



# MINUTES

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## **ORDINARY MEETING OF COUNCIL**

Held at the Council Chamber, Home Island  
Wednesday 18 April 2018 commencing at 4.00pm

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### **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.

## 2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

**President** Councillor Seriwati Iku

**Deputy President** Councillor Aindil Minkom

**Councillors** Councillor Tony Lacy  
Councillor Woren Dedian  
Councillor Jan Young  
Councillor Shane Charlston

**Staff** Joanne Soderlund, Acting Chief Executive Officer  
Ian Evans, Manager Works & Supervisor  
Ibrahim Macrae, Executive Support Officer

**Public** Nil

**Visitors** Nil

**APOLOGIES** Nil (Cr Anthony did not attend. No formal apology received)

**APPROVED LEAVE OF ABSENCE** Nil

## 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

## 4. PUBLIC QUESTION TIME

Nil

## 5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

## 6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

## 7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Council resolution

Moved Councillor Young, Seconded Councillor Minkom

That the minutes of the Ordinary Meeting of Council held on 21 March 2018 be confirmed as a TRUE and CORRECT RECORD.

The motion was put and declared CARRIED (6/0)

For: Charlston, Dedian, Iku, Lacy, Minkom, Young

Against: Nil

Recommendation

That the minutes of the Ordinary Meeting of Council held on 21 March 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 Lacy	10.2/L1	Impartiality	Has legal action against applicant
Cr Lacy	10.2/L2	Financial	Employee of the applicant
Cr Lacy	10.4/A1	Financial	Partner of the applicant

## 10. REPORT AND RECOMMENDATIONS OF COMMITTEE

### 10.1 FINANCE

#### 10.1/F1 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH ENDING 31 MARCH 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>
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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

0418/01

Moved Councillor Charlston, Seconded Councillor Dedian

That the Financial Statements for the period 1<sup>st</sup> of July 2017 to 31<sup>st</sup> of March 2018 be RECEIVED.

**The motion was put and declared CARRIED (6/0)**

**For:** Charlston, Dedian, Iku, Lacy, Minkom, Young

**Against:** Nil

**Recommendation**

That the Financial Statements for the period 1<sup>st</sup> of July 2017 to 31<sup>st</sup> of March 2018 be RECEIVED.

**Report Purpose**

To inform Council of the financial position of the Shire at 30 December 2017 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 1<sup>st</sup> July 2017 to 31<sup>st</sup> March 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 2017 to 31 March 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 1<sup>st</sup> of July 2017 to 31<sup>st</sup> March 2018 be received.

**10.1/F2 SCHEDULE OF ACCOUNTS PAID FOR PERIOD 1<sup>ST</sup> MARCH 2018 TO 31<sup>TH</sup> MARCH 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**

**0418/02**

**Moved Councillor Minkom, Seconded Councillor Dedian**

**That the list showing all accounts paid between 1/03/18 to 31/03/18, inclusive of Municipal Cheque number 11507 to 11511, EFT 5775 to EFT 5820, and Direct Debit Superannuation Payments: totaling 189,229.97 be RECEIVED.**

**The motion was put and declared CARRIED (6/0)**

**For:** Charlston, Dedian, Iku, Lacy, Minkom, Young

**Against:** Nil

**Recommendation**

That the list showing all accounts paid between 1/03/18 to 31/03/18, inclusive of Municipal Cheque number 11507 to 11511, EFT 5775 to EFT 5820, and Direct Debit Superannuation Payments: totaling 189,229.97 be RECEIVED.

**Report Purpose**

To inform Council of funds disbursed for the period 1<sup>st</sup> March 2018 – 31<sup>st</sup> March 2018

**Relevant Documents**

Attachments

Master Card

Schedule of accounts paid

Available for viewing at the meeting

Nil

**Background**

A list of accounts paid between 1<sup>st</sup> and 31<sup>st</sup> March 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 March 2018.

## 10.2 LEASES

### 10.2/L1 LEASE OPTION LOT 223 & 224 SYDNEY HIGHWAY

#### Report Information

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

#### Authority / Discretion

#### Definitions

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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

0418/03

#### Moved Councillor Charlston, Seconded Councillor Minkom

1. That Council grant Hender Property Group a 3 month extension on the option to lease Lot 224, Sydney Highway for 20 + 20 years at full market rental for the development of an Eco Resort, subject to legislative requirements and the finalisation of agreed terms and conditions which is to include first right of refusal for lot 223.
2. That Council advertise Hender Property Group's proposal in the 'Atoll' seeking community feedback on the proposed development.

**The motion was put and declared CARRIED (6/0)**

**For:** Charlston, Dedian, Iku, Lacy, Minkom, Young

**Against:** Nil

**Recommendation**

1. That Council grant Hender Property Group a 3 month extension on the option to lease Lot 224, Sydney Highway for 20 + 20 years at full market rental for the development of an Eco Resort, subject to legislative requirements and the finalisation of agreed terms and conditions which is to include first right of refusal for lot 223.
2. That Council advertise Hender Property Group's proposal in the 'Atoll' seeking community feedback on the proposed development.

**Report Purpose**

To grant a 3 month extension to Hender Property Group to their option to lease Lot 224 Sydney Highway and advertise their proposal for community feedback.

**Relevant Documents**

Attachments

Nil

Available for viewing at the meeting

Nil

**Background**

Lot 223 and 224 has been the subject of various interest over the years by numerous parties. In 2008/9 Shire records indicate that Arup was engaged by the Attorney Generals Department to work with the Shire on developing an EOI for interested parties and then the EOI process. Records indicate that at least two EOI's were received, but the process did not result in an Eco Resort being built.

In August 2013 Council granted interim planning approval for a period of 36 months to Safari Trek International for the development of an Eco Resort on lot 223 and 224. The result of this decision by Council was that lots 223 and 224 were not available to any other interested party for a 3 year term. At the end of August 2016, with no progress made towards the development of the Eco Resort, the interim planning approval lapsed and lots 223 and 224 were again made available for any interested person / parties to develop an eco-resort.

More recently Council received a proposal from Gerald Short and Susanne Stavenhagen-Short to lease lot 223 and 224 Sydney Hwy, (Trust Land) for the establishment of an Eco Resort however the proposal was later withdrawn.

Lot 223 is 5.9582 ha and Lot 224 is 6.0964 ha. Both lots are zone special use 8 – which is Tourist Resort.

*“Tourist resort means any land or buildings used for the overnight or holiday accommodation of patrons in self-contained units and / or shared accommodation and may include incidental onsite facilities such as golf, swimming, bike riding, tennis, bowls, fishing, restaurants, shops, function rooms and entertainment facilities, administration officers, and caretakers facilities. It may include dormitory style accommodation, hostel / backpackers, tourist lodging house / guest houses and motel and hotel”.*

### **Comment**

At the July 2017 ordinary council meeting council resolved the following:

*That Council provides a 6 month option to the Hender Property group to lease lot 224, Sydney Hwy for 20 + 20 years at full market rental for the development of an Eco Resort, subject to legislative requirements and the finalisation of agreed terms and conditions which is to include first right of refusal for lot 223.*

Hender Property Group subsequently wrote to council in December 2017 requesting a 3 month extension to the option period. At the January Council Meeting Council resolved the following:

- 1. That Council GRANT Hender Property Group a 3 month extension on the option to lease the reference of Lot 224, Sydney Highway for 20 + 20 years at full market rental for the development of an Eco Resort, subject to legislative requirements and the finalisation of agreed terms and conditions which is to include first right of refusal for lot 223.*
- 2. That Council INFORM Hender Property Group that any further extension to the option will be at the discretion of Council.*
- 3. That at the end of this 3 month extension it would be required that the proposal by Hender Property Group be advertised for public feedback.*

This three month extension would take the option period until the end of April. On the 10<sup>th</sup> of April the Shire received further correspondence from John Hender of the Hender Property Group

*“by way of an update on our option to lease Lot 224, we have now completed considerable due diligence and continue to work on a number of important issues which at this stage are outside our control to fully resolve.*

*I refer to us reaching agreement with the Shire on the terms and conditions of the draft lease which you have in hand and we are awaiting advice from Watercorp in relation to sewerage disposal and water supply to the site. As you are also aware we have lodged a grant application with the C’wealth under their “Building Better Regions Fund – Infrastructure Projects” which we are yet to know the outcome of.*

*Our current option to lease expires at the end of this month and clearly further time will be needed from both sides point of view to bed down the lease and for us to get answers on other issues. You have also confirmed the Shire need to advertise the project for community comment. If there is a possibility that public opinion requires additions or changes to our proposal or the lease terms it would be helpful to both parties to have these negotiations settled upfront. In the circumstances can we suggest our option be extended a further 90 days.”*

The Shire is still working with Civic Legal on the draft lease with the Senior Associate working on the lease on annual leave until the 18<sup>th</sup> of April 2018. Hender Property Group acknowledge the requirement to advertise the project for community feedback and agree that advertising it at this point is beneficial to progressing the project.

### **Policy and Legislative Implications**

Shire of Cocos (Keeling) Islands Town Planning Scheme No.1 and Section 3.58 of the *Local Government Act 1995 (WA) (CKI)* relating to the disposal of property.

### **Financial Implications**

In the event the lease goes ahead full market rent as well as Shire rates on lot 224 will be received by the Shire. Both amounts require a valuation to determine what those amounts will be.

### **Strategic Implications**

Shire of Cocos (Keeling) Islands Strategic Community Plan 2013 – 2023 – Goal 1 Economic Development –1.1 Increase Tourism; 1.2 promote available of accommodation to meet a variety of needs; 1.3 encourage developer to construct a low impact eco-style Resort; 1.5 Promote employment and stable business environment and attraction of new businesses.

### **Conclusion**

That Council provides a 3 months extension to the option to Hender Property Group for the lease of Lot 224.

## 10.2/L2 PERMISSION TO STORE HOUSEBOAT

### Report Information

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

### Authority / Discretion

### Definitions

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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>

*Councillor Lacy has declared Financial interest on item 10.2/L1 and left the meeting room at 4.25pm.*

### Council resolution

0418/04

**Moved Councillor Dedian, Seconded Councillor Young**

**That Council grant Tycraft Pty Ltd permission to store a houseboat inside the leased area of the Clam Farm on the basis that it is not visible from the highway.**

**The motion was put and declared CARRIED (5/0)**



**For:** Charlston, Dedian, Iku, Minkom, Young  
**Against:** Nil

### **Recommendation**

That Council grant Tycraft Pty Ltd permission to store a houseboat inside the leased area of the Clam Farm on the basis that it is not visible from the highway.

### **Report Purpose**

To grant approval for Tycraft Pty Ltd to store a houseboat at the Clam Farm.

### **Relevant Documents**

#### Attachments

Nil

#### Available for viewing at the meeting

Nil

### **Background**

Mr John Clunies-Ross of Tycraft Pty Ltd currently has a partially constructed houseboat sitting on vacant Commonwealth land. While the boat has been situated there for quite some time the upgrade of the RAAF facilities currently underway means that Mr Clunies-Ross is now required to move the boat from the land.

At the Ordinary Council Meeting on the 31<sup>st</sup> of May 2017 council resolved the following:

1. *That Council prepare a new lease for Part Lot 100 'Clam Farm' with an initial ten year term with a ten year option on the following condition:*
  - a. *That the permitted purpose of the lease be listed as – Aquaculture, Commercial Diving & Bee Keeping.*
  - b. *That the Applicant is aware of the requirement that Section 3.58 of the Local Government Act 1995 (WA) (CKI) relating to the disposal of property will apply and a new valuation will be determined for future annual Lease fees.*

### **Comment**

The permitted purposes outlined in the lease for the Clam Farm include Aquaculture, Commercial Diving & Bee Keeping. The storage of a partially complete houseboat does not fit into any of these proposes. As a result Mr Clunies-Ross emailed the Shire on the 22<sup>nd</sup> of March stating “I propose that we ask council for permission to move the houseboat to the clam farm.”

To ensure that the houseboat does not affect the amenity of the area it is proposed that a requirement of the permission is that the houseboat is not visible from passing traffic on Sydney Highway. The current location of the houseboat is within the settlement and therefore much more visible to the public.

### **Policy and Legislative Implications**

Lease agreement for Part Lot 100 "Clam Farm".

### **Financial Implications**

Nil

### **Strategic Implications**

Nil

### **Conclusion**

That Council grants permission for the storage of a houseboat on the Clam Farm leased area.

*Councillor Lacy returned at 4.30pm.*

## 10.3 PLANNING/BUILDING

### 10.3/PB1 TOWN PLANNING SCHEME NO 1, AMENDMENT NO 3

#### Report Information

Location: Lot 163 Beacon Height  
 Applicant: David O'Dowd and Helen Liu  
 File Ref:  
 Reporting Officer: Chief Executive Officer  
 Island: West Island

#### 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>

#### Council resolution

0418/05

Moved Councillor Minkom, Seconded Councillor Charlston

**That Council, Pursuant to Regulation 47 of the Planning and Development (Local Planning Schemes) Regulations 2015, advertise Town Planning Scheme No. 1 Amendment 3.**

**The motion was put and declared CARRIED (6/0)**

**For:** Charlston, Dedian, Iku, Lacy, Minkom, Young  
**Against:** Nil

### **Recommendations**

That Council, Pursuant to Regulation 47 of the Planning and Development (Local Planning Schemes) Regulations 2015, advertise Town Planning Scheme No. 1 Amendment 3.

### **Report Purpose**

To formally resolve to advertise the Town Planning Scheme No 1 Amendment 3.

### **Relevant Documents**

#### Attachment

Amendment No 3

Shire of Cocos (Keeling) Islands Local Planning Scheme 1 – zoning table

Response from EPA

#### Available for viewing at the meeting

Shire of Cocos (Keeling) Islands Local Planning Scheme 1

### **Background**

The Shire received a request from the owners of lot 163 Beacon Heights to consider a rezoning of their property from residential R15 to commercial zoning.

The owner proposes to use the land for accommodation purposes however other commercial development would also be permitted (refer to zoning table).

At the March 2017 Council meeting council resolved to advertise in the Atoll to seek community feedback on the proposed Amendment No 3 to Local Planning Scheme No 1 to rezone Lot 163 Beacon Heights from residential R15 zone to commercial zone as it felt that it needed to seek community feedback to consider proposed Amendment No 3 to Local Planning Scheme No 1 to rezone Lot 163 Beacon Heights from residential R15 zone to commercial zone. The request for community feedback at this stage was to enable council to decide whether it should move forward with the process at this point and was not the formal advertising required under Regulation 47 of the Planning and Development (Local Planning Schemes) Regulations 2015.

An advert was placed in the 27<sup>th</sup> April 2017 Atoll inviting written submissions from residents regarding the rezoning request.

Council subsequently resolved at its May 2017 Ordinary Meeting:

*That Council:-*

1. *Pursuant to Section 75 of the Planning and Development Act 2005 (WA) (CKI), prepare to amend the Shire of Cocos (Keeling) Islands Local Planning Scheme No. 1 by:
  - a. Rezoning Lot 163 Beacon Heights, West Island, from residential R15 zone to commercial zone.*
2. *resolves, pursuant to the Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 (WA)(CKI) (the Regulations), that Amendment No. 3 is a standard amendment in accordance with Regulation 34(c) of the Regulations as it considered to have a minimal impact on surrounding land.*
3. *Authorise Council officers to prepare the scheme amendment documentation.*
4. *pursuant to Section 81 of the Planning and Development Act 2005 (WA) (CKI), refers Amendment No. 3 to the Commonwealth Minister;*
5. *Pursuant to Regulation 58 of the Regulations, provides Amendment No. 3 to the Western Australian Planning Commission.*

### **Comment**

The Scheme amendment No 3 was advertised in the Atoll on the 9<sup>th</sup> and the 23<sup>rd</sup> of November 2017 and feedback was open for the statutory period of 42days. A sign was also placed at the site and neighbouring properties were notified. Submissions for comments closed on the 22<sup>nd</sup> of December 2018.

Whilst assessing the submissions to continue progressing the scheme amendment the Acting Chief Executive Officer sought advice from Principal Planning Officer Mr Peter Wood from the Department of Planning, Lands & Heritage. Mr Wood provided the following advice after reviewing the process taken so far in regards to the scheme amendment.

*“Based on the information you’ve provided, the following procedural steps appear required in order to progress the amendment:*

1. *The Shire is to submit the proposed amendment documentation to the WA Environmental Protection Authority (per section 81 of the Planning and Development Act 2005 (WA) (CKI)) – my previous email (**below**) provides guidance on how to do this.*
2. *After receiving the EPA’s advice (section 48A of the Environmental Protection Act 1986 (WA) (CKI)), the Shire must resolve to advertise the scheme (Regulation 47 of the (Planning and Development (Local Planning Schemes) Regulations 2015).*

*You might just need to determine whether Council has actually resolved to advertise Amendment No. 3 – the minutes from the OCM 31 May 2017 did not seem to include a resolution to advertise the amendment?*

*Once you've received the EPA's advice, and you're satisfied that Council has passed a resolution to advertise the amendment, the requirements are as follows:*

**47 Advertisement of standard amendment**

- (1) ... the local government must, as soon as is reasonably practicable, prepare a notice in a form approved by the Western Australian Planning Commission [**see form attached**] giving details of —
    - (a) the purpose of the amendment; and
    - (b) where the amendment may be inspected; and
    - (c) to whom and during what period submissions in respect of the amendment may be made.
  - (2) On completion of the preparation of the notice, the local government must advertise the standard amendment to a local planning scheme as follows —
    - (a) publish the notice in a newspaper circulating in the scheme area [**The Atoll is sufficient, however a notice in the West Australian might also be relevant?**];
    - (b) display a copy of the notice in the offices of the local government for the period for making submissions set out in the notice;
    - (c) give a copy of the notice to each public authority that the local government considers is likely to be affected by the amendment [**Department of Infrastructure, Regional Development and Cities; Water Corporation, Department of Planning, Lands and Heritage, Department of Water and Environmental Regulation**];
    - (d) publish a copy of the notice and the amendment on the website of the local government;
    - (e) advertise the scheme as directed by the Commission and in any other way the local government considers appropriate.
  - (3) The local government must ensure that the standard amendment to the local planning scheme is made available for inspection by the public during office hours at the office of the local government.
  - (4) The period for submissions set out in a notice must be not less than a period of 42 days commencing on the day on which the notice is published in a newspaper circulating in the scheme area.
3. Following the close of the advertising period, the Shire then has 60 days to consider any submissions and pass a resolution to (a) support the amendment

*without modification, (b) support the amendment with modifications, or (c) not support the amendment (Regulation 50 LPS Regulations).*

4. *Assuming Council supports the amendment, the Shire must then provide **2 copies** of the amendment documentation **signed and sealed** to the Western Australian Planning Commission (Regulation 53 LPS Regulations). I have **attached** a checklist to this email to assist you in providing the necessary information when submitting the amendment documents to the Commission.*
5. *The Commission then ordinarily has 60 days to submit the amendment documents, plus its recommendation on the matter, to the Commonwealth Minister (r55 LPS Regulations). The Minister has the authority to approve or refuse amendments (s87 PD Act)."*

Following the advice from the Department of Planning the Shire promptly submitted the proposed amendment documentation to the WA Environmental Protection Authority. The Shire received a response from the Authority on the 19<sup>th</sup> of March 2018. The Authority determined that formal assessment under Part IV of the EP Act was not warranted but provided the following recommendation:

*The EPA concludes that the amendment can be managed to meet the EPA's objective for Marine Environmental Quality through not allowing discretionary uses including Industry-Service, Public Utility and Service Station.*

Following the advice from the WA Environment Protection Authority the Shire now need to formally resolve to advertise the amendment and follow through the steps outlined above.

The Shire will contact those that made a submission during the last advertising period and explain why it is being re advertised and invite them to resubmit their comments.

The classification of an amendment in turn influences the consultation requirements and timeframes in which the amendment must be dealt with. Council resolved at the May 2017 meeting that this amendment is a standard amendment. Consultation requirements and timeframes are as outlined in the table below:

<b>Scheme Amendment type</b>	<b>Advertising</b>	<b>Local government consideration period (post advertising)</b>	<b>WAPC timeframe to make recommendation to Minister</b>
Basic	No advertising required Amendment to be provided to WAPC within 21 days of Council resolution to prepare or adopt	N/A	42 days
Standard	42 days	60 days post end date of submission period	60 days
Complex	60 days *WAPC approval required prior to advertising	90 days post end date of submission period	90 days

A local government can apply to the WAPC for an extension of the consideration period. The WAPC can extend their timeframe to make a recommendation to the Commonwealth Minister subject to the approval of that Minister or an authorised person. There are no timeframes imposed on the Commonwealth Minister to make a decision.

### **Policy and Legislative Implications**

Planning and Development (Local Planning Schemes) Regulations 2015 (WA) (CKI)

### **Financial Implications**

Cost of statutory advertising.

### **Strategic Implications**

Goal 1 – Economic Development – 1.2 Promote availability of accommodation to meet a variety of needs.

### **Conclusion**

That Council resolve to advertise the Scheme Amendment No 3 as per Regulation 47 of the Planning and Development (Local Planning Schemes) Regulations 2015.



## 10.4 ADMINISTRATION

### 10.4/A1 COMMUNITY FUNDING PROGRAM – ESSENTIAL EQUIPMENT & SMALL CAPITAL ITEMS

#### Report Information

Location: Not Applicable  
 Subject: Community Funding Program – Essential Equipment & Small Capital Items  
 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 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>

*Councillor Lacy has declared Financial interest on item 10.4/A1 - Application by Cocos Island Board Riders and left the meeting room at 4.45pm.*

## **Council resolution**

**0418/06**

**Moved Councillor Charlston, Seconded Councillor Young**

**That Council approves the following funding amounts for the 2018/2019 Essential Equipment and Small Capital Items.**

- 1. Cocos Island Board Riders - \$2,000 approve funds for the purchase of surf lifesaving board.**

**The motion was put and declared CARRIED (5/0)**

**For:** Charlston, Dedian, Iku, Minkom, Young

**Against:** Nil

## **Recommendation**

That Council approves the following funding amounts for the 2018/2019 Essential Equipment and Small Capital Items.

1. Cocos Island Board Riders - \$2,000 approve funds for the purchase of surf lifesaving board.

*Councillor Lacy returned at 4.45pm.*

## **Council resolution**

**0418/07**

**Moved Councillor Minkom, Seconded Councillor Dedian**

**That Council approves the following funding amounts for the 2018/2019 Essential Equipment and Small Capital Items.**

- 2. Cocos Island Youth Council - \$1,285.75 approve funds for the purchase of storage cupboards, pin up board and whiteboard.**
- 3. West Island Sport and Recreation - \$1,432 approve funds for the purchase of tennis racquets.**
- 4. West Island Playgroup - \$1,523.95 approve funds for the purchase of vacuum cleaner, floor mats and trampoline.**
- 5. Golf Club - \$1,463.25 approve funds for the purchase of television and safety equipment.**

**The motion was put and declared CARRIED (6/0)**

**For:** Charlston, Dedian, Iku, Lacy, Minkom, Young

**Against:** Nil

## Recommendation

2. Cocos Island Youth Council - \$1,285.75 approve funds for the purchase of storage cupboards, pin up board and whiteboard.
3. West Island Sport and Recreation - \$1,432 approve funds for the purchase of tennis racquets.
4. West Island Playgroup - \$1,523.95 approve funds for the purchase of vacuum cleaner, floor mats and trampoline.
5. Golf Club - \$1,463.25 approve funds for the purchase of television and safety equipment.

## Report Purpose

To inform Council of applications received for the Shire of Cocos (Keeling) Islands Community Essential Equipment and Small Capital Items Funding 2018 /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 as well the Shire's Facebook page in March calling on interested applicants for the Community Essential Equipment and Small Capital Grants 2018/2019. Applications closed on the 5<sup>th</sup> April 2018 and a total of 6 applications were received with requested amounting to \$ 12,960.95.

App	Organisations	Funding Requested	Funding Approved	Item Requested
1	<i>Cocos Is Board Riders</i>	\$ 4,473	\$ 2,000	<i>Soft surf lifesaving boards</i>
2	<i>CKI District High School</i>	\$ 2,000		<i>Assorted cooking equipment &amp; subsidise program</i>
3	<i>Cocos Is Youth Council</i>	\$ 1,780.75	\$ 1,285.75	<i>Storage cupboard, pinup board &amp; white board</i>
4	<i>WI Sport &amp; Recreation</i>	\$ 1,720	\$ 1,432	<i>Tennis racquets &amp; balls</i>
5	<i>WI Playgroup</i>	\$ 1,523.95	\$ 1,523.95	<i>Vacuum clean, floor mat &amp; trampoline</i>
6	<i>Golf Club</i>	\$ 1,463.25	\$ 1,463.25	<i>TV and assorted equipment</i>
<b>TOTALS:</b>		\$ 12,960.95	\$ 7,704.95	

## Comment

In assessing the six applications received five claims are being proposed to be funded with three partially funded:

- **Cocos Island Board Riders – requested \$ 4,473**

The application will be partially funded for the association to purchase soft lifesaving boards which will be permanently stationed at the main shelter on Direction Island and surf location (s) on West Island. The Shire was recently contacted by the Coordinator Talent Development Officer from the Department of Local Government, Sport and Cultural Industries to seek if we required any sports and recreation related equipment. The Shire has requested one board be purchased and the development officer has accepted and approved to purchase a board to minimise the cost for the association and the Shire. These boards will replace the ones currently in a state of deteriorate.

Funds from the shire will be for the purchase of the other two boards with freight and any access charges to be covered by the association.

- **Cocos Island District High School– requested \$ 2,000**

With assessing the application the panel resolved not to fund this application at all. The grant program is for the purchase of equipment therefore the request to subsidise the program falls outside of the scope of the grant program. The cooking equipment would be all that the shire would consider funding. Whilst the school fits the definition of a non for profit the intention of the grants is ordinarily for community groups/clubs with limited capacity to source funding elsewhere. The Shire provides support to the school in other ways and on this basis is not recommending this application for funding.

- **Cocos Island Youth Council – requested \$ 1,780.75**

Funds to be granted for the purchase of lockable storage cupboards for the Youth Room. CIYC members recognise the need for lockable storage for safe keeping of their equipment's such as party lights, popcorn machine and assorted sporting equipment etc. The pin up and white board is needed for display of upcoming events / programs and notices.

The association will only be granted funding only to cover the cost of purchasing of the equipment and the association would be responsible to cover cost for freight and delivery charges.

- **West Island Sport & Recreation – requested \$ 1,720**

The applicant will be granted approval for the purchase of tennis racquets only for the amount of \$ 1,432. As we have reiterated in the past we will not allow funding for the purchase of consumable type items such as tennis balls.

The association will be responsible for any freight charges.

- **West Island Playgroup – requested \$ 1,523.95**  
The association submitted an application for the purchase of a vacuum cleaner, floor mats and trampoline all of which will be awarded to be funded. In the application the association presented they continue to demonstrate ongoing self-fundraising efforts. Playgroup will be responsible for any freight charges.
- **Golf Club – requested \$ 1,463.25**  
The application will be granted approval for the above requested amount for the purchase of a TV and safety/up keeping equipment. The TV has been identified to enable for the club to telecast and host events involving sports events e.g. AFL Western Derby, Australian Open etc which can possibly be a source of fundraising for the club. Freight charges will be the responsibility of the club.

The grant funds will be available to the community groups from the 1 July 2018 and will be paid on a reimbursement basis on receipt of invoices at the conclusion of the purchase before 30 June 2019.

The Shire has been successful in securing grant funding for the amount of \$ 5,000 through the Foundations for Rural and Regional Renewal – Small Grants for Rural Communities Round 32 which will go towards the purchase of catering equipment for shared volunteer community group use.

### **Policy and Legislative Implications**

Nil

### **Financial Implications**

The Shire will budget in the 2018 /2019 financial year an amount of \$ 7,704.95

### **Strategic Implications**

Nil

### **Conclusion**

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

## **10.5 WORKS**

Nil

## **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

## **14. CLOSURE OF BUSINESS**

The Presiding member declared the meeting closed at 5.00pm.

These minutes were confirmed at a meeting on .....

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

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PRESIDENT