
2. RECEIVES THE DETAILED TRANSACTION LISTING OF CREDIT CARD AND FUEL CARD EXPENDITURE FOR THE PERIOD MARCH 2025, AS CONTAINED IN ATTACHMENT 10.2.2.1.

THE MOTION WAS PUT AND DECLARED CARRIED (7/0)

FOR: BADLU, KNIGHT, LACY, MINKOM, MINKOM, SLOAN, YOUNG
AGAINST: NIL

10.2.3 SCHEDULE OF ACCOUNTS PAID FOR THE PERIOD APRIL 2025

Report Information

Date: 22 May 2025
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest:
 Reporting Officer: Senior Finance Officer
 Island: Shire Wide
 Attachments: 10.2.3.1 - Schedule of Accounts Paid April 2025

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 April 2025, 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 10.2.3.1.

Payment Type	Amount (\$)
EFT Payments 11420 - 11497	\$404,536.88
Direct Debit Payment	\$68,469.45
Cheque Payment #11770	\$236.36
Total Payments	\$473,242.69

Contained within Attachment 10.2.3.1 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 April 2025

OFFICER RECOMMENDATION – ITEM NO 10.2.3

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 APRIL 2025 TALLING \$473,242.69 AS CONTAINED IN ATTACHMENT 10.2.3.1.
2. RECEIVES THE DETAILED TRANSACTION LISTING OF CREDIT CARD AND FUEL CARD EXPENDITURE FOR THE PERIOD APRIL 2025, AS CONTAINED IN ATTACHMENT 10.2.3.1.

COUNCIL RESOLUTION – ITEM NO 10.2.3

MOVED CR BADLU

SECONDED CR SLOAN

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 APRIL 2025 TALLING \$473,242.69 AS CONTAINED IN ATTACHMENT 10.2.3.1.
2. RECEIVES THE DETAILED TRANSACTION LISTING OF CREDIT CARD AND FUEL CARD EXPENDITURE FOR THE PERIOD APRIL 2025, AS CONTAINED IN ATTACHMENT 10.2.3.1.

THE MOTION WAS PUT AND DECLARED CARRIED (7/0)

FOR: BADLU, KNIGHT, LACY, MINKOM, MINKOM, SLOAN, YOUNG
AGAINST: NIL

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

Pursuant to Section 5.2(1) of the Shire of Cocos (Keeling) Islands Meeting Procedures Local Law 2019, this part of the meeting was closed to the public, as a confidential discussion was required.

Confidential items, details of which have been circulated separately to Elected Members.

The public departed the gallery at 4:56pm. Councillors adjourned for a short break and resumed the meeting at 5:02pm.

PROCEDURAL MOTION

MOVED CR I MINKOM

SECONDED CR BADLU

THAT COUNCIL BY SIMPLE MAJORITY, RESOLVES TO MOVE BEHIND CLOSED DOORS AT 5:02PM IN ACCORDANCE WITH SECTION 5.23(2) OF THE LOCAL GOVERNMENT ACT 1995 AND SECTION 5.2(1) OF THE SHIRE OF COCOS (KEELING) ISLANDS MEETING PROCEDURES LOCAL LAW 2019 THAT THE FOLLOWING REPORTS ARE CONFIDENTIAL.

THE MOTION WAS PUT AND DECLARED CARRIED (7/0)

FOR: BADLU, KNIGHT, LACY, MINKOM, MINKOM, SLOAN, YOUNG

AGAINST: NIL

PROCEDURAL MOTION

MOVED CR I MINKOM

SECONDED CR SLOAN

**THAT COUNCIL, BY SIMPLE MAJORITY, RESOLVES TO MOVE FROM BEHIND CLOSED DOORS
THE TIME BEING AT 5:11PM.**

THE MOTION WAS PUT AND DECLARED CARRIED (7/0)

FOR: BADLU, KNIGHT, LACY, MINKOM, MINKOM, SLOAN, YOUNG

AGAINST: NIL

14.1 CONFIDENTIAL - eNIC .CC REGISTRY ACTIVITY MONTHLY REPORT – MAY 2025

Report Information

Date: 20 May 2025
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–*

(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,*

OFFICER RECOMMENDATION – ITEM NO 14.1

AS PER THE CONFIDENTIAL ITEM.

COUNCIL RESOLUTION – ITEM NO 14.1

MOVED YOUNG

SECONDED BADLU

THE MOTION WAS PUT AND DECLARED CARRIED (7/0)

FOR: BADLU, KNIGHT, LACY, MINKOM, MINKOM, SLOAN, YOUNG

AGAINST: NIL

This item remains confidential as it contains information relating to a matter that if disclosed would reveal information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government

14.2 CONFIDENTIAL - eNIC .CC TLD QUARTERLY REPORT

Report Information

Date: 20 May 2025
 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>
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(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,

OFFICER RECOMMENDATION – ITEM NO 14.2

AS PER THE CONFIDENTIAL ITEM.

COUNCIL RESOLUTION – ITEM NO 14.2

MOVED SLOAN

SECONDED YOUNG

THE MOTION WAS PUT AND DECLARED CARRIED (7/0)

FOR: BADLU, KNIGHT, LACY, MINKOM, MINKOM, SLOAN, YOUNG

AGAINST: NIL

This item remains confidential as it contains information relating to a matter that if disclosed would reveal information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government

14.3 CONFIDENTIAL - TELECOMMUNICATIONS SERVICES AGREEMENT

Report Information

Date: 20 May 2025
 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 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

(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,*

OFFICER RECOMMENDATION – ITEM NO 14.3

AS PER THE CONFIDENTIAL ITEM.

COUNCIL RESOLUTION – ITEM NO 14.3

MOVED I MINKOM SECONDED BADLU

THE MOTION WAS PUT AND DECLARED CARRIED (7/0)

FOR: BADLU, KNIGHT, LACY, MINKOM, MINKOM, SLOAN, YOUNG

AGAINST: NIL

This item remains confidential as it contains information relating to a matter that if disclosed would reveal information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government

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

Cr Young declared an impartiality interest in Item 15.2.1, as they have provided support and assistance to the lease applicant. Cr Badlu declared an impartiality interest in Item 15.2.1, as the applicant is a relative. Both Cr Young and Cr Badlu remained in the meeting room during the discussion and decision on the item.

15.2.1 CONFIDENTIAL - APPLICATION TO LEASE PART LOT 18 HOME ISLAND RETAIL CENTRE - TENANCY 9 (LAUNDROMAT)

Report Information

Date: 19 February 2025
Location: Part Lot 18 Home Island Retail Centre – Tenancy 9 Laundromat
Applicant: Shire of Cocos (Keeling) Islands
File Ref:
Disclosure of Interest:
Reporting Officer: Leasing & Policy 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>
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(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,

OFFICER RECOMMENDATION – ITEM NO 15.2.1

AS PER THE CONFIDENTIAL ITEM.

COUNCIL RESOLUTION – ITEM NO 15.2.1

MOVED I MINKOM

SECONDED KNIGHT

THAT COUNCIL ACTING IN ITS CAPACITY AS TRUSTEE OF THE 1979 LAND TRUST DEED, BY SIMPLE MAJORITY, PURSUANT TO SECTION 3.58 OF THE *LOCAL GOVERNMENT ACT 1995 (WA) (CKI)* RESOLVES:

- 1. TO GIVE LOCAL PUBLIC NOTICE OF THE INTENT (INCLUDING INVITING PUBLIC SUBMISSIONS) TO DISPOSE BY WAY OF LEASE FOR PART LOT 18 HOME ISLAND TENANCY 9 TO MRS DARLING ELAT-RASA ON THE CONDITONS THAT;-**
 - a. LEASE FEE SET AT \$2,692.90 PER ANNUM, SUBJECT TO ANNUAL CPI REVIEWS AND A ONE-OFF LEASE PREPARATION FEE OF \$260.THE LEASE TERM OF TWO (2) YEARS WITH A FURHTER OPTION OF THREE (3) YEARS;**
 - b. THAT THE PROSPECTIVE LESSEE IS ADVISED THAT THEY WILL BE RESPONSIBLE FOR ALL MAINTENANCE OF THE BUILDING INCLUDING THE THREE SETS OF WASHERS AND DRYERS AS PER THE LEASE CONDITIONS;**
- 2. THE PURPOSE OF THE LEASE IS TO UTILISE THE SPACE AS A LAUNDROMAT;**
- 3. SHOULD NO OBJECTIONS BE RECEIVED DURING THE PUBLIC NOTICE PERIOD; THE CHIEF EXECUTIVE OFFICER IS AUTHORISED TO ENTER INTO THE LEASE AS PER THE SHIRE’S NEW COMMERCIAL LEASE TEMPLATE AND WITH THE CONDITIONS AS OUTLINED ABOVE;**
- 4. IF OBJECTIONS ARE RECEIVED, TO CONSIDER ALL PUBLIC SUBMISSIONS AT THE FIRST ORDINARY MEETING OF COUNCIL FOLLOWING THE CLOSE OF THE PUBLIC SUBMISSION PERIOD;**
- 5. REGULAR INSPECTIONS OF COMMERCIAL TENANCY BE UNDERTAKEN;**
- 6. IF THE APPLICANT FAILS TO SETTLE ANY OUTSTANDING DEBT WITHIN 6 MONTHS OR FAILS TO ENTER INTO A PAYMENT ARRANGEMENT PRIOR TO EXECUTING A LEASE,THE LEASE OFFER WILL BE WITHDRAWN AND RE-ADVERTISED.THE CHIEF EXECUTIVE OFFICER AND SHIRE PRESIDENT TO SIGN AND AFFIX THE SHIRE OF COCOS (KEELING) ISLAND COMMON SEAL TO THE SHIRE RETAIL AGREEMENT.**

THE MOTION WAS PUT AND DECLARED CARRIED (7/0)

FOR: BADLU, KNIGHT, LACY, MINKOM, MINKOM, SLOAN, YOUNG

AGAINST: NIL

15.3 TRUSTS FINANCE

Nil

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

Nil

17. CLOSURE

The Presiding member declared the meeting closed at 5:11pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2025

as a true record of proceedings.

PRESIDING MEMBER