



MINUTES

ORDINARY MEETING OF COUNCIL

Held at the Council Chamber, Home Island
Wednesday 5 December 2018 commencing at 4.00pm

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.

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1. OPENING/ANNOUNCEMENTS OF VISITORS

The Presiding member declared the meeting open at 4.00pm and welcome Councillors and staff to the meeting.

2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

President	Councillor Seriwati Iku
Councillors	Councillor Aindil Minkom Councillor Ayesha Young Councillor Tony Lacy Councillor Shane Charlston Councillor Woren Dedian Councillor Noor Anthony
Staff	Andrea Selvey, Chief Executive Officer Joanne Soderlund, Deputy Chief Executive Officer Ian Evans, Manager Works and Services Isa Minkom, Communications Officer
Public	Nil
Visitors	Mr Dave McKinney, Renewable Energy Solutions

APOLOGIES

APPROVED LEAVE OF ABSENCE

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.

Nil.

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

Councillor Anthoney has put in a written application for leave of absence for the period from 18 January 2019 to 20 February 2019.

COUNCIL RESOLUTION

1218/01

MOVED COUNCILLOR YOUNG, SECONDED COUNCILLOR MINKOM

THAT COUNCILLOR ANTHONY BE GRANTED LEAVE OF ABSENCE FOR THE 18 JANUARY 2019 TO 20 FEBRUARY 2019 INCLUSIVE.

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

**FOR: IKU, ANTHONY, CHARLSTON, DEDIAN, LACY, MINKOM, YOUNG
AGAINST: NIL**

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

COUNCIL RESOLUTION

1218/02

MOVED COUNCILLOR ANTHONY SECONDED COUNCILLOR YOUNG

THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 7 NOVEMBER 2018 BE CONFIRMED AS A TRUE AND CORRECT RECORD.

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

**FOR: IKU, ANTHONY, CHARLSTON, DEDIAN, LACY, MINKOM, YOUNG
AGAINST: NIL**

Recommendation

That the minutes of the Ordinary Meeting of Council held on 7 November 2018 be confirmed as a TRUE and CORRECT RECORD.

8. ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS

Nil.

9. DECLARATION OF INTERESTS

Name	Item No.	Interest	Nature
Cr Iku	10.4/A3	Impartiality	Committee Member of P&C Assoc.
Cr Charlston	10.4/A3	Impartiality	Committee Member of CKITA
Cr Lacy	10.4/A3	Proximity	Chair of CKITA

10. REPORT AND RECOMMENDATIONS OF COMMITTEE

Nil

10.1 FINANCE**10.1/F1 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH ENDING 31 OCTOBER 2018****Report Information**

Location: Not Applicable
Applicant: Not Applicable
File Ref:
Reporting Officer: Deputy Chief Executive Officer
Island: Shire Wide

AUTHORITY / DISCRETION**Definitions**

<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>

COUNCIL RESOLUTION

1218/03

MOVED COUNCILLOR ANTHONY, SECONDED COUNCILLOR CHARLSTON

THAT THE FINANCIAL STATEMENTS FOR THE PERIODS 1ST OF JULY 2018 TO 31ST OF OCTOBER 2018 BE RECEIVED.

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

**FOR: IKU, ANTHONY, CHARLSTON, DEDIAN, LACY, MINKOM, YOUNG
AGAINST: NIL**

Officer Recommendation

THAT THE FINANCIAL STATEMENTS FOR THE PERIODS 1ST OF JULY 2018 TO 31ST OF OCTOBER 2018 BE RECEIVED.

Report Purpose

To inform Council of the financial position of the Shire at 31 October 2018 in compliance with the provisions of Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1996.

Relevant Documents

Attachments

Statement of Financial Activity with accompanying notes

Available for viewing at the meeting

Nil

Background

The Monthly Financial Statements for the period 1st July 2018 to 31st October 2018 are presented for consideration.

Comment

The Monthly Financial Report is prepared in accordance with the requirements of the Local Government Act 1995 and Local Government (Financial Management) Regulations.

A statement of Financial Activity with accompanying notes is attached for the period 1 July 2018 to 31 October 2018.

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 in question.

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

Financial Implications

Nil

Strategic Implications

Nil

Conclusion

That the financial statements for the period 1st of July 2018 to 31st October 2018 be received.

10.1/F2 SCHEDULE OF ACCOUNTS PAID FOR PERIOD 1ST OCTOBER 2018 TO 31ST OCTOBER 2018

Report Information

Location: Not Applicable
 Applicant: Not Applicable
 File Ref:
 Reporting Officer: Senior Finance Officer
 Island: Shire Wide

AUTHORITY / DISCRETION

Definitions

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COUNCIL RESOLUTION

1218/04

MOVED COUNCILLOR DEDIAN, SECONDED COUNCILLOR MINKOM

THAT THE LIST SHOWING ALL ACCOUNTS PAID BETWEEN 1/10/18 TO 31/10/18, INCLUSIVE OF MUNICIPAL CHEQUE NUMBER 11530, TRUST CHEQUE NUMBER 73, EFT 6147 TO EFT 6219, VIVA FUEL , MASTERCARD & DIRECT DEBIT SUPERANNUATION: TOTALING \$430292.61 BE RECEIVED.

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

FOR: IKU, ANTHONY, CHARLSTON, DEDIAN, LACY, MINKOM, YOUNG

AGAINST: NIL

Officer Recommendation

THAT THE LIST SHOWING ALL ACCOUNTS PAID BETWEEN 1/10/18 TO 31/10/18, INCLUSIVE OF MUNICIPAL CHEQUE NUMBER 11530, TRUST CHEQUE NUMBER 73, EFT 6147 TO EFT 6219, VIVA FUEL , MASTERCARD & DIRECT DEBIT SUPERANNUATION: TOTALING \$430292.61 BE RECEIVED.

Report Purpose

To inform Council of funds disbursed for the period 1st October 2018 – 31st October 2018

Relevant Documents

Attachments

Schedule of accounts paid

Available for viewing at the meeting

Nil

Background

A list of accounts paid between 1st and 31st October 2018 is attached.

Comment

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

Policy and Legislative Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Conclusion

That council receives the list stating all accounts paid for October 2018.

10.2 LEASES

Nil.

10.3 PLANNING/BUILDING

10.3/P1 PASSENGER BAGGAGE SHELTER EXTENSION – AIRPORT RESERVE 47727 LOT 341 ON PLAN 42274

Report Information

Location: Airport Reserve 47727 Lot 341 on Plan 42274
 Applicant: Michael Robinson on behalf of Toll Global Logistics and DIRDC
 File Ref:
 Reporting Officer: Chief Executive Officer (with support of the Executive Manager Development Services, Shire of Dandaragan)
 Island: West Island

Authority / Discretion

Definitions

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

COUNCIL RESOLUTION

1218/05

MOVED COUNCILLOR CHARLSTON, SECONDED COUNCILLOR ANTHONY

THAT THE COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO THE SHIRE OF COCOS (KEELING) ISLANDS LOCAL PLANNING SCHEME NO 1, RESOLVES TO GRANT PLANNING APPROVAL FOR A PROPOSED SHELTER IN ACCORDANCE WITH THE ATTACHED APPROVED PLANS ON AIRPORT RESERVE 47727 LOT 341 ON PLAN 42274 SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. ALL DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE ATTACHED PLANS DATE STAMPED 30 NOVEMBER 2018 SUBJECT TO ANY MODIFICATIONS REQUIRED AS A CONSEQUENCE OF ANY CONDITIONS OF THIS APPROVAL AND SHALL NOT BE ALTERED WITHOUT THE PRIOR WRITTEN APPROVAL OF THE LOCAL GOVERNMENT;**
- 2. THE ROOF BEING COLOUR CONSISTENT WITH SURROUNDING STRUCTURES AND / OR PREDOMINANT COLOURS OF THE INDIVIDUAL SITE;**

ADVICE NOTES:

NOTE 1: THE APPLICANT BE ADVISED THIS IS PLANNING APPROVAL ONLY AND NOT A BUILDING PERMIT. A BUILDING PERMIT MUST BE OBTAINED FOR THIS DEVELOPMENT PRIOR TO COMMENCEMENT OF DEVELOPMENT.

NOTE 2: A BUILDING APPLICATION MUST TAKE INTO ACCOUNT THE CYCLONIC RATING FOR THE LOCALITY.

NOTE 3: IF THE DEVELOPMENT THE SUBJECT OF THIS APPROVAL IS NOT SUBSTANTIALLY COMMENCED WITHIN A PERIOD OF 2 YEARS, OR SUCH OTHER PERIOD AS SPECIFIED IN THE APPROVAL AFTER THE DATE OF THE DETERMINATION, THE APPROVAL SHALL LAPSE AND BE OF NO FURTHER EFFECT.

NOTE 4: WHERE AN APPROVAL HAS SO LAPSED, NO DEVELOPMENT SHALL BE CARRIED OUT WITHOUT THE FURTHER APPROVAL OF THE LOCAL GOVERNMENT HAVING FIRST BEEN SOUGHT AND OBTAINED.

NOTE 5: THE APPLICANT BE ADVISED THAT "SHOULD YOU BE AGGRIEVED BY THIS DECISION, OR ANY CONDITIONS IMPOSED, THERE IS A RIGHT OF REVIEW UNDER THE PLANNING AND DEVELOPMENT ACT 2005. AN APPLICATION FOR REVIEW MUST BE SUBMITTED IN ACCORDANCE WITH PART XIV OF THE PLANNING AND DEVELOPMENT ACT WITHIN 28 DAYS OF THE DATE OF THIS DECISION TO:

**THE STATE ADMINISTRATIVE TRIBUNAL
GPO BOX U1991
PERTH WA 6845**

NOTE 6: ADVISE THE PROPONENT THAT COUNCIL REQUESTS INFORMATION ON THEIR PROCUREMENT PROCESS AND SUGGEST THAT ANY FUTURE PROCUREMENT CONSIDERS A 'BUY LOCAL' APPROACH.

The motion was put and declared CARRIED (7/0)

FOR: IKU, ANTHONY, CHARLSTON, DEDIAN, LACY, MINKOM, YOUNG
AGAINST: NIL

OFFICER RECOMMENDATION

THAT THE COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO THE SHIRE OF COCOS (KEELING) ISLANDS LOCAL PLANNING SCHEME NO 1, RESOLVES TO GRANT PLANNING APPROVAL FOR A PROPOSED SHELTER IN ACCORDANCE WITH THE ATTACHED APPROVED PLANS ON AIRPORT RESERVE 47727 LOT 341 ON PLAN 42274 SUBJECT TO THE FOLLOWING CONDITIONS:

1. ALL DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE ATTACHED PLANS DATE STAMPED 30 NOVEMBER 2018 SUBJECT TO ANY MODIFICATIONS REQUIRED AS A CONSEQUENCE OF ANY CONDITIONS OF THIS APPROVAL AND SHALL NOT BE ALTERED WITHOUT THE PRIOR WRITTEN APPROVAL OF THE LOCAL GOVERNMENT;
2. THE ROOF BEING COLOUR CONSISTENT WITH SURROUNDING STRUCTURES AND / OR PREDOMINANT COLOURS OF THE INDIVIDUAL SITE;

ADVICE NOTES:

NOTE 1: THE APPLICANT BE ADVISED THIS IS PLANNING APPROVAL ONLY AND NOT A BUILDING PERMIT. A BUILDING PERMIT MUST BE OBTAINED FOR THIS DEVELOPMENT PRIOR TO COMMENCEMENT OF DEVELOPMENT.

NOTE 2: A BUILDING APPLICATION MUST TAKE INTO ACCOUNT THE CYCLONIC RATING FOR THE LOCALITY.

NOTE 3: IF THE DEVELOPMENT THE SUBJECT OF THIS APPROVAL IS NOT SUBSTANTIALLY COMMENCED WITHIN A PERIOD OF 2 YEARS, OR SUCH OTHER PERIOD AS SPECIFIED IN THE APPROVAL AFTER THE DATE OF THE DETERMINATION, THE APPROVAL SHALL LAPSE AND BE OF NO FURTHER EFFECT.

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THE STATE ADMINISTRATIVE TRIBUNAL
GPO BOX U1991
PERTH WA 6845

Report Purpose

For Council to consider the application for Development Approval by Michael Robinson on behalf of Toll Global Logistics and DIRDC for a passenger baggage shelter extension to the airport terminal - Airport Reserve 47727 Lot 341 on Plan 42274.

Relevant Documents

Attachments

Location Plan

Site, Elevation and Floor Plans

Available for viewing at the meeting

Nil

Background

The applicant has stated;

“The Proposed addition to the Cocos/keeling island airport is a medium sized semi enclosed shelter to be used for protection of passenger baggage from environmental elements.

The building design has allowed for functionality while still being aesthetically pleasing and fits in with the current look of the existing airport building.

This will be achieved by using materials and paint schemes that match in with the existing buildings look, will withstand the harsh environment of the island and provide a practical shelter to protect the airports assets.

The proposed addition is within the secure area “air side” of the airports property and will have little impact/imposition on the local environment.

The building has been designed to meet all Australian standards, wind load ratings and engineering requirements.

It is an unusual project when it comes to local government authorities as the land to be used for construction is federal government land (crown land).”

Comment

DESCRIPTION OF LAND / LOCATION

The subject land is located on Airport Reserve 47727 Lot 341 on Plan 42274 which comprises the whole of the airport.

PROPOSAL DEVELOPMENT AND USE

The proposed development consists of a semi enclosed shelter designed to provide protection of passenger baggage from environmental elements.

BUILT FORM

The proposed shelter will be attached to and under the existing airport terminal roof line. It measures about 8.8 metres by 4.4 metres consisting of a colorbond custom orb roof to match the existing structure.

Policy and Legislative Implications

SHIRE OF COCOS (KEELING) ISLANDS LOCAL PLANNING STRATEGY

The Council has not yet adopted a Local Planning Strategy.

SHIRE OF COCOS (KEELING) ISLANDS LOCAL PLANNING SCHEME NO 1

The Council has completed an omnibus amendment to the Scheme and is currently considering its options for reviewing the Scheme.

Financial Implications

Nil

Strategic Implications

Shire of Cocos (Keeling) Islands Strategic Community Plan 2016 -2026: Outcome 3.21 - Maintain and develop infrastructure in-line with community needs and the Islands environment.

Conclusion

The proposal is supported. The proposed shelter will provide a valuable function in protecting airport passenger baggage from the elements. This is an important consideration for locals as well as tourists visiting the islands. There are no concerns with the height of the proposed addition which is subject to restrictions being in proximity to the runway. In this instance the additions are below the roof line of the existing structure and are not closer to the runway than adjoining structures.

10.4 ADMINISTRATION

10.4/A1 ASBESTOS CONTAMINATION SITE REMEDIATION AND MATERIALS REUSE

Report Information

Location: Lot 337 West Island
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Reporting Officer: Chief Executive Officer
 Island: West Island

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>
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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>

Council resolution

1218/06

MOVED COUNCILLOR CHARLSTON, SECONDED COUNCILLOR ANTHONY

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO SECTION 3.18 OF THE *LOCAL GOVERNMENT ACT 1995 (WA) (CKI)* RESOLVES TO APPROVE THE RE-USE OF SCREENED SOIL BY THE SHIRE AS BACKFILL BEHIND SANDBAGS USED TO REINFORCE SEAWALL DEFENCES SUBJECT TO:

- a. SATISFACTORY RESULTS OF THE ANALYTICAL TESTING OF THE SCREENED SOIL STOCKPILE IN LINE WITH THE PRINCIPLES DEFINED WITHIN THE DOH GUIDELINES (2009) AND AS4964:2004; AND
- b. THE ENVIRONMENTAL SUPERVISOR PROVIDING A CLEARANCE CERTIFICATE THAT THE SOIL IS 'NON ASBESTOS CONTAMINATED' AND SUITABLE FOR REUSE ON THE ISLAND IN ACCORDANCE WITH THE WORK HEALTH AND SAFETY REGULATIONS 2011.

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

FOR: IKU, ANTHONY, CHARLSTON, DEDIAN, LACY, MINKOM, YOUNG

AGAINST: NIL

OFFICER RECOMMENDATION

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO SECTION 3.18 OF THE *LOCAL GOVERNMENT ACT 1995 (WA) (CKI)* RESOLVES TO APPROVE THE RE-USE OF SCREENED SOIL BY THE SHIRE AS BACKFILL BEHIND SANDBAGS USED TO REINFORCE SEAWALL DEFENCES SUBJECT TO:

- a. SATISFACTORY RESULTS OF THE ANALYTICAL TESTING OF THE SCREENED SOIL STOCKPILE IN LINE WITH THE PRINCIPLES DEFINED WITHIN THE DOH GUIDELINES (2009) AND AS4964:2004; AND
- b. THE ENVIRONMENTAL SUPERVISOR PROVIDING A CLEARANCE CERTIFICATE THAT THE SOIL IS 'NON ASBESTOS CONTAMINATED' AND SUITABLE FOR REUSE ON THE ISLAND IN ACCORDANCE WITH THE WORK HEALTH AND SAFETY REGULATIONS 2011.

Report Purpose

This report provides Council with information regarding a request from JLL for the Shire to consider subcontracting to the preferred contractor for the removal of asbestos from the Playgroup building grounds and to consider re-using the screened soil as backfill for future sandbagging projects.

Relevant Documents

Attachments

Environmental Scope document prepared by Greencap

Available for viewing at the meeting

Nil

Background

The Shire has been approached by various contractors over the past several months to provide information and a quote to assist in the removal, screening and re-use of contaminated soil from the grounds surrounding the Playgroup building.

Council's schedule of fees and charges provide a fee structure for private works, however the risk of the operation and the request for the Shire to re-use soils removed from a contaminated site requires further consideration and risk assessment. The Executive Team feels that a Council decision is required for transparency, to ensure all risks have been fully considered for current and future residents and for Shire records, particularly as the activities could be seen as setting a precedent for similar requests in the future

The exact nature of the request from JLL is as follows:

1. Wet hire relevant earthmoving machinery as required to the head contractor – commercial rates have already been discussed and quoted to the potential contractor.
2. Provide an area behind the recycling station for the screening of removed material – lease rates for this site whilst being used are yet to be determined.
3. Arrange for the re use of the screened clean material to be used as back fill behind sand bag areas or in a similar fill requirement on the island.

The Environmental Scope document, as prepared by Greencap the Environmental Consultant commissioned to work on this project, is attached for Council's information.

Based on the research and environmental measures undertaken previously and planned for the future aspects of the project JLL has advised that in their view there is no adverse risk to the organisation, personnel or property in association with the relevant aspects of this project. The environmental consultant has advised they consider this project a low risk classification. Irrespective of this, JLL has also advised that all available safety measures will be undertaken throughout the project implementation which will be formalised in a site-specific asbestos management plan by the Environmental Supervisor.

JLL has advised that while less robust site remediation options were available, they have chosen to proceed with the ideal remediation process as a test project for the island to understand parameters and costs for other potential projects of a similar nature that may arise in the future.

The health and safety of employees is of paramount importance. And while the Shire's Manager of Works and Services (MWS) has the appropriate qualifications and experience, JLL will also ensure an Environmental Supervisor is on-site to ensure a safe environment for employees and the public.

The other risk is in accepting responsibility for screened sand as once the Shire has accepted the sand, it will become the Shire's responsibility. The Environmental Consultant's report

stages that screened sand can be used as backfill behind sandbags used to reinforce seawall defences subject to satisfactory results of the analytical testing of the screened soil stockpile in line with the principles defined within the DoH Guidelines (2009) and AS4964:2004; and the Environmental Supervisor providing a Clearance Certificate that the soil is 'Non Asbestos Contaminated' and suitable for reuse on the island in accordance with Regulation 474 (5) (a) of the Work Health and Safety Regulations 2011. In addition, the screened sand will be used for coastal protection projects in areas not frequented by the public such as the sea wall at the end of the runway.

Policy and Legislative Implications

In preparing their report, the Environmental Consultants have considered the following:

- *Work Health and Safety Act 2011;*
- *Work Health and Safety Regulations 2011;*
- *Occupational Safety and Health Act 1984;*
- *Occupational Safety and Health Regulations 1996;*
- *Contaminated Sites Act 2003; and*
- *Contaminated Sites Regulations 2006.*

Financial Implications

There are no direct financial implications. Any services provided to the contractor would be in accordance with Council adopted fees and charges.

Strategic Implications:

Shire of Cocos (Keeling) Islands Strategic Community Plan 2013 – 2023 – Outcome 3.1

Conclusion

This project is important for several reasons. It will enable improved access to a much valued community facility, provide a resolution to a high profile site in a prominent position on West Island and provide a pilot / template for other sites that require remediation. Therefore, the Shire fully supports a much anticipated remediation of this site while aiming to manage current and future risks to our staff, the organisation and community members.

10.4/A2 RECRUITMENT AND SELECTION POLICY (DRAFT)

Report Information

Location: N/A
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Reporting Officer: Chief Executive Officer
 Island: N/A

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>

COUNCIL RESOLUTION

1218/07

MOVED COUNCILLOR DEDIAN, SECONDED COUNCILLOR MINKOM

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO SECTION 3.18 OF THE LOCAL GOVERNMENT ACT 1995 (WA) (CKI) RESOLVES TO:

- 1. ADOPT THE SHIRE OF COCOS (KEELING) ISLANDS RECRUITMENT AND SELECTION POLICY; AND**
- 2. REVIEW THE POLICY IN JUNE 2019.**

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

FOR: IKU, ANTHONY, CHARLSTON, DEDIAN, LACY, MINKOM, YOUNG
AGAINST: NIL

OFFICER RECOMMENDATION

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO SECTION 3.18 OF THE *LOCAL GOVERNMENT ACT 1995 (WA) (CKI)* RESOLVES TO:

1. ADOPT THE SHIRE OF COCOS (KEELING) ISLANDS RECRUITMENT AND SELECTION POLICY; AND
2. REVIEW THE POLICY IN DECEMBER 2020.

Reason for variation: To allow a review to be carried out in a more timely manner.

Report Purpose

This report brings the draft Recruitment and Selection Policy before Council for consideration. The officer's recommendation is that the Policy is adopted as presented and reviewed in two years, unless an earlier review is required as a result of legislative changes, identified improvements or clarification.

Relevant Documents

Attachments

Shire of Cocos (Keeling) Islands Recruitment and Selection Policy

Available for viewing at the meeting

Nil

Background

Recruitment is a critical function and one that is subject to legislative requirements and public scrutiny. The draft Policy as presented aims to ensure that the recruitment and selection of employees for the Shire is transparent, equitable, upholds the values of the organisation and ensures legislative requirements are met whilst utilising methods designed to select the best candidate for the position.

The Policy aims to also reassure Council that the Executive Team has a sound understanding of the strict legislative requirements and that we uphold and champion ethical, compliant and robust approach.

Policy and Legislative Implications

The following legislation has been considered in the development of this Policy:

Local Government Act 1995 – Section 5.40

Fair Work Act 2009

Equal Employment Opportunity Act 1984

Sex Discrimination Act 1984

Racial Discrimination Act 1975

Disability Discrimination Act 1992

Financial Implications

There are no direct financial implications from adopting this Policy.

Strategic Implications:

Shire of Cocos (Keeling) Islands Strategic Community Plan 2013 – 2023 – Outcome 4.1

Conclusion

The draft Policy has been reviewed by an HR expert to ensure it is compliant and upholds the principles of equity and merit-based selection. The draft Policy has been discussed at a Councillor workshop so Councillors have had a chance to review the Policy. It is therefore presented to Council for adoption with a recommendation to review the Policy in two years. However, in the event there are changes to legislation or any aspect of the Policy not serve the best interests of the organisation, a review will be conducted as required.

10.4/A3 COMMUNITY FUNDING PROGRAM – EVENTS & FESTIVALS

Report Information

Location: Not Applicable
 Subject: Community Funding Program – Events & Festivals
 File Ref:
 Reporting Officer: Community Projects Officer
 Island: Shire Wide

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>

COUNCIL RESOLUTION

1218/08

MOVED COUNCILLOR MINKOM, SECONDED COUNCILLOR DEDIAN

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO S.3.18 OF THE LOCAL GOVERNMENT ACT 1995 (WA) (CKI) RESOLVES TO:

1. APPROVE THE FOLLOWING FUNDING AMOUNTS FOR THE EVENTS & FESTIVALS 2019:

- **CIYC – APPROVE \$ 1,629.99 TO HOST NATIONAL YOUTH WEEK**

- CKITA – APPROVE \$ 2,000 TO COVER COSTS ASSOCIATED WITH THE OCEAN FILM FESTIVAL SCREENING
 - COCOS IS GOLF CLUB - APPROVE \$ 830 TO COVER CATERING EXPENSES FOR VARIOUS EVENTS HELD BY THE CLUB
 - COCOS ISLANDS DHS P&C – APPROVE \$ 1,000 TO OFFSET SOME OF THE EXPENSES FOR SCHOOL FETE AND AUCTION
2. SUPPORT THE PROPOSED RESTRUCTURE OF THE TWO FUNDING PROGRAMS PROVIDED BY THE SHIRE TO BE OFFERED AS A COMBINED FUNDING OPPORTUNITY ON A TWICE YEARLY BASIS.

THE MOTION WAS PUT AND DECLARED CARRIED (6/1)

FOR: IKU, ANTHONY, DEDIAN, LACY, MINKOM, YOUNG

AGAINST: CHARLSTON

OFFICER RECOMMENDATION

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO S.3.18 OF THE LOCAL GOVERNMENT ACT 1995 (WA) (CKI) RESOLVES TO:

1. APPROVE THE FOLLOWING FUNDING AMOUNTS FOR THE EVENTS & FESTIVALS 2019:
 - CIYC – APPROVE \$ 1,629.99 TO HOST NATIONAL YOUTH WEEK
 - CKITA – APPROVE \$ 2,000 TO COVER COSTS ASSOCIATED WITH THE OCEAN FILM FESTIVAL SCREENING
 - COCOS IS GOLF CLUB - APPROVE \$ 830 TO COVER CATERING EXPENSES FOR VARIOUS EVENTS HELD BY THE CLUB
 - COCOS ISLANDS DHS P&C – APPROVE \$ 1,000 TO OFFSET SOME OF THE EXPENSES FOR SCHOOL FETE AND AUCTION
2. SUPPORT THE PROPOSED RESTRUCTURE OF THE TWO FUNDING PROGRAMS PROVIDED BY THE SHIRE TO BE OFFERED AS A COMBINED FUNDING OPPORTUNITY ON A TWICE YEARLY BASIS.

Report Purpose

To inform Council of applications received for the Shire of Cocos (Keeling) Islands Community Events & Festivals Funding 2019 and the recommendations be accepted for approval.

Relevant Documents

Attachment

Nil

Available for viewing at the meeting

Applications received

Background

The Shire of Cocos (Keeling) Islands advertised in the The Atoll Newsletter from the 12th of October until 17th of November calling on interested applicants for the Community Events and Festivals Funding Program 2019. It was also published through the Shire Facebook page as well as dispersed through the Community Resource Centre email distribution list. Applications closed on the 23rd of November 2018 and a total of 4 applications were received with requested amounting to \$7,629.99.

App #	Organisation	Funding Requested	Funding Recommended	Event
1	CIYC	\$ 1,629.99	\$ 1,629.99	National Youth Week
2	CKITA	\$ 2,000	\$ 2,000	The Ocean Film Festival
3	Cocos Is Golf Club	\$ 2,000	\$ 830	Various Events held by club
4	Cocos Islands DHS P&C Association	\$ 2,000	\$ 1,000	School Fete & Auction
TOTALS:		\$ 7,629.99	\$ 5,459.99	

Comment

Applications have been assessed by a panel consisting of the CEO, DCEO and CPO against past decisions/precedents and the funding guidelines and the panel’s recommendations, as follows, are presented for Council consideration.

- Cocos Islands Youth Council; funding to be approved for the group to once again host the National Youth Week. The event is usually celebrated as a whole day event however in 2019 the Youth Council is seeking to host a week-long event. During the weeks event they will include the following workshops and activities: logo design competition, t-shirt design workshop, healthy cooking, twilight T-ball competition, ceramic bowl design followed by end of celebration gathering. The association will contribute approximately \$300 as in-kind for freight charges.
- Cocos (K) Islands Tourism Association; funding to be granted to the association for The Ocean Film Festival screening on Home and West Island. The screening will showcase a collection of films of various lengths and styles covering a diverse range of topics around the ocean. The films are for inspiration, education as well as entertainment related to the ocean.
- Cocos Is Golf Club; the application will be partly funded as items requested in the submission is for equipment (tables and chairs) which are readily available as part of the Shire’s shared equipment assets for community groups / organisations to use. Funding will be granted to cover costs for catering and prizes only.

- Cocos Is DHS P&C Association; the application submitted from the association was to seek funds for the purchase of cooking ingredients for the food stalls and / or freight for the show bags for the 2019 School Fete & Auction. Given that the Shire has already set donation contribution for any school related events / activities of which includes logistical support for P&C for this event we propose a cash contribution of \$ 1,000 will be granted on this occasion.

The grant funds will be available to the community groups from the 1 January 2019 and will be paid on a reimbursement basis on receipt of invoices at the conclusion of the purchase or before 30 December 2019.

It is proposed that a restructure of the two funding programs provided by the Shire will be rolled out in 2019 as a trail to explore better coverage for the program. Currently, the Shire offers one round in November for Events and Festivals, with a total budget of \$12,500 and another in March for small capital and equipment for the following financial year with the amount funded put directly into the upcoming budget. The proposal is for the program to be offered as a combined funding opportunity on a twice yearly basis.

Policy and Legislative Implications

Nil

Financial Implications

Council budgets an amount of \$12,500 per annum for this funding opportunity. The amount of \$5,459.99 recommended by the panel to be distributed can therefore be easily accommodated within the budget allocation.

Strategic Implications

Nil

Conclusion

A list of recommended community grant funding applications is presented to Council for its consideration and approval.

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

Nil

12. MOTIONS WITHOUT NOTICE WITH LEAVE OF COUNCIL

Nil.

13. MATTERS BEHIND CLOSED DOORS

Nil.

A report is confidential under Section 5.23 (2) of the Local Government Act 1995.

- (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
 - (b) the personal affairs of any person; 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
 - (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,

Nil.

14. CLOSURE OF BUSINESS

The President member declared the meeting closed at 4.45pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2018 as a
true record of proceedings.

PRESIDING MEMBER