

Shire of Cocos (Keeling) Islands

MINUTES

**Ordinary Council Meeting
30 July 2025**

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 declared the meeting open at 4:05pm and welcomed Councillors and Officers.

2 ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

President: Cr A Minkom

Councillors: Cr A Badlu
Cr S Knight
Cr A Young

Officers: Ibrahim Macrae, Acting Chief Executive Officer
David Tombs, Manager Finance and Corporate Services
Amallia Alim, Governance Administration Officer
Lanif Yakin, Translator

Guests: Nil

Public: Nil

Apologies: Cr T Lacy
Cr O Sloan
Luluilmaknun Sloan, Infrastructure Coordinator

Approved Leave of Absence: Cr Isa Minkom

3 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Jill Welch – 30 Airforce Road, West Island

Question 1: When Department of Transport were here, did the Shire get any advice on how to build a compliant and safe boat ramp. Do we get reduction in registration for lack of boat ramp and terrible roads destroying cars, bike, and boats.

Acting CEO: *When the Department of Transport (DoT) visited the islands, I'm not aware of any discussions that took place regarding maritime infrastructure, including a potential boat ramp upgrade, and I have seen no record of any formal advice or engineering plans being provided during that visit.*

As for vehicle registration and road conditions, those fees are set and managed by the Department of Transport WA, so the Shire is not able to offer any reductions, even if roads are not in the best shape. That said, we fully understand how frustrating it is when road conditions cause wear and tear on cars, bikes, or boats, and we are doing what we can within our resources to manage and improve priority roads.

Question 2: Advice on fixing roads. Shire receives funding to fix gazetted roads on West – as yet to be seen. Sydney Highway is not the only road, Beacon Heights as well as crossover to houses. Already had 2 tyres destroyed.

Acting CEO: *While Sydney Highway has been a major focus in recent times, we are very aware that it is not the only road that needs attention. These reports are taken seriously, and we will make sure they are considered in our upcoming maintenance plans. It is always a balancing act with competing priorities, but we are doing our best to spread the maintenance efforts fairly across the network.*

Question3: Okay for Shire rates to increase but Services are decreasing.

Acting CEO: *This is a valid concern and one we hear often from residents. Like most councils, we are dealing with rising operational costs each year things like freight, fuel, materials, and even basic service contracts cost significantly more out here due to our remote location.*

We do try to stretch our budget as far as possible, but unfortunately, that sometimes means some services may be reduced or delivered differently. That said, the intention behind any rate increase is always to support the long-term sustainability of core services and infrastructure. If there are particular areas where people feel service has dropped off, we are always open to hearing that and seeing what can be done.

Question 4: Would be respectful if ratepayers received notifications via email or mail as not everyone in on social media.

Acting CEO: *While we use social media to get information out quickly, we agree that not everyone uses Facebook or similar platforms. We will look at expanding our communication methods especially for important community updates to include email and mailed notices where appropriate.*

Question 5: Have requested in meeting before “can Shire notices please have the date issued on them and the website notices.

Acting CEO: *We will make sure our future Shire notices include a clear issue date so it is easier for everyone to track when information was published or decisions were made.*

4 PUBLIC QUESTIONS TIME

In accordance with section 5.24(1) (a) of the *Local Government Act 1995*, time is allocated for questions to be raised by members of the public, as follows:

(1) The minimum time to be allocated for the asking of and responding to questions raised by members of the public at ordinary meetings of councils and meetings referred to in regulation 5 is 15 minutes.

(2) Once all the questions raised by members of the public have been asked and responded to at a meeting referred to in sub regulation (1), nothing in these regulations prevents the unused part of the minimum question time period from being used for other matters.

Pursuant to regulation 7(4) (a) of the *Local Government (Administration) Regulations 1996*, questions from the public must relate to a matter affecting the local government.

In accordance with section 5.25 (1)(f) of the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996* regulation 11(e) a summary of each question raised by members of the public at the meeting and a summary of the response to the question will be included in the minutes of the meeting.

Where a question is taken on notice at the meeting, a summary of the response to the question will be included in the agenda for the following Council meeting.

5 LEAVE OF ABSENCE

The *Local Government Act 1995* (Section 2.25) provides that a Council may, by resolution, grant leave of absence to a member for Ordinary Council Meetings. A member who is absent, without first obtaining leave of the Council, throughout three consecutive Ordinary meetings of the Council is disqualified from continuing his or her membership of the Council. Disqualification from membership of the Council for failure to attend Ordinary Meetings of the Council will be avoided so long as the Council grants leave prior to the member being absent. The leave cannot be granted retrospectively. An apology for non-attendance at a meeting is not an application for leave of absence.

5.1 APPROVED LEAVE OF ABSENCE

Councillor	Date of Leave	Approved by Council
Cr I Minkom	02 July 2025 – 04 August 2025	02 July 2025

5.2 APPLICATION FOR LEAVE OF ABSENCE

6 PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 Special Council Meeting held on 30 May 2025 – Attachment 7.1

OFFICER RECOMMENDATION

THAT COUNCIL BY SIMPLE MAJORITY, PURSUANT TO SECTIONS 5.22(2) AND 3.18 OF THE *LOCAL GOVERNMENT ACT 1995 (WA)(CKI)*, RESOLVES THAT THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 30 MAY 2025 AS PRESENTED IN ATTACHMENT 7.1 BE CONFIRMED AS A TRUE AND CORRECT RECORD OF PROCEEDINGS.

7.2 Special Council Meeting held on 16 June 2025 – Attachment 7.2

OFFICER RECOMMENDATION

THAT COUNCIL BY SIMPLE MAJORITY, PURSUANT TO SECTIONS 5.22(2) AND 3.18 OF THE *LOCAL GOVERNMENT ACT 1995 (WA)(CKI)*, RESOLVES THAT THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 16 JUNE 2025 AS PRESENTED IN ATTACHMENT 7.2 BE CONFIRMED AS A TRUE AND CORRECT RECORD OF PROCEEDINGS.

7.3 Ordinary Council Meeting held on 02 July 2025 – Attachment 7.3

OFFICER RECOMMENDATION

THAT COUNCIL BY SIMPLE MAJORITY, PURSUANT TO SECTIONS 5.22(2) AND 3.18 OF THE *LOCAL GOVERNMENT ACT 1995 (WA)(CKI)*, RESOLVES THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 02 JULY 2025 AS PRESENTED IN ATTACHMENT 7.3 BE CONFIRMED AS A TRUE AND CORRECT RECORD OF PROCEEDINGS.

THE FOLLOWING ITEMS WERE DELT WITH ‘ EN BLOC’.

7.1 SPECIAL COUNCIL MEETING HELD ON 30 MAY 2025 – ATTACHMENT 7.1

7.2 SPECIAL COUNCIL MEETING HELD ON 16 JUNE 2025 – ATTACHMENT 7.2

7.3 ORDINARY COUNCIL MEETING HELD ON 02 JULY 2025 – ATTACHMENT 7.3

RESOLUTION OCM/25/001

MOVED: CR A YOUNG

SECONDED: CR A BADLU

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO SECTIONS 5.22(2) AND 3.18 OF THE *LOCAL GOVERNMENT ACT 1995 (WA)(CKI)*, RESOLVES THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 30 MAY 2025, THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 16 JUNE 2025 AND THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 02 JULY 2025 AS PRESENTED BE CONFIRMED AS A TRUE AND CORRECT RECORD OF PROCEEDINGS.

THE MOTION WAS PUT AND DECLARED CARRIED (4/0)

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

8 ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS

Nil

9 DECLARATION OF INTEREST

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.

10 REPORTS FROM COMMITTEES AND OFFICERS

10.1 CHIEF EXECUTIVE OFFICER

10.1.1 AMENDMENT TO CLAUSE 2.7(1)(G)(II) OF THE SHIRE OF COCOS (KEELING) ISLANDS PUBLIC PLACES AND LOCAL GOVERNMENT PROPERTY LOCAL LAW - REFERENCE TO FIREARMS ACT 2024

FILE NUMBER:

AUTHOR: Ibrahim Macrae, Acting Chief Executive Officer

AUTHORISER: Ibrahim Macrae, Acting Chief Executive Officer

DISCLOSURE(S) OF INTEREST: Author - Nil

Authoriser -

ISLAND: Shire Wide

ATTACHMENTS:

- 10.1.1.1 - Letter from DITRDCA - Firearms Legislation [↓](#)
- 10.1.1.2 - SOCKI Places Property Local Law 2020 Draft Amendment Local Law (Tracked and Clean Version) [↓](#)
- 10.1.1.3 - SOCKI Places Property Local Law 2020 Draft Amendment Local Law (Marked Up Copy of the Principal Local Law) [↓](#)

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

To seek Council approval to initiate an amendment to the *Shire of Cocos (Keeling) Islands Public Places and Local Government Property Local Law 2020*, replacing the reference to the *Firearms Act*

1973 (WA) with the *Firearms Act 2024 (WA)*, as required by recent Commonwealth advice and consistent with applicable legislative requirements.

BACKGROUND

The *Firearms Act 2024 (WA)* was assented to on 27 June 2024 and commenced on 31 March 2025, repealing the *Firearms Act 1973 (WA)*. Clause 2.7(1)(g)(ii) of the Shire's *Public Places and Local Government Property Local Law 2020* refers to the *1973 Act*, which became outdated once the new legislation comes into effect.

On 22 April 2025, the Shire received formal correspondence from the Australian Government Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts (see Attachment [Insert No.]) advising that amendments are required to ensure continued consistency with State legislation as applied in the Territory.

To achieve this, the Shire must prepare and adopt an amendment local law in accordance with the process set out under section 3.12 of the *Local Government Act 1995 (WA)* (as applied in the Cocos (Keeling) Islands) and subsection 8G(5B) of the *Cocos (Keeling) Islands Act 1955 (Cth)*.

Failure to follow the prescribed statutory procedure may result in the disallowance of the amendment by the Western Australian Parliament's Joint Standing Committee on Delegated Legislation (JSCDL).

COMMENTS

Process for Amending the Local Law:

The following steps are required under section 3.12 of the Act:

- **Review and Drafting:** Officers have reviewed clause 2.7 and prepared a draft *Amendment Local Law 2025*, which updates the relevant reference. Due to the minor and technical nature of the change, a standalone amendment is appropriate.
- **Council Resolution:** Council must resolve by *absolute majority* to propose the amendment and authorise public notice.
- **Public Notice:** The Shire must give *statewide public notice* of the proposed law, stating its purpose and effect, inviting submissions for a minimum of 6 weeks.
- **Notification to Relevant Agencies:** Copies of the proposed amendment must be provided to the Director-General of the Department of Local Government, Sport and Cultural Industries and any other relevant agency CEOs.
- **Submissions and Council Consideration:** Council must consider submissions received before resolving to make the amendment (also by *absolute majority*).
- **Gazettal and Commencement:** If adopted, the local law must be published in the WA Government Gazette. It comes into effect 14 days after publication.
- **Post-Gazettal Actions:** Council must provide public notice of adoption, publish a consolidated version of the law, and notify the JSCDL.

POLICY AND LEGISLATION IMPLICATIONS

The Shire is empowered to make and amend local laws under subsection 8G(5B) of the *Cocos (Keeling) Islands Act 1955* (Cth). The amendment process must strictly follow section 3.12 of the *Local Government Act 1995 (WA)* (CKI). Failure to comply may lead to disallowance, creating legal risk and regulatory inconsistency.

FINANCIAL IMPLICATIONS

Costs are limited to officer time and statutory advertising. These will be managed within existing operational budgets under governance and compliance.

STRATEGIC IMPLICATIONS

Theme

L Leadership

Goal

L1 To be involve, respectful and inclusive and to facilitate diveristy and representation within the dcision making process.

Strategy

L1.3 Shire representatives (Councillors and Shire Leadership team) to pro-actively engage, communicate with, and increase visibility within the community.

RISK IMPLICATIONS

Risk Category	Description	Rating (consequence likelihood) x	Mitigation Action
Compliance	Reference to repealed local law	High	Timely amendment in accordance with legislative advice

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 REQUIREMENT

Absolute Majority

CONCLUSION

Updating clause 2.7(1)(g)(ii) to reference the *Firearms Act 2024* is a necessary legal adjustment that ensures the Shire's local laws remain current and enforceable. The amendment reflects a minor but important change, and following the statutory amendment process will ensure transparency, compliance, and protection against future disallowance.

OFFICER RECOMMENDATION – ITEM NO 10.1.1

THAT COUNCIL, BY ABSOLUTE MAJORITY:

1. PROPOSES AN AMENDMENT TO CLAUSE 2.7(1)(G)(II) OF THE SHIRE OF COCOS (*KEELING*) ISLANDS PUBLIC PLACES AND LOCAL GOVERNMENT PROPERTY LOCAL LAW 2020, REPLACING THE REFERENCE TO THE *FIREARMS ACT 1973* WITH:

“... PISTOL OR RIFLE SHOOTING, BUT SUBJECT TO THE COMPLIANCE OF THAT PERSON WITH THE *FIREARMS ACT 2024*.”
2. AUTHORISES THE ACTING CHIEF EXECUTIVE OFFICER TO UNDERTAKE ALL NECESSARY ACTIONS UNDER SECTION 3.12 OF THE *LOCAL GOVERNMENT ACT 1995 (WA) (CKI)*, INCLUDING:
 - A) GIVING STATEWIDE PUBLIC NOTICE OF THE PROPOSED AMENDMENT LOCAL LAW;
 - B) PROVIDING COPIES TO THE DIRECTOR-GENERAL OF THE DEPARTMENT OF LOCAL GOVERNMENT AND OTHER RELEVANT DEPARTMENTAL CEOS AND TO ANY PERSON REQUESTING IT.
 - C) MANAGING PUBLIC SUBMISSIONS AND REPORTING BACK TO COUNCIL FOR FINAL CONSIDERATION.

RESOLUTION - ITEM NO 10.1.1 OCM/25/002

MOVED: CR A BADLU

SECONDED: CR A YOUNG

THAT COUNCIL, BY ABSOLUTE MAJORITY:

1. PROPOSES AN AMENDMENT TO CLAUSE 2.7(1)(G)(II) OF THE SHIRE OF COCOS (*KEELING*) ISLANDS PUBLIC PLACES AND LOCAL GOVERNMENT PROPERTY LOCAL LAW 2020, REPLACING THE REFERENCE TO THE *FIREARMS ACT 1973* WITH:

“... PISTOL OR RIFLE SHOOTING, BUT SUBJECT TO THE COMPLIANCE OF THAT PERSON WITH THE *FIREARMS ACT 2024*.”
2. AUTHORISES THE ACTING CHIEF EXECUTIVE OFFICER TO UNDERTAKE ALL NECESSARY ACTIONS UNDER SECTION 3.12 OF THE *LOCAL GOVERNMENT ACT 1995 (WA) (CKI)*, INCLUDING:
 - A) GIVING STATEWIDE PUBLIC NOTICE OF THE PROPOSED AMENDMENT LOCAL LAW;
 - B) PROVIDING COPIES TO THE DIRECTOR-GENERAL OF THE DEPARTMENT OF LOCAL GOVERNMENT AND OTHER RELEVANT DEPARTMENTAL CEOS AND TO ANY PERSON REQUESTING IT.
 - C) MANAGING PUBLIC SUBMISSIONS AND REPORTING BACK TO COUNCIL FOR FINAL CONSIDERATION.

THE MOTION WAS PUT AND DECLARED CARRIED BY ABSOLUTE MAJORITY (4/0)



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



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

Ref: MC25-000519

Mr Frank Mills
CEO
Shire of Cocos (Keeling) Islands
PO Box 1094, Home Island
COCOS (KEELING) ISLANDS INDIAN OCEAN 6799

Dear Mr Mills

The Western Australian Government is rewriting its firearms legislation which necessitates a change to the Shire of Cocos (Keeling) Islands' *Public Place and Local Government Property Local Law 2020* (CKI) (Local Law).

The *Firearms Act 2024* (WA) was assented to on 27 June 2024 and is expected to commence on 31 March 2025 with its accompanying regulations. At that time, the *Firearms Act 1973* (WA) and therefore its application in Cocos (Keeling) Islands will be repealed, and this will create inconsistency for clause 2.7(1)(g)(ii) of the Local Law.

Through the application of subsection 8G(5B) of the *Cocos (Keeling) Islands Act 1955*, the Shire is vested with the power to make and amend local laws. In order to ensure the integrity of the Local Law and maintain alignment with the Western Australian law as applied in the Cocos (Keeling) Islands, the Shire is required to amend the Local Law to reflect the *Firearms Act 2024*.

I note that the Local Law itself does not provide for the control and regulation of firearms on the Cocos (Keeling) Islands, but ensures that, if the Shire were to make a determination for "... an area on which a person may play or practise... pistol or rifle shooting...", that the activity would be subject to the compliance of that person with the legislation in force on the Cocos (Keeling) Islands, which provides for the control and regulation of firearms.

To assist the Shire in progressing the amendment, the three options below offer possible substitutions for "*Firearms Act 1973*" in s2.7(1)(g)(ii):

1. ...pistol or rifle shooting, but subject to the compliance of that person with the *Firearms Act 2024*

- Because the *Firearms Act 2024* has not entirely commenced, referencing it would impact any determination made by the Shire between the time of amending the local law and the commencement of the new Act. This wording

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would also need to be updated if the *Firearms Act 2024* was later repealed and replaced.

2. *"...pistol or rifle shooting, but subject to the compliance of that person with the legislation in force in Cocos (Keeling) Islands that provides for the control and regulation of firearms"*

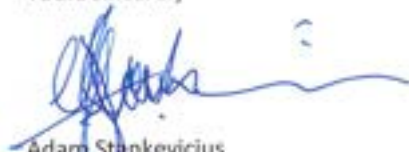
- This option relies only on the description of the type of laws that are in scope; it would future-proof the local law but may not aid a future council in developing a declaration.

3. *"...pistol or rifle shooting, but subject to the compliance of that person with the Firearms Act 2024 and other legislation in force in Cocos (Keeling) Islands that provides for the control and regulation of firearms"*

- This option strikes a balance between specific legislative references and broad coverage of scope, allowing for ease of interpretation and providing future-proofing.

If you have any questions or require further assistance, please contact Melanie Charters-Brown, Assistant Director, Indian Ocean Territories Policy, via indianoceanterritories@infrastructure.gov.au

Yours sincerely



Adam Stankevicius
Assistant Secretary
Indian Ocean Territories Branch

22 April 2025

LOCAL GOVERNMENT ACT 1995 (WA)(CKI)

SHIRE OF COCOS (KEELING) ISLANDS

PUBLIC PLACES AND LOCAL GOVERNMENT PROPERTY LOCAL LAW 2020

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SCHEDULE – PRESCRIBED OFFENCES

LOCAL GOVERNMENT ACT 1995 (WA)(CKI)**SHIRE OF COCOS (KEELING) ISLANDS****PUBLIC PLACES AND LOCAL GOVERNMENT PROPERTY LOCAL LAW 2020**

Under the powers conferred by the *Local Government Act 1995 (CKI)* and under all other relevant powers, the Council of the Shire of Cocos (Keeling) Islands resolved on 26 August 2020 to adopt the following local law.

PART 1 - PRELIMINARY**1.1 Citation**

This local law may be cited as the *Shire of Cocos (Keeling) Islands Public Places and Local Government Property Local Law 2020*.

1.2 Commencement

The local law comes into operation 14 days after it is published as a Notifiable Instrument in the Australian Government Federal Register of Legislation.

1.3 Application

- (1) In accordance with section 4(1) of the *Local Government (Transition) Ordinance 1992*, the Territory is a shire for the purposes of the Act.
- (2) In accordance with section 8A and subject to section 8B of the *Cocos (Keeling) Islands Act 1955* (Commonwealth), Western Australian legislation is applied to the Territory in accordance with –
 - (a) the *Cocos (Keeling) Islands Applied Laws Ordinance 1992*; and
 - (b) the Schedule of applied laws as tabled in the Commonwealth Parliament from time to time.
- (3) In accordance with section 8G of the *Cocos (Keeling) Islands Act 1955* (Commonwealth), the power or authority is vested in the Minister where a power or authority under any Western Australian law is vested in –
 - (a) a Minister of Western Australia; or
 - (b) the Governor of Western Australia; or
 - (c) the Governor-in-Council of Western Australia.
- (4) This local law applies to the whole of the district.

1.4 Repeal

The *Shire of Cocos (Keeling) Islands Local Law – Camping 2009* published in the *Indian Ocean Territories Government Gazette* on 1 February 2010 is repealed.

1.5 Transitional provisions

- (1) An application for, or the renewal of a permit or other authorisation made under a repealed local law that has not been finally determined before the commencement day is to be dealt with and determined as if it were an application under this local law.
- (2) A permit or other authorisation under a repealed local law that is in force before the commencement day is to be regarded on and after that day as a permit under this local law and may be dealt with accordingly.

1.6 Definitions

In this local law –

Act means the *Local Government Act 1995 (CKI)*;

applicant means a person who applies for a permit;

application means an application for a permit;

authorised person means a person appointed by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law;

building means any building which is local government property and includes any –

- (a) hall or room; and
- (b) corridor, stairway or annexe of any hall or room;

bulk rubbish container means a bin or container designed or used for holding a substantial quantity of rubbish and which is unlikely to be lifted without mechanical assistance, but does not include a bin or container used in connection with the local government's regular domestic rubbish collection service;

carriageway has the meaning given to it in the *Road Traffic Code 2000*;

children's playground means an area set aside for use by children and noted by the presence of any of the following –

- (a) dedicated children's playground equipment;
- (b) the presence of either sand or other form of soft fall surface; or
- (c) a sign indicating the area is a children's playground;

commencement day means the day on which this local law comes into operation;

costs means all expenses directly associated with reinstatement or replacement, and includes administrative expenses, associated with reinstatement or replacement;

council means the council of the local government;

determination means a determination made under clause 2.1;

district means the Territory as defined by section 4(1) of the *Cocos (Keeling) Islands Act 1955* (Commonwealth);

entertainment means conduct any form of theatrical, artistic, musical, audio or visual performance and includes busk;

food has the meaning given by the *Food Act 2008*;

footpath has the meaning given to it in the *Road Traffic Code 2000*;

function means an event or activity characterised by all or any of the following –

- (a) formal organisation and preparation;
- (b) its occurrence is generally advertised or notified in writing to particular persons;
- (c) organisation by or on behalf of a club;
- (d) payment of a fee to attend it; and
- (e) systematic recurrence in relation to the day, time and place;

garden means any part of a thoroughfare planted, developed or treated, otherwise than as a lawn, with one or more plants;

hire includes offer to hire and expose for hire;

intersection has the meaning given to it in the *Road Traffic Code 2000*;

kerb includes the edge of a carriageway;

lawn means any part of a thoroughfare which is planted only with grass, or with a similar plant, but will include any other plant provided that it has been planted by the local government;

liquor has the meaning given to it in section 3 of the *Liquor Control Act 1988*;

local government means the Shire of Cocos (Keeling) Islands;

local government property means anything except a thoroughfare –

- (a) which is owned by or is leased by the local government;
- (b) which is vested in the local government;
- (c) which is otherwise under the care, control or management of the local government, including under the *Land Administration Act 1997*; or
- (d) which is an otherwise unvested facility within section 3.53 of the Act; and
- (e) includes a reference to any part of local government property.

local public notice has the meaning given to it in section 1.7 of the Act;

lot has the meaning given to it in the *Planning and Development Act 2005*;

market means a collection of stalls, stands or displays erected for the purpose of selling or hiring goods or services or carrying out any other transaction;

nuisance means any activity, thing, condition, circumstance or state of affairs caused or contributed to by a person which –

- (a) is injurious or dangerous to the health of another person of normal susceptibility;

- (b) which has a disturbing effect on the state of reasonable physical, mental or social well-being of another person; or
- (c) is detrimental or likely to be detrimental to the natural environment;
- occupier** has the meaning given to it in section 1.4 of the Act but does not include the local government;
- owner** has the meaning given to it in section 1.4 of the Act but does not include the local government;
- permit** means a permit or approval in writing issued by the local government under this local law;
- permit holder** means a person who holds a permit;
- permitted verge treatment** means any one of the treatments described in clause 6.7(3), and includes any reticulation pipes and sprinklers;
- person** does not include the local government;
- prohibited drug** is given its meaning under section 3 of the *Misuse of Drugs Act 1981*;
- public place** means –
 - (a) a thoroughfare;
 - (b) any local government property; or
 - (c) a place to which the public have access, including a beach or foreshore;
- repealed local law** means a local law repealed under clause 1.4;
- Schedule** means a schedule to this local law;
- sell** includes –
 - (a) offer or attempt to sell;
 - (b) display for sale;
 - (c) send, forward or deliver for sale or on sale;
 - (d) barter or exchange;
 - (e) dispose, by lot or chance or by auction;
 - (f) supply, or offer, agree or attempt to supply –
 - (i) in circumstances which the supplier derives or would be likely to derive a direct or indirect pecuniary benefit; or
 - (ii) gratuitously, but with a view to gaining or maintaining custom or other commercial advantage; or
 - (g) authorise, direct, cause or permit to be done any act referred to in this definition;
- set fee** refers to fees and charges imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act;
- sign** includes a notice, flag, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols;
- stall** means a movable or temporarily fixed structure, stand or table in, on or from which goods or services are sold and includes a vehicle;
- street tree** means any tree planted or self-sown in a thoroughfare, of an appropriate species and in an appropriate location, for the purposes of contributing to the appearance of the thoroughfare;
- thoroughfare** means any highway, thoroughfare or land used for vehicular or pedestrian traffic, and includes all the land lying between property lines, including the verge and footpath;
- trading** means selling or hiring goods or services and includes the setting up of a stall and conducting business at a stall;
- vehicle** includes –
 - (a) every conveyance and every object capable of being propelled or drawn on wheels, tracks or otherwise; and
 - (b) where the context permits, an animal being ridden or driven,
 but excludes –
 - (c) a wheelchair or any device designed for use by a physically impaired person on a footpath; and
 - (d) a pram, stroller or similar device;
- UAV** means unmanned aircraft, other than a balloon or kite;
- verge** means that part of a thoroughfare between the carriageway and the land which abuts the thoroughfare, but does not include any footpath; and
- waste** includes matter –
 - (a) whether liquid, solid, gaseous or radioactive and whether useful or useless, which is discharged into the environment; or

- (b) prescribed by regulations under the *Waste Avoidance and Resource Recovery Act 2007* to be waste.

1.7 Types of permit

For the purposes of this local law –

- (a) a permit which authorises trading on any thoroughfare or local government property is to be referred to as a trading permit;
- (b) a permit which authorises the conduct or setting up of a market on any thoroughfare or local government property is to be referred to as a market permit;
- (c) a permit which authorises entertainment on any thoroughfare or local government property is to be referred to as an entertainment permit; and
- (d) a permit which authorises the sale of food on any thoroughfare or local government property is to be referred to as a food sales permit.

1.8 Assistance animals

This local law is subject to any written law and any law of the Commonwealth about assistance animals as defined in section 9(2) of the *Disability Discrimination Act 1992* (Commonwealth).

1.9 Overriding power to hire and agree

Despite anything to the contrary in this local law, an authorised person, on behalf of the local government, may –

- (a) hire local government property to any person; or
- (b) enter into an agreement with any person regarding the use of any local government property.

PART 2 - DETERMINATIONS IN RESPECT OF LOCAL GOVERNMENT PROPERTY

2.1 Determinations as to use of local government property

The local government may make a determination in accordance with clause 2.2 –

- (a) setting aside specified local government property for the pursuit of all or any of the activities referred to in clause 2.7(1);
- (b) prohibiting a person from pursuing all or any of the activities referred to in clause 2.8(1) on specified local government property;
- (c) as to the matters in clauses 2.7(2) and 2.8(2); and
- (d) as to any matter ancillary or necessary to give effect to a determination.

2.2 Procedure for making a determination

- (1) The local government is to give local public notice of the local government intention to make a determination.
- (2) The local public notice referred to in subclause (1) is to state that –
 - (a) the local government intends to make a determination, the purpose and effect of which is summarised in the notice;
 - (b) a copy of the proposed determination may be inspected and obtained from the offices of the local government; and
 - (c) submissions in writing about the proposed determination may be lodged with the local government within 21 days after the date of publication.
- (3) If no submissions are received in accordance with subclause (2)(c), the local government is to decide to –
 - (a) give local public notice that the proposed determination has effect as a determination on and from the date of publication;
 - (b) amend the proposed determination, in which case subclause (5) is to apply; or
 - (c) not continue with the proposed determination.
- (4) If submissions are received in accordance with subclause (2)(c), the local government is to –
 - (a) consider those submissions; and
 - (b) decide –
 - (i) whether or not to amend the proposed determination; or

- (ii) whether or not to continue with the proposed determination.
- (5) If the local government decides to amend the proposed determination, it is to give local public notice –
 - (a) of the effect of the amendments; and
 - (b) that the proposed determination has effect as a determination on and from the date of publication.
- (6) If the local government decides not to amend the proposed determination, it is to give local public notice that the proposed determination has effect as a determination on and from the date of publication.
- (7) A proposed determination is to have effect as a determination on and from the date of publication of the local public notice referred to in subclauses (3), (5) and (6).
- (8) A decision under subclause (3) or (4) is not to be delegated by the council.

2.3 Discretion to erect sign

The local government may erect a sign on local government property to give notice of the effect of a determination which applies to that property.

2.4 Determination to be complied with

A person must comply with a determination.

2.5 Register of determinations

- (1) The local government is to keep a register of determinations made under clause 2.2, and of any amendments to or revocations of determinations made under clause 2.6.
- (2) Sections 5.94 and 5.95 of the Act apply to the register referred to in subclause (1) and for that purpose the register is to be taken to be information within section 5.94(u)(i) of the Act.

2.6 Amendment or revocation of a determination

- (1) The local government may amend or revoke a determination.
- (2) The provisions of clause 2.2 are to apply to an amendment of a determination as if the amendment were a proposed determination.
- (3) If the local government revokes a determination it is to give local public notice of the revocation and the determination is to cease to have effect on the date specified in the notice.

2.7 Activities which may be pursued on specified local government property

- (1) A determination may provide that specified local government property is set aside as an area on which a person may –
 - (a) take, ride or drive a vehicle, or a particular class of vehicle;
 - (b) fly or use a UAV;
 - (c) use a children's playground provided that the person is under an age specified in the determination, but the determination is not to apply to a person having the charge of a person under the specified age;
 - (d) launch, beach or leave a boat;
 - (e) take or use a boat, or a particular class of boat;
 - (f) deposit refuse, rubbish or liquid waste, whether or not of particular classes, and whether or not in specified areas of that local government property;
 - (g) play or practise –
 - (i) golf or archery;
 - (ii) pistol or rifle shooting, but subject to the compliance of that person with the *Firearms Act 1973*; or
 - (iii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the local government may cause injury or damage to a person or property; and
 - (h) ride a bicycle, a skateboard, rollerblades, a sandboard or a similar device.
- (2) A determination may specify the extent to which and the manner in which an activity referred to in subclause (1) may be pursued and in particular –
 - (a) the days and times during which the activity may be pursued;
 - (b) that an activity may be pursued on a class of local government property, specified local government property or all local government property;

- (c) that an activity is to be taken to be prohibited on all local government property other than that specified in the determination;
- (d) may limit the activity to a class of vehicles, equipment or things, or may extend it to all vehicles, equipment or things;
- (e) may specify that the activity can be pursued by a class of persons or all persons; and
- (f) may distinguish between different classes of the activity.

2.8 Activities which may be prohibited on specified local government property

- (1) A determination may provide that a person is prohibited from pursuing all or any of the following activities on specified local government property –
 - (a) riding a bicycle, a skateboard, rollerblades, a sandboard or a similar device;
 - (b) taking, riding or driving a vehicle on the property or a particular class of vehicle;
 - (c) riding or driving a vehicle of a particular class or any vehicle above a specified speed;
 - (d) taking or using a boat, or a particular class of boat;
 - (e) the playing or practice of –
 - (i) golf, archery, pistol shooting or rifle shooting; or
 - (ii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the local government may cause injury or damage to a person or property;
 - (f) the playing or practice of any ball game which may cause detriment to the property or any fauna on the property; and
 - (g) the traversing of land which in the opinion of the local government has environmental value warranting such protection, either absolutely or except by paths provided for that purpose.
- (2) A determination may specify the extent to which and the manner in which a person is prohibited from pursuing an activity referred to in subclause (1) and, in particular –
 - (a) the days and times during which the activity is prohibited;
 - (b) that an activity is prohibited on a class of local government property, specified local government property or all local government property;
 - (c) that an activity is prohibited in respect of a class of vehicles, equipment or things, or all vehicles, equipment or things;
 - (d) that an activity is prohibited in respect of a class of persons or all persons; and
 - (e) may distinguish between different classes of the activity.

2.9 Sign under repealed local law taken to be determination

- (1) Where a sign erected on local government property has been erected under a repealed local law, then it is to be taken to be and have effect as a determination on and from the commencement day, except to the extent that the sign is inconsistent with any provision of this local law or any determination made under clause 2.1.
- (2) Clause 2.5 does not apply to a sign referred to in subclause (1).

PART 3 - ACTIVITIES ON LOCAL GOVERNMENT PROPERTY REQUIRING A PERMIT

3.1 Activities requiring a permit

- (1) A person must not without a permit –
 - (a) subject to subclause (3) hire local government property;
 - (b) advertise anything by any means on local government property;
 - (c) erect, on local government property a structure for public amusement or for any performance, whether for gain or otherwise;
 - (d) teach, coach or train, for profit, any person in any facility which is local government property;
 - (e) plant any plant or sow any seeds on local government property;
 - (f) carry on any trading on local government property unless the trading is conducted –
 - (i) with the consent of a person who holds a permit to conduct a function, and where the trading is carried on under and in accordance with the permit; or
 - (ii) by a person who has a permit to carry on trading on local government property under any written law;

- (g) unless an employee of the local government in the course of her or his duties or on an area set aside for that purpose –
 - (i) drive or ride or take any vehicle on to local government property; or
 - (ii) park or stop any vehicle on local government property;
- (h) conduct a function or entertainment event on local government property;
- (i) charge any person for entry to local government property, unless the charge is for entry to land or a building hired by a voluntary non-profit organisation;
- (j) light a fire on local government property except in a facility provided for that purpose;
- (k) light or set off any firework or conduct a fireworks display on local government property;
- (l) fly or use a UAV;
- (m) parachute, hang glide, abseil or base jump from or on to local government property;
- (n) erect a building or a refuelling site on local government property;
- (o) make any excavation on or erect or remove any fence on local government property;
- (p) erect or install any structure above or below ground, which is local government property, for the purpose of supplying any water, power, sewer, communication, television or similar service to a person;
- (q) conduct or take part in any gambling game or contest or bet, or offer to bet, publicly; or
- (r) erect, install, operate or use any broadcasting, public address system, loudspeaker or other device for the amplification of sound on local government property.
- (2) The local government may exempt a person from compliance with subclause (1) on the application of that person.
- (3) The local government may exempt specified local government property or a class of local government property from the application of subclause (1)(a).

3.2 Permit to erect structures or camp

- (1) This clause does not apply to a caravan park or camping ground operated by the local government.
- (2) A person must not without a permit –
 - (a) camp on, lodge at or occupy any structure at night for the purpose of sleeping on local government property;
 - (b) erect any tent, camp, hut or similar structure on local government property other than a beach shade or windbreak erected for use during the hours of daylight and which is dismantled during those hours on the same day; or
 - (c) park a vehicle on local government property, thoroughfare or public place for the purpose of sleeping in the vehicle.
- (3) The maximum period for which the local government may approve an application for a permit in respect of subclause (2)(a) or (b) is that provided in regulation 11(2)(a) of the *Caravan Parks and Camping Grounds Regulations 1997*.
- (4) Any tent, camp, hut or similar structure erected in contravention of subclause (2)(b) and associated goods may, subject to Regulation 29 of the *Local Government (Functions and General) Regulations 1996*, be impounded.
- (5) Notices issued under this clause shall be in the form determined from time to time by the local government.

3.3 Permit required for possession and consumption of liquor

- (1) A person, on local government property, must not consume any liquor, have in her or his possession or under her or his control, or sell any liquor, unless –
 - (a) permitted under the *Liquor Control Act 1988*; and
 - (b) a permit has been obtained for that purpose from the local government.
- (2) Subclause (1) does not apply where the liquor is in a sealed container.

PART 4 - BEHAVIOUR ON LOCAL GOVERNMENT PROPERTY AND THOROUGHFARES

4.1 Behaviour which interferes with others

In or on any local government property or thoroughfare, a person must not, behave in a manner which –

- (a) is likely to interfere with the enjoyment of a person who might use or who might be on the property or thoroughfare; or
- (b) interferes with the enjoyment of a person using the property or thoroughfare.

4.2 Behaviour detrimental to property

A person must not behave in or on local government property or thoroughfare in a way which is or might be detrimental to the property, including but not limited to –

- (a) removing any thing from the local government property or thoroughfare including a rock, a plant or a seat provided for the use of any person; and
- (b) destroying, defacing or damaging anything on the local government property or thoroughfare, including a plant, a seat provided for the use of any person or a building.

4.3 No unauthorised entry to function

- (1) A person must not enter local government property on such days or during such times as the property is set aside for a function, except –
 - (a) through the proper entrance for that purpose; and
 - (b) on payment of any fee chargeable for admission as determined by the hirer at the time.
- (2) An authorised person may exempt a person from compliance with subclause (1)(b).

4.4 Taking or injuring fauna

- (1) In this clause –

fauna means any animal indigenous to or which periodically migrates to any State or Territory of the Commonwealth or the territorial waters of the Commonwealth and includes in relation to any such animal –

- (a) any class of animal or individual member;
 - (b) the eggs or larvae; or
 - (c) the carcass, skin, plumage or fur unless it has been shed or discarded by the fauna in a normal or natural manner.
- (2) A person must not, take, injure or kill or attempt to take, injure or kill any fauna which is on or above any local government property or thoroughfare, unless that person is authorised under a written law to do so.

4.5 Flora

- (1) In this clause –

flora means all vascular plants, seeds and other flora, whether living or dead.

- (2) On or above any local government property or thoroughfare, unless authorised to do so under a written law or with the written approval of an authorised person, a person must not –
 - (a) remove, damage or interfere with any flora; or
 - (b) plant or deposit any flora.

4.6 Animals

On any local government property or thoroughfare, a person must not –

- (a) tether any animal other than a dog, to an object or tree; or
- (b) permit any animal other than a dog, to enter unless authorised.

4.7 Waste

A person must not deposit or discard waste on local government property or thoroughfare except –

- (a) in a place or receptacle set aside by an authorised person for that purpose, and in accordance with any conditions that may be specified on the receptacle or a sign; or
- (b) at a waste disposal facility, and subject to directions issued from time to time by an authorised person for the orderly and proper use of those waste facilities in relation to –
 - (i) hours of business;
 - (ii) separation of waste into designated receptacles;
 - (iii) prohibition of the deposit of certain types of refuse or waste; and
 - (iv) conduct of persons, including persons in charge of vehicles, while on the site.

4.8 Glass

Unless authorised by a permit or by the local government, a person must not take glass within any area of local government property as indicated by a sign.

4.9 Intoxicated persons not to enter local government property

A person must not enter or remain on local government property while under the influence of liquor or a prohibited drug.

4.10 Vehicles on local government property

- (1) Unless authorised by a permit or determination, a person must not take or cause a vehicle to be taken onto or driven on local government property unless –
- (a) subject to subclause (3), the local government property is clearly designated as a road, access way, or car park;
 - (b) the vehicle is driven by a local government employee, authorised person or contractor engaged by the local government, who is engaged in –
 - (i) providing a service or making a delivery in connection with the local government property; or
 - (ii) maintaining the local government property;
 - (c) the person is driving an emergency vehicle in the course of his or her duties;
 - (d) the vehicle is –
 - (i) used in accordance with the conditions set down by the local government or an authorised person; and
 - (ii) of a type allowed to be taken onto the local government property by the local government or an authorised person; or
 - (e) the vehicle is a motorised wheelchair, and the driver of that vehicle is a person with a disability.
- (2) A person must not drive a vehicle or allow a vehicle to be driven on local government property –
- (i) at a speed exceeding 20 kilometres per hour or as otherwise indicated by a sign; or
 - (ii) in such a manner as to cause danger to any person or a nuisance.
- (3) Other than in accordance with subclause (1)(b), (c), (d) or (e) a person must not drive a vehicle on local government property or part of it that is being used for a function for which a permit has been obtained unless permitted to do so by the permit holder or an authorised person.

4.11 UAVs

A person must not use a UAV on or from local government property except where a permit or determination specifies a particular local government property.

4.12 Archery, pistol or rifle shooting

A person must not play or practise archery, pistol or rifle shooting on local government property except on land which is reserved by the local government for that purpose, or as otherwise provided by a determination or permit.

4.13 Playing or practising golf

A person must not play or practise golf on local government property except where a permit or determination specifies a particular local government property.

PART 5 - MATTERS RELATING TO PARTICULAR LOCAL GOVERNMENT PROPERTY*Division 1 - General***5.1 No entry to fenced or closed local government property**

A person must not enter local government property which has been fenced off or closed to the public by a sign or otherwise, unless that person is authorised to do so by an authorised person.

5.2 Only specified gender to use toilet block or change room

- (1) Where a sign on a toilet block or change room specifies that a particular entry of the toilet block or change room is to be used by –
 - (a) females – then a person of the male gender must not use that entry of the toilet block or change room;
 - (b) males – then a person of the female gender must not use that entry of the toilet block or change room; or
 - (c) families – then, where the toilet block or change room is being used by a family, only an immediate member of that family may use that entry of the toilet block or change room.
- (2) Subclause (1)(a) and (b) do not apply to a child, when accompanied by a parent, guardian or caregiver, where the child is –
 - (a) under the age of 8 years; or
 - (b) otherwise permitted by an authorised person to use the relevant entry.

5.3 Use of shower or bath facilities

A person may use a shower or bath facility in change rooms only on conditions that –

- (a) the facilities must be used by the person only for the purpose of cleansing, bathing and washing themselves; and
- (b) the facilities must not be used for the purpose of laundering of clothing or washing of other articles.

Division 2—Beaches and foreshore areas

5.4 Use of vehicles on beaches and foreshore areas

A person must not drive or operate a vehicle on a beach or foreshore area unless that person is authorised to do so under any written law or by an authorised person.

5.5 Surf lifesaving activities

- (1) An authorised person may perform the following functions in the interests of maintaining safety at beaches in the district –
 - (a) patrol any beach;
 - (b) take onto any beach any lifesaving gear, including vehicles or boats that are used for lifesaving activities;
 - (c) indicate by signs or flags, any areas of a beach or adjacent water beyond the beach where swimming is permitted;
 - (d) indicate by signs any areas of a beach or the adjacent water beyond the beach where –
 - (i) riding of surfboards or any other appliance is prohibited;
 - (ii) launching or driving of boats or personal watercraft is prohibited; or
 - (iii) fishing is prohibited;
 - (e) regulate or designate any areas for the following activities –
 - (i) conduct of surf lifesaving activities; or
 - (ii) establishing a first aid or command post;
 - (f) direct any person to swim within the designated permitted swimming area indicated by signs or patrol flags;
 - (g) close any beach or part of any beach during any period of potential dangerous conditions or sighting of a shark; and
 - (h) direct any person to leave the water if, in the opinion of the authorised person, the person is in immediate life-threatening danger.
- (2) When any beach or part of any beach is closed in accordance with clause 5.7(1)(g) an authorised person shall advise the chief executive officer of the local government as soon as practicable.

5.6 Fishing

A person shall not fish in any area –

- (a) where fishing is prohibited as is designated by signs;
- (b) designated by an authorised person as a designated permitted swimming area.

5.7 Boat launching etc.

Unless approved by an authorised person, a person shall not launch a boat or personal watercraft into the sea or from a foreshore area into any other body of water in areas as indicated by signs.

PART 6 - ACTIVITIES IN THOROUGHFARES

Division 1 – General

6.1 General prohibitions

A person must not –

- (a) plant, or allow to remain, in a thoroughfare a plant that by virtue of its height, position or density obstructs a reasonable sight line for a driver of any vehicle negotiating or using the thoroughfare;
- (b) damage a lawn or a garden, or remove any plant or part of a plant from a lawn or a garden, in a thoroughfare unless –
 - (i) the person is the owner or the occupier of the lot abutting that portion of the thoroughfare and the lawn or the garden or the particular plant has not been installed or planted by the local government; or
 - (ii) the person is acting under the authority of a written law;
- (c) damage, or remove a street tree, or part of a street tree, irrespective of whether it was planted by the owner or occupier of the lot abutting the thoroughfare or by the local government, unless –
 - (i) the damage to, or removal of, the street tree is authorised by an authorised person in writing; or
 - (ii) the person is acting under authority of written law;
- (d) except as permitted by this local law place, or allow to be placed or remain, on a thoroughfare any thing (except water) that –
 - (i) obstructs the thoroughfare; or
 - (ii) results in a hazard for any person using the thoroughfare;
- (e) unless at the direction of an authorised person, damage, remove or interfere with any part of a thoroughfare, or any structure erected on a thoroughfare, by the local government or a person acting under the authority of a written law; or
- (f) play or participate in any game or sport so as to cause danger to any person or thing or unreasonably impede the movement of vehicles or persons on a thoroughfare.

6.2 Activities allowed with a permit

(1) A person must not, without a permit –

- (a) dig or otherwise create a trench through or under a kerb or footpath;
- (b) throw, place or deposit anything on a verge except for removal by the local government under a bulk rubbish collection, and then only in accordance with the terms and conditions and during the period of time advertised in connection with that collection by the local government;
- (c) cause any obstruction to a vehicle or a person using a thoroughfare;
- (d) cause any obstruction to a water channel or a water course in a thoroughfare;
- (e) throw, place or drain offensive, noxious or dangerous fluid onto a thoroughfare;
- (f) damage a thoroughfare;
- (g) fell or damage any street tree;
- (h) fell any tree onto a thoroughfare;
- (i) light any fire or burn any thing on a thoroughfare other than in a stove or fireplace provided for that purpose;
- (j) unless installing, or in order to maintain, a permitted verge treatment –
 - (i) lay pipes under or provide taps on any verge; or
 - (ii) place or install, on any part of a thoroughfare, anything such as gravel, stone, flagstone, cement, concrete slabs, blocks, bricks, pebbles, plastic sheeting, kerbing, wood chips, bark or sawdust;
- (k) provide, erect, install or use in or on any building, structure or land abutting on a thoroughfare any hoist or other thing for use over the thoroughfare;
- (l) on a thoroughfare use anything or do anything so as to create a nuisance;

- (m) place or cause to be placed on a thoroughfare a bulk rubbish container;
- (n) interfere with the soil of, or anything in, a thoroughfare or take anything from a thoroughfare;
- (o) carry on any trading on a thoroughfare;
- (p) conduct or set up a market on a thoroughfare; or
- (q) conduct an entertainment event on a thoroughfare.
- (2) An authorised person may exempt a person from compliance with subclause (1) on the application of that person.

6.3 Assignment of numbers

- (1) In this clause –
number means a number with or without an alphabetical suffix indicating the street address of land as assigned by the local government from time to time, in accordance with this local law.
- (2) An authorised person may assign a number to a lot in the district and may assign another number to the lot instead of that previously assigned.

6.4 No driving on closed thoroughfare

A person must not drive or take a vehicle on a thoroughfare wholly or partially closed under section 3.50 or 3.50A of the Act unless –

- (a) it is in accordance with any limit or exception specified in the order made under section 3.50 of the Act; or
- (b) the person has first obtained a permit.

6.5 Fencing of public place – Item 4(1) of Division 1, Schedule 3.1 of Act

A public place, as that term is defined in clause 1.6, is specified as a public place for the purpose of item 4(1) of Division 1 of Schedule 3.1 of the Act.

Division 2 – Permitted verge treatments

6.6 Permitted verge treatments

- (1) A person must not install or maintain a verge treatment which is not a permitted verge treatment.
- (2) An owner or occupier of land which abuts on a verge may install a permitted verge treatment, on that part of the verge directly in front of her or his land.
- (3) A permitted verge treatment is–
 - (a) the planting and maintenance of a lawn;
 - (b) the planting and maintenance of a garden provided that –
 - (i) clear sight visibility is maintained at all times for a person using the abutting thoroughfare in the vicinity of an intersection or bend in the thoroughfare or using a driveway on land adjacent to the thoroughfare for access to or from the thoroughfare;
 - (ii) where there is no footpath, a pedestrian has safe and clear access of a minimum width of 2m along that part of the verge immediately adjacent to the kerb;
 - (iii) it does not include a wall or built structure; and
 - (iv) is not of a thorny, poisonous or hazardous nature; and
 - (c) subject to subclause (4), the installation of material which do not detract from the amenity of the area, including but not limited to –
 - (i) bituminous surface or in-situ concrete, subject to reduction of area shedding of storm water or flooding ;
 - (ii) use of paving bricks or concrete slabs; and
 - (iii) all forms of loose aggregate materials such as pebbles, stones and gravel, not larger than 50mm and contained within the verge area at all times; and
 - (d) other treatment approved by the local government.
- (4) Where installation of material which would create a hard surface has been installed or is intended, an authorised person may by written notice, require –
 - (i) a reduction of area covered or to be covered, if shedding of storm water or flooding is likely to cause a nuisance to neighbours or users of a thoroughfare; and
 - (ii) an area of open space to a maximum of 1m from the edge of a street trees.

- (5) The owner and occupier of the lot abutting a verge treatment referred to in subclause (1) are each to be taken to have installed and maintained that verge treatment for the purposes of this clause and clause 6.7.

6.7 Obligations of owner or occupier

An owner or occupier who installs or maintains a permitted verge treatment must –

- (a) keep the permitted verge treatment in a good and tidy condition and, where the verge treatment is a garden or lawn, ensure that a footpath on the verge and a carriageway adjoining the verge is not obstructed by the verge treatment;
- (b) ensure that clear sight visibility is maintained at all times for a person using the abutting thoroughfare in the vicinity of an intersection or bend in a carriageway, or using a driveway on land adjacent to the thoroughfare for access to or from the thoroughfare;
- (c) not place any obstruction on or around the verge treatment;
- (d) not disturb a footpath on the verge;
- (e) ensure that the verge treatment does not damage or obstruct a drain, manhole, galley, inspection pit, channel, kerb, footpath or tree planted by the local government; and
- (f) ensure that any sprinklers or pipes installed to irrigate a verge treatment –
 - (i) do not protrude above the level of the lawn or verge treatment when not in use;
 - (ii) are not used at such times so as to cause unreasonable inconvenience to pedestrians or other persons; and
 - (iii) do not otherwise present a hazard to pedestrians or other persons.

6.8 Transitional provision

- (1) In this clause –

former provisions means the provisions of the repealed local laws which permitted certain types of verge treatments, whether with or without the consent of the local government.

- (2) A verge treatment is to be taken to be a permitted verge treatment for so long as the verge treatment remains of the same type and continues to comply with the former provisions which –
- (a) was installed prior to the commencement day; and
 - (b) on the commencement day is a type of verge treatment which was permitted under and complied with the former provisions.

6.9 Power to carry out public works on verge

Where the local government or an authority empowered to do so under a written law disturbs a verge, the local government or the authority –

- (a) is not liable to compensate any person for that disturbance;
- (b) may backfill with sand, if necessary, any garden or lawn; and
- (c) is not liable to replace or restore any –
 - (i) verge treatment and, in particular, any plant or any material or other hard surface; or
 - (ii) sprinklers, pipes or other reticulation equipment.

PART 7 - ACTIVITIES IN PUBLIC PLACES**7.1 Vehicles in public place**

- (1) A person must not leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place, unless that person has first obtained a permit or is authorised to do so under a written law.
- (2) A person does not contravene subclause (1) where the vehicle is left for a period not exceeding 24 hours.

PART 8 - TEMPORARY SIGNS**8.1 Definitions**

In this Part, unless the context otherwise requires –

temporary sign means a sign used for the purpose of advertisement or notification of a business, or products or services for commercial gain, whether free standing or requiring to be affixed to a structure of any type, and includes –

- (a) a bill, poster and the like;
- (b) an advertising sign; and
- (c) an event sign.

8.2 Application

- (1) This Part applies to temporary signs complying with clause 8.5.
- (2) Any temporary sign that is to be a permanent structure or fixture is to comply with –
 - (a) the Building Code as defined in section 3 of the *Building Regulations 2012*;
 - (b) any Local Planning Scheme; and
 - (c) any other written law regulating of signs within the district.

8.3 Temporary signs

- (1) A person shall not on local government property or in a thoroughfare, without a permit –
 - (a) place an temporary sign; or
 - (b) post any bill or paint, place or affix any advertisement.
- (2) Notwithstanding subclause (1), a permit is not required for one temporary sign which complies in all other respects with clauses 8.5 and 8.6.

8.4 Matters to be considered in determining application for permit

In determining an application for a permit for the purpose of clause 8.3(1), matters the local government is to have regard to include –

- (a) any other written law regulating the construction or placement of signs within the district;
- (b) the dimensions, appearance and materials of the sign;
- (c) whether or not the sign may create a hazard to persons using a thoroughfare;
- (d) other signs already approved or erected in the vicinity of the proposed location of the sign;
- (e) whether the applicant has obtained public liability insurance; and
- (f) payment of the set fee.

8.5 Requirements for temporary signs

- (1) Temporary signs shall –
 - (a) be portable and free-standing;
 - (a) have dimensions of –
 - (i) less than 1 square metre ;
 - (ii) less than 750mm horizontally;
 - (iii) more than 300mm in height;
 - (b) be secured in position in accordance with any requirements of the local government;
 - (c) be placed against the property boundary;
 - (d) be placed so as not to impede or obstruct either vehicle or pedestrian traffic, or access to a place by any person;
 - (e) be placed so as not to obstruct lines of sight for vehicle traffic;
 - (f) maintained in good condition;
 - (g) relate only to the business activity, or placed with the consent of the owner or occupier of the adjoining premises; and
 - (h) be in place only during the hours of the business activity or the event being advertised.
 - (i) only contain content relating to the business or business activity; and
 - (j) be in compliance with any limitation of the number of signs notified in writing by the local government.
- (2) Temporary signs shall not –
 - (a) be unduly distracting, in the opinion of an authorised person;
 - (b) be illuminated, rotating or incorporating reflective or fluorescent materials; or
 - (c) display only part of a message which is to be read with other separate signs in order to obtain the whole message.

8.6 Prohibition on placement of temporary signs

An temporary sign shall not be placed or affixed –

- (a) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2.5 metres;
- (b) within 30 metres of an intersection;
- (c) so as to obstruct or impede the reasonable use of a thoroughfare, verge or footpath;
- (d) to any existing post, power or light pole or similar structure;
- (e) on any natural feature, including a rock or tree, on a thoroughfare; or
- (f) on any bridge or the structural approaches to a bridge.

PART 9 - PERMITS*Division 1 – Applying for a permit***9.1 Application for permit**

- (1) Where a person is required to obtain a permit under this local law, that person must apply for the permit in accordance with subclause (2).
- (2) An application for a permit under this local law must –
 - (a) be in the form determined from time to time by the local government;
 - (b) be signed by the applicant;
 - (c) provide the information required by the form; and
 - (d) be forwarded to the local government together with any set fee.
- (3) An authorised person may require an applicant to provide additional information reasonably related to an application before determining an application for a permit.
- (4) An authorised person may require an applicant to give local public notice of the application for a permit.
- (5) An authorised person may refuse to consider an application for a permit which is not in accordance with subclause (2) or where the requirements of subclause (3) or (4) have not been satisfied.

9.2 Decision on application for permit

- (1) An authorised person may –
 - (a) approve an application for a permit unconditionally or subject to any conditions; or
 - (b) refuse to approve an application for a permit.
- (2) If an authorised person approves an application for a permit, the permit is to be issued to the applicant in the form determined from time to time by the local government.
- (3) If an authorised person refuses to approve an application for a permit, written notice of that refusal is to be given to the applicant.
- (4) An authorised person may, at any time, amend a condition of approval and the amended condition takes effect when written notice of it is given to the permit holder.

9.3 General restrictions on grant of permit

- (1) An authorised person must not grant a permit if there are reasonable grounds for believing that the provision of the activity to which the application relates would constitute an unacceptable risk to the safety of the public.
- (2) An authorised person must not grant a permit unless an authorised person is satisfied that –
 - (a) the applicant is capable of carrying on the activity in accordance with this local law and the terms and conditions of the permit;
 - (b) the public place at which the activity is to be provided is suitable for that purpose;
 - (c) a permit or similar authority granted or issued to the applicant has not been cancelled in the period of 5 years before the application is made; and
 - (d) the applicant is a fit and proper person to carry on the activity.

9.4 Examples of conditions

- (1) Examples of the conditions that an authorised person may impose on a permit under clauses 9.2(1)(a) or 9.7(1)(a) are conditions relating to –

- (a) the payment of a set fee;
 - (b) compliance with a standard or a policy adopted by the local government;
 - (c) the duration and commencement of the permit;
 - (d) the commencement of the permit being contingent on the happening of an event;
 - (e) the rectification, remedying or restoration of a situation or circumstance reasonably related to the application;
 - (f) the approval of another application for a permit which may be required by the local government under any written law;
 - (g) the area of the district to which the permit applies;
 - (h) where a permit is issued for an activity which will or may cause damage to local government property, the payment of a deposit or bond against such damage; and
 - (i) the obtaining of public risk insurance in an amount and on terms reasonably required by an authorised person.
- (2) Examples of the type and content of the conditions on which a permit to hire local government property may be issued include –
- (a) when set fees and charges are to be paid;
 - (b) payment of a bond against possible damage or cleaning expenses or both;
 - (c) restrictions on the erection of material or external decorations;
 - (d) rules about the use of furniture, plant and effects;
 - (e) limitations on the number of persons who may attend any function in or on local government property;
 - (f) the duration of the hire;
 - (g) the right of an authorised person to cancel a booking during the course of an annual or seasonal booking, if an authorised person sees fit;
 - (h) a prohibition on the sale, supply or consumption of liquor unless a liquor permit is first obtained for that purpose under the *Liquor Control Act 1988*;
 - (i) whether or not the hire is for the exclusive use of the local government property;
 - (j) the obtaining of a policy of insurance in the names of both the local government and the hirer, indemnifying the local government in respect of any injury to any person or any damage to any property which may occur in connection with the hire of the local government property by the hirer; and
 - (k) the provision of an indemnity from the hirer, indemnifying the local government in respect of any injury to any person or any damage to any property which may occur in connection with the hire of the local government property by the hirer.

9.5 Imposing conditions under a policy

- (1) In this clause –
policy means a local government policy adopted by the council under section 2.7(2)(b) of the Act containing conditions subject to which an application for a permit may be approved under clause 9.2(1)(a).
- (2) Under clause 9.2(1)(a) an authorised person may approve an application subject to conditions by reference to a policy.
- (3) An authorised person must give to the permit holder a copy of the policy the part of the policy which is relevant to the application for a permit, with the form of permit referred to in clause 9.2(2).
- (4) An application for a permit is not to be taken to have been approved subject to the conditions contained in a policy until an authorised person gives the permit holder a copy of the policy or the part of the policy which is relevant to the application.
- (5) Sections 5.94 and 5.95 of the Act apply to a policy and, for that purpose, a policy is deemed to be information within section 5.94(u)(i) of the Act.

9.6 Compliance with conditions

Where an application for a permit has been approved subject to conditions, the permit holder must comply with each of those conditions, as amended.

9.7 Variation of permit

- (1) The local government may, by written notice given to the permit holder, vary a permit –
 - (a) imposing any new condition; or
 - (b) change or remove any existing condition.
- (2) An amendment may be made on application made by the permit holder or on the local government's initiative.
- (3) An amendment will come into effect on the day that written notice is given to the permit holder, or some other date as specified in the notice.

Division 2 – Duration of permits

9.8 Duration of permit

A permit is valid for one year from the date on which it is issued, unless it is –

- (a) otherwise stated in this local law or in the permit; or
- (b) suspended or cancelled under this Division.

9.9 Renewal of permit

- (1) A permit holder may apply to the local government for the renewal of a permit.
- (2) An application for renewal must –
 - (a) be in the form determined from time to time by the local government;
 - (b) be signed by the permit holder;
 - (c) provide the information required by the form;
 - (d) be forwarded to the local government no later than 28 days before the expiry of the permit, or within a shorter period that the local government in a particular case permits; and
 - (e) be accompanied by any set fee.
- (3) The provisions of this Part that apply to an application for a permit also apply to an application for the renewal of a permit as though it were an application for a permit.

9.10 Transfer of permit

- (1) An application for the transfer of a valid permit is –
 - (a) to be made in writing;
 - (b) to be signed by the permit holder and the proposed transferee of the permit;
 - (c) to include such information as an authorised person may require to enable the application to be determined; and
 - (d) to be forwarded to the local government together with any set fee.
- (2) An authorised person may approve an application for the transfer of a permit, refuse to approve it or approve it subject to any conditions.
- (3) Where an authorised person approves an application for the transfer of a permit, the transfer may be effected by an endorsement on the permit signed by an authorised person.
- (4) Where an authorised person approves the transfer of a permit, the local government is not required to refund any part of any set fee paid by the former permit holder.

9.11 Suspension of permit

- (1) The local government may, subject to clause 9.12, by written notice given to the permit holder, suspend a permit if there are reasonable grounds for believing that –
 - (a) the permit holder has contravened a term or condition of a permit;
 - (b) the permit holder has contravened a provision of this local law; or
 - (c) the continued provision of the activity authorised by the permit constitutes or will constitute an unacceptable risk to the safety, health or welfare of the public.
- (2) The suspension notice must –
 - (a) state the day, or the day and time, on or at which the suspension takes effect;
 - (b) state the reasons for the local government's decision to suspend the permit; and
 - (c) where appropriate, indicate what steps need to be taken to ensure that there is compliance with the relevant provision, term or condition or that there is no longer a risk as described in subclause (1)(c); and

- (d) inform the permit holder that the permit holder has a right to apply under the Act for a review of the local government's decision to suspend the permit.

9.12 Proposed suspension of permit

- (1) If the local government proposes to suspend a permit under clause 9.11(1)(a), the local government must give written notice to the permit holder of the proposed suspension.
- (2) The notice must –
 - (a) state that the local government proposes to suspend the permit;
 - (b) state the reasons for the proposed suspension; and
 - (c) inform the permit holder that the permit holder is entitled to make representation to the local government in respect of the proposed suspension within 7 days after the day on which the permit holder is given the notice.
- (3) In considering whether to suspend the permit, the local government must have regard to any representations made by the permit holder within the period referred to in subclause (2)(c).

9.13 Revocation of suspension of permit

- (1) The local government must, by written notice given to the permit holder revoke the suspension of a permit if the local government is satisfied that the steps specified in the suspension notice have been taken.
- (2) The local government may, by written notice given to the permit holder, revoke the suspension of the permit if it is appropriate to do so in the circumstances of a particular case.

9.14 Period of suspension of permit

The suspension of a permit has effect on the day, or the day and time, specified in the suspension notice until one of the following happens –

- (a) the suspension is revoked under clause 9.13;
- (b) the permit is cancelled under clause 9.15 or expires; or
- (c) the permit is surrendered in accordance with the provisions of this local law.

9.15 Cancellation of permit

A permit may be cancelled by the local government if –

- (a) the permit was obtained improperly;
- (b) the permit holder has persistently or frequently contravened a term or condition of the permit, or a provision of this local law, whether or not the permit is or has been suspended on the grounds of a contravention; or
- (c) there are reasonable grounds for believing that the continued provision of the activity constitutes or would constitute an unacceptable risk to the safety of the public, whether or not the permit has been suspended on the grounds of that risk.

9.16 Surrender of permit

A permit holder may, at any time by notice in writing to the local government, surrender the permit.

Division 3 – Responsibilities of permit holders and others

9.17 Production of permit

A permit holder must produce to an authorised person her or his permit immediately after being required to do so by that authorised person.

9.18 Production of permit document for amendment

If the local government amends or renews a permit, the permit holder must, if required by the local government, produce the permit document to the local government for amendment within the period specified by the local government.

9.19 Advertising

A person must not advertise, or otherwise hold out in any way, that the person conducts a commercial activity in any public place unless that person holds a permit authorising that commercial activity.

9.20 False or misleading statement

A person must not make a false or misleading statement in connection with an application in respect of a permit under this local law.

9.21 Other responsibilities of permit holder

A permit holder must, in respect of local government property to which the permit relates –

- (a) ensure that an authorised person has unobstructed access to the local government property for the purpose of inspecting the property or enforcing any provision of this local law;
- (b) comply with an instruction from an authorised person to take the action specified in the instruction for the purpose of maintaining public safety;
- (c) leave the local government property in a clean and tidy condition after its use;
- (d) report any damage or defacement of the local government property to an authorised person; and
- (e) take all reasonable action to prevent the consumption of any liquor on the local government property unless the permit allows it and a permit has been obtained under the *Liquor Control Act 1988* for that purpose.

PART 10 - SIGNS AND POWERS TO GIVE DIRECTIONS**10.1 Signs installed by the local government**

- (1) The local government may install a sign in public places, on local government property or in thoroughfares specifying any conditions of use which apply to that property or thoroughfare.
- (2) A person must comply with a sign erected under subclause (1).
- (3) A condition of use specified on a sign erected under subclause (1) is –
 - (a) not to be inconsistent with any provision of this local law or any determination; and
 - (b) to be for the purpose of giving notice of the effect of a provision of this local law.

10.2 Pre-existing signs

Where a sign in a public place, property or thoroughfare or has been erected under a repealed local law then, on and from the commencement day, it is to be taken to be a sign erected under clause 10.1 if –

- (a) the sign specifies a condition of use relating to the thoroughfare which gives notice of the effect of a provision of this local law; and
- (b) the condition of use specified is not inconsistent with any provision of this local law.

10.3 Authorised person to be obeyed

- (1) A person on or in local government property that is given a lawful direction by an authorised person shall comply with that direction.
- (2) A person shall not obstruct or hinder an authorised person in the performance of that person's duties.

10.4 Refusal of entry and removal

- (1) An authorised person may refuse to allow entry, or suspend admission, to a specific venue of local government property except for the venue where local government council meetings are held, by any person who he or she believes has behaved in a manner contrary to the provisions of this Part.
- (2) If an authorised person considers that a person has behaved in a manner contrary to the provisions of this Part or reasonably suspects that a person has contravened a provision of a written law, the authorised person may direct the person to leave the local government property.
- (3) A person who has been refused entry or who has been directed to leave under subclause (1) or (2) must immediately leave the local government property quickly and peaceably.
- (4) If a person fails to comply with subclause (1) or (2), an authorised person may remove the person, or arrange for the person to be removed, from the local government property.
- (5) This refusal or suspension of entry can be for any period of up to 12 months as decided by that authorised person.

10.5 Disposal of lost property

An article left on any local government property, and not claimed within a period of 2 months, may be disposed of by the local government in any manner it thinks fit.

PART 11 - OBJECTIONS AND REVIEW**11.1 Objection and review rights**

Division 1 of Part 9 of the Act applies to a decision under this local law in respect of the grant, renewal, transfer, amendment, suspension or cancellation of a permit or consent.

PART 12 - NOTICES**12.1 Notice to remedy non-compliance**

Where any thing is required to be done or not permitted to be done by this local law, an authorised person may give a notice in writing –

- (a) to the owner or the occupier of the property which abuts that portion of the thoroughfare where the thing has been done or not done; or
- (b) to any other person who may be responsible for the thing done or not done, requiring the person to comply with the requirements of this local law.

12.2 Notice regarding damage to local government property

If a person unlawfully removes, damages or interferes with local government property or portion of a thoroughfare, an authorised person may give the person a notice requiring that person to do any one or more of the following (at the local government's option) –

- (a) reinstate the property to the state it was in before the removal, damage or interference;
- (b) replace that property; or
- (c) pay for the costs of reinstatement or replacement.

12.3 Notice requirements

A notice given must –

- (a) be in writing;
- (b) specify the reason for giving the notice, the work or action that is required to be undertaken; and
- (c) the time within which the work or action is to be undertaken.

12.4 Local government may undertake requirements of notice

If a person fails to comply with a notice referred to in clauses 12.1 or 12.2, the local government may –

- (a) do the thing specified in the notice, including replace the property, or reinstate the property to the state it was in before the removal, damage or interference;
- (a) take whatever remedial action it considers appropriate to put the local government in the position it would have been in if the breach or failure had not occurred; and
- (b) recover all costs from the person, as a debt.

12.5 Offence to fail to comply with notice

A person who fails to comply with a notice given to him or her under this local law commits an offence.

PART 13 - OFFENCES AND PENALTIES**13.1 Offences and general penalty**

- (1) A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

13.2 Prescribed offences

- (1) An offence against a clause specified in the Schedule is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (2) The amount of a modified penalty for a prescribed offence is the number specified adjacent to the clause in Schedule 2.

13.3 Form of notices

- (1) For the purposes of this local law –
 - (a) where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*;
 - (b) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and
 - (c) the form of the notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.
- (2) Where an infringement notice is given under section 9.16 of the Act in respect of an alleged offence against clause 2.4, the notice is to contain a description of the alleged offence.

13.4 Evidence of a determination

- (1) In any legal proceedings, evidence of a determination may be given by tendering the register referred to in clause 2.5 or a certified copy of an extract from the register.
- (2) If evidence of a determination is provided under subclause (1), it is to be presumed, unless the contrary is proved, that the determination was properly made and that every requirement for it to be made and have effect has been satisfied.
- (3) Subclause (2) does not make valid a determination that has not been properly made.

SCHEDULE – PRESCRIBED OFFENCES
[cl.13.2]

Offences in respect of which a modified penalty applies

Item	Clause	Nature of offence	Modified penalty \$
Part 2 – Determination in respect of local government property			
1	2.4	Failure to comply with a determination	100
Part 3 – Activities on local government property			
2	3.1	Undertaking activity on local government property without a permit	100
3	3.2(2)	Camping on local government property without approval or erecting an unauthorised structure	100
4	3.3(1)	Failure to obtain permit to possess, consume or sell liquor	100
Part 4 – Behaviour on all local government property and thoroughfares			
5	4.1	Behaviour interfering with others	100
6	4.2	Behaviour detrimental to property	200
7	4.3	Unauthorised entry to function	100
8	4.4(2)	Taking or injuring fauna without authorisation	200
9	4.5(2)	Removing, damaging or depositing flora without authorisation	200


10	4.6	Animal on local government property or thoroughfare without authorisation	100
11	4.7(a)	Improper disposal of waste on local government property	100
12	4.8	Taking glass into prohibited area	100
13	4.9	Under influence of liquor or prohibited drug on local government property	100
14	4.10(1)	Unauthorised vehicle on local government property	100
15	4.10(2)(i)	Unauthorised driving of a vehicle at more than 20km/hr on local government property	100
16	4.10(2)(ii)	Driving of a vehicle on local government property so as to cause a nuisance	100
17	4.10(3)	Unauthorised driving of a vehicle on local government property during a function	100
18	4.11	Unauthorised use of a UAV	50
19	4.12	Unauthorised archery, pistol or rifle shooting on local government property	100
20	4.13	Unauthorised playing or practising golf on local government property	100
Part 5 – Matters relating to particular local government property			
21	5.1	Unauthorised entry to closed or fenced local government property	100
22	5.2	Unauthorised entry to gender specific toilet block or change room	200
23	5.3	Unauthorised use of showers or bath facilities in change room	50
24	5.4	Unauthorised use of a vehicle on a beach or foreshore	100
25	5.6	Fishing in an unauthorised area	100
26	5.7	Launching a boat or personal watercraft in an unauthorised area	100
Part 6 – Activities in thoroughfares			
27	6.1(a)	Planting or allowing plant or verge treatment in thoroughfare to become a sightline hazard	100
28	6.1(b)	Damaging a lawn or garden in a thoroughfare	100
29	6.1(c)	Damaging or removing whole or part of a street tree without authorisation	200
30	6.1(d)	Obstruction of or permitting a hazard in a thoroughfare	100
31	6.1(e)	Damaging, removing or interfering with thoroughfare, part of thoroughfare, sign or structure in a thoroughfare without authorisation	100
32	6.1(f)	Playing games in thoroughfare so as to impede vehicles or persons	100
33	6.2(1) (a),(d), (e),(f), (g),(i)	Unauthorised activity in a thoroughfare causing damage	200
34	6.2(1) (b),(c), (h),(i), (k),(l), (m),(n), (o),(p), (q)	Unauthorised activity in a thoroughfare causing inconvenience	100

35	6.4	Driving on a closed thoroughfare	100
36	6.6(1)	Installation of an unauthorised verge treatment	
37	6.7(a), (b),(d), (e)	Failure to keep permitted verge treatment in good and tidy condition, obstruct a thoroughfare, footpath, drain, or driveway	100
38	6.7(c)	Placing an obstruction on or around a verge treatment	50
39	6.7(f)	Failure to ensure sprinklers or reticulation pipes do not protrude, do not cause inconvenience to pedestrians, or present a hazard	100
Part 7 – Activities in public places			
40	7.1(1)	Vehicle obstructing public place without authorisation	100
Part 8 – Temporary signs			
41	8.3(1)	Placement of non-compliant temporary sign, or posting a bill or painting, or placing an advertisement without authorisation	100
42	8.5	Failure to comply with requirements for a temporary sign	100
43	8.6	Placement of a temporary sign in a prohibited location	100
Part 9 – Permits			
44	9.6	Failure to comply with permit condition	100
45	9.17, 9.18	Failure to produce permit for inspection or amendment when required	100
46	9.19	Advertising of commercial activity in a public space without holding a permit	200
47	9.20	False or misleading statement in application for a permit	200
Part 10 – Signs and powers to give directions			
48	10.1(2)	Failure to comply with condition of use indicated by a sign	100
49	10.3(1)	Failure to comply with direction of authorised person	100
50	10.3(2)	Obstruction or hindrance of an authorised person	100
51	10.4(3)	Failure to leave a venue when instructed by an authorised person	200
52	10.4(5)	Failure to comply with period of refusal or suspension	200
Part 12 – Notices			
53	12.5	Failure to comply with notice	100
Part 13 – Offences and penalties			
54	13.1	Offence not elsewhere specified	100

Dated _____

The Common Seal of the Shire of Cocos (Keeling) Islands was affixed by authority of a resolution of Council in the presence of –




Aindil MINKOM, President

Andrea SELVEY, Chief Executive Officer.



LOCAL GOVERNMENT ACT 1995 (WA)(CKI)**SHIRE OF COCOS (KEELING) ISLANDS****PUBLIC PLACES AND LOCAL GOVERNMENT PROPERTY LOCAL LAW 2020****CONTENTS****PART 1 - PRELIMINARY**

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SCHEDULE – PRESCRIBED OFFENCES

LOCAL GOVERNMENT ACT 1995 (WA)(CKI)**SHIRE OF COCOS (KEELING) ISLANDS****PUBLIC PLACES AND LOCAL GOVERNMENT PROPERTY LOCAL LAW 2020**

Under the powers conferred by the *Local Government Act 1995 (CKI)* and under all other relevant powers, the Council of the Shire of Cocos (Keeling) Islands resolved on 26 August 2020 to adopt the following local law.

PART 1 - PRELIMINARY**1.1 Citation**

This local law may be cited as the *Shire of Cocos (Keeling) Islands Public Places and Local Government Property Local Law 2020*.

1.2 Commencement

The local law comes into operation 14 days after it is published as a Notifiable Instrument in the Australian Government Federal Register of Legislation.

1.3 Application

- (1) In accordance with section 4(1) of the *Local Government (Transition) Ordinance 1992*, the Territory is a shire for the purposes of the Act.
- (2) In accordance with section 8A and subject to section 8B of the *Cocos (Keeling) Islands Act 1955* (Commonwealth), Western Australian legislation is applied to the Territory in accordance with –
 - (a) the *Cocos (Keeling) Islands Applied Laws Ordinance 1992*; and
 - (b) the Schedule of applied laws as tabled in the Commonwealth Parliament from time to time.
- (3) In accordance with section 8G of the *Cocos (Keeling) Islands Act 1955* (Commonwealth), the power or authority is vested in the Minister where a power or authority under any Western Australian law is vested in –
 - (a) a Minister of Western Australia; or
 - (b) the Governor of Western Australia; or
 - (c) the Governor-in-Council of Western Australia.
- (4) This local law applies to the whole of the district.

1.4 Repeal

The *Shire of Cocos (Keeling) Islands Local Law – Camping 2009* published in the *Indian Ocean Territories Government Gazette* on 1 February 2010 is repealed.

1.5 Transitional provisions

- (1) An application for, or the renewal of a permit or other authorisation made under a repealed local law that has not been finally determined before the commencement day is to be dealt with and determined as if it were an application under this local law.
- (2) A permit or other authorisation under a repealed local law that is in force before the commencement day is to be regarded on and after that day as a permit under this local law and may be dealt with accordingly.

1.6 Definitions

In this local law –

Act means the *Local Government Act 1995 (CKI)*;

applicant means a person who applies for a permit;

application means an application for a permit;

authorised person means a person appointed by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law;

building means any building which is local government property and includes any –

- (a) hall or room; and
- (b) corridor, stairway or annexe of any hall or room;

bulk rubbish container means a bin or container designed or used for holding a substantial quantity of rubbish and which is unlikely to be lifted without mechanical assistance, but does not include a bin or container used in connection with the local government's regular domestic rubbish collection service;

carriageway has the meaning given to it in the *Road Traffic Code 2000*;

children's playground means an area set aside for use by children and noted by the presence of any of the following –

- (a) dedicated children's playground equipment;
- (b) the presence of either sand or other form of soft fall surface; or
- (c) a sign indicating the area is a children's playground;

commencement day means the day on which this local law comes into operation;

costs means all expenses directly associated with reinstatement of replacement, and includes administrative expenses, associated with reinstatement or replacement;

council means the council of the local government;

determination means a determination made under clause 2.1;

district means the Territory as defined by section 4(1) of the *Cocos (Keeling) Islands Act 1955* (Commonwealth);

entertainment means conduct any form of theatrical, artistic, musical, audio or visual performance and includes busk;

food has the meaning given by the *Food Act 2008*;

footpath has the meaning given to it in the *Road Traffic Code 2000*;

function means an event or activity characterised by all or any of the following –

- (a) formal organisation and preparation;
- (b) its occurrence is generally advertised or notified in writing to particular persons;
- (c) organisation by or on behalf of a club;
- (d) payment of a fee to attend it; and
- (e) systematic recurrence in relation to the day, time and place;

garden means any part of a thoroughfare planted, developed or treated, otherwise than as a lawn, with one or more plants;

hire includes offer to hire and expose for hire;

intersection has the meaning given to it in the *Road Traffic Code 2000*;

kerb includes the edge of a carriageway;

lawn means any part of a thoroughfare which is planted only with grass, or with a similar plant, but will include any other plant provided that it has been planted by the local government;

liquor has the meaning given to it in section 3 of the *Liquor Control Act 1988*;

local government means the Shire of Cocos (Keeling) Islands;

local government property means anything except a thoroughfare –

- (a) which is owned by or is leased by the local government;
- (b) which is vested in the local government;
- (c) which is otherwise under the care, control or management of the local government, including under the *Land Administration Act 1997*; or
- (d) which is an otherwise unvested facility within section 3.53 of the Act; and
- (e) includes a reference to any part of local government property.

local public notice has the meaning given to it in section 1.7 of the Act;

lot has the meaning given to it in the *Planning and Development Act 2005*;

market means a collection of stalls, stands or displays erected for the purpose of selling or hiring goods or services or carrying out any other transaction;

nuisance means any activity, thing, condition, circumstance or state of affairs caused or contributed to by a person which –

- (a) is injurious or dangerous to the health of another person of normal susceptibility;

- (b) which has a disturbing effect on the state of reasonable physical, mental or social well-being of another person; or
 - (c) is detrimental or likely to be detrimental to the natural environment;
- occupier** has the meaning given to it in section 1.4 of the Act but does not include the local government;
- owner** has the meaning given to it in section 1.4 of the Act but does not include the local government;
- permit** means a permit or approval in writing issued by the local government under this local law;
- permit holder** means a person who holds a permit;
- permitted verge treatment** means any one of the treatments described in clause 6.7(3), and includes any reticulation pipes and sprinklers;
- person** does not include the local government;
- prohibited drug** is given its meaning under section 3 of the *Misuse of Drugs Act 1981*;
- public place** means –
- (a) a thoroughfare;
 - (b) any local government property; or
 - (c) a place to which the public have access, including a beach or foreshore;
- repealed local law** means a local law repealed under clause 1.4;
- Schedule** means a schedule to this local law;
- sell** includes –
- (a) offer or attempt to sell;
 - (b) display for sale;
 - (c) send, forward or deliver for sale or on sale;
 - (d) barter or exchange;
 - (e) dispose, by lot or chance or by auction;
 - (f) supply, or offer, agree or attempt to supply –
 - (i) in circumstances which the supplier derives or would be likely to derive a direct or indirect pecuniary benefit; or
 - (ii) gratuitously, but with a view to gaining or maintaining custom or other commercial advantage; or
 - (g) authorise, direct, cause or permit to be done any act referred to in this definition;
- set fee** refers to fees and charges imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act;
- sign** includes a notice, flag, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols;
- stall** means a movable or temporarily fixed structure, stand or table in, on or from which goods or services are sold and includes a vehicle;
- street tree** means any tree planted or self-sown in a thoroughfare, of an appropriate species and in an appropriate location, for the purposes of contributing to the appearance of the thoroughfare;
- thoroughfare** means any highway, thoroughfare or land used for vehicular or pedestrian traffic, and includes all the land lying between property lines, including the verge and footpath;
- trading** means selling or hiring goods or services and includes the setting up of a stall and conducting business at a stall;
- vehicle** includes –
- (a) every conveyance and every object capable of being propelled or drawn on wheels, tracks or otherwise; and
 - (b) where the context permits, an animal being ridden or driven,
- but excludes –
- (c) a wheelchair or any device designed for use by a physically impaired person on a footpath; and
 - (d) a pram, stroller or similar device;
- UAV** means unmanned aircraft, other than a balloon or kite;
- verge** means that part of a thoroughfare between the carriageway and the land which abuts the thoroughfare, but does not include any footpath; and
- waste** includes matter –
- (a) whether liquid, solid, gaseous or radioactive and whether useful or useless, which is discharged into the environment; or

- (b) prescribed by regulations under the *Waste Avoidance and Resource Recovery Act 2007* to be waste.

1.7 Types of permit

For the purposes of this local law –

- (a) a permit which authorises trading on any thoroughfare or local government property is to be referred to as a trading permit;
- (b) a permit which authorises the conduct or setting up of a market on any thoroughfare or local government property is to be referred to as a market permit;
- (c) a permit which authorises entertainment on any thoroughfare or local government property is to be referred to as an entertainment permit; and
- (d) a permit which authorises the sale of food on any thoroughfare or local government property is to be referred to as a food sales permit.

1.8 Assistance animals

This local law is subject to any written law and any law of the Commonwealth about assistance animals as defined in section 9(2) of the *Disability Discrimination Act 1992 (Commonwealth)*.

1.9 Overriding power to hire and agree

Despite anything to the contrary in this local law, an authorised person, on behalf of the local government, may –

- (a) hire local government property to any person; or
- (b) enter into an agreement with any person regarding the use of any local government property.

PART 2 - DETERMINATIONS IN RESPECT OF LOCAL GOVERNMENT PROPERTY**2.1 Determinations as to use of local government property**

The local government may make a determination in accordance with clause 2.2 –

- (a) setting aside specified local government property for the pursuit of all or any of the activities referred to in clause 2.7(1);
- (b) prohibiting a person from pursuing all or any of the activities referred to in clause 2.8(1) on specified local government property;
- (c) as to the matters in clauses 2.7(2) and 2.8(2); and
- (d) as to any matter ancillary or necessary to give effect to a determination.

2.2 Procedure for making a determination

- (1) The local government is to give local public notice of the local government intention to make a determination.
- (2) The local public notice referred to in subclause (1) is to state that –
 - (a) the local government intends to make a determination, the purpose and effect of which is summarised in the notice;
 - (b) a copy of the proposed determination may be inspected and obtained from the offices of the local government; and
 - (c) submissions in writing about the proposed determination may be lodged with the local government within 21 days after the date of publication.
- (3) If no submissions are received in accordance with subclause (2)(c), the local government is to decide to –
 - (a) give local public notice that the proposed determination has effect as a determination on and from the date of publication;
 - (b) amend the proposed determination, in which case subclause (5) is to apply; or
 - (c) not continue with the proposed determination.
- (4) If submissions are received in accordance with subclause (2)(c), the local government is to –
 - (a) consider those submissions; and
 - (b) decide –
 - (i) whether or not to amend the proposed determination; or

- (ii) whether or not to continue with the proposed determination.
- (5) If the local government decides to amend the proposed determination, it is to give local public notice –
 - (a) of the effect of the amendments; and
 - (b) that the proposed determination has effect as a determination on and from the date of publication.
- (6) If the local government decides not to amend the proposed determination, it is to give local public notice that the proposed determination has effect as a determination on and from the date of publication.
- (7) A proposed determination is to have effect as a determination on and from the date of publication of the local public notice referred to in subclauses (3), (5) and (6).
- (8) A decision under subclause (3) or (4) is not to be delegated by the council.

2.3 Discretion to erect sign

The local government may erect a sign on local government property to give notice of the effect of a determination which applies to that property.

2.4 Determination to be complied with

A person must comply with a determination.

2.5 Register of determinations

- (1) The local government is to keep a register of determinations made under clause 2.2, and of any amendments to or revocations of determinations made under clause 2.6.
- (2) Sections 5.94 and 5.95 of the Act apply to the register referred to in subclause (1) and for that purpose the register is to be taken to be information within section 5.94(u)(i) of the Act.

2.6 Amendment or revocation of a determination

- (1) The local government may amend or revoke a determination.
- (2) The provisions of clause 2.2 are to apply to an amendment of a determination as if the amendment were a proposed determination.
- (3) If the local government revokes a determination it is to give local public notice of the revocation and the determination is to cease to have effect on the date specified in the notice.

2.7 Activities which may be pursued on specified local government property

- (1) A determination may provide that specified local government property is set aside as an area on which a person may –
 - (a) take, ride or drive a vehicle, or a particular class of vehicle;
 - (b) fly or use a UAV;
 - (c) use a children's playground provided that the person is under an age specified in the determination, but the determination is not to apply to a person having the charge of a person under the specified age;
 - (d) launch, beach or leave a boat;
 - (e) take or use a boat, or a particular class of boat;
 - (f) deposit refuse, rubbish or liquid waste, whether or not of particular classes, and whether or not in specified areas of that local government property;
 - (g) play or practise –
 - (i) golf or archery;
 - (ii) pistol or rifle shooting, but subject to the compliance of that person with the *Firearms Act 2024*; or
 - (iii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the local government may cause injury or damage to a person or property; and
 - (h) ride a bicycle, a skateboard, rollerblades, a sandboard or a similar device.
- (2) A determination may specify the extent to which and the manner in which an activity referred to in subclause (1) may be pursued and in particular –
 - (a) the days and times during which the activity may be pursued;
 - (b) that an activity may be pursued on a class of local government property, specified local government property or all local government property;

- (c) that an activity is to be taken to be prohibited on all local government property other than that specified in the determination;
- (d) may limit the activity to a class of vehicles, equipment or things, or may extend it to all vehicles, equipment or things;
- (e) may specify that the activity can be pursued by a class of persons or all persons; and
- (f) may distinguish between different classes of the activity.

2.8 Activities which may be prohibited on specified local government property

- (1) A determination may provide that a person is prohibited from pursuing all or any of the following activities on specified local government property –
 - (a) riding a bicycle, a skateboard, rollerblades, a sandboard or a similar device;
 - (b) taking, riding or driving a vehicle on the property or a particular class of vehicle;
 - (c) riding or driving a vehicle of a particular class or any vehicle above a specified speed;
 - (d) taking or using a boat, or a particular class of boat;
 - (e) the playing or practice of –
 - (i) golf, archery, pistol shooting or rifle shooting; or
 - (ii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the local government may cause injury or damage to a person or property;
 - (f) the playing or practice of any ball game which may cause detriment to the property or any fauna on the property; and
 - (g) the traversing of land which in the opinion of the local government has environmental value warranting such protection, either absolutely or except by paths provided for that purpose.
- (2) A determination may specify the extent to which and the manner in which a person is prohibited from pursuing an activity referred to in subclause (1) and, in particular –
 - (a) the days and times during which the activity is prohibited;
 - (b) that an activity is prohibited on a class of local government property, specified local government property or all local government property;
 - (c) that an activity is prohibited in respect of a class of vehicles, equipment or things, or all vehicles, equipment or things;
 - (d) that an activity is prohibited in respect of a class of persons or all persons; and
 - (e) may distinguish between different classes of the activity.

2.9 Sign under repealed local law taken to be determination

- (1) Where a sign erected on local government property has been erected under a repealed local law, then it is to be taken to be and have effect as a determination on and from the commencement day, except to the extent that the sign is inconsistent with any provision of this local law or any determination made under clause 2.1.
- (2) Clause 2.5 does not apply to a sign referred to in subclause (1).

PART 3 - ACTIVITIES ON LOCAL GOVERNMENT PROPERTY REQUIRING A PERMIT**3.1 Activities requiring a permit**

- (1) A person must not without a permit –
 - (a) subject to subclause (3) hire local government property;
 - (b) advertise anything by any means on local government property;
 - (c) erect, on local government property a structure for public amusement or for any performance, whether for gain or otherwise;
 - (d) teach, coach or train, for profit, any person in any facility which is local government property;
 - (e) plant any plant or sow any seeds on local government property;
 - (f) carry on any trading on local government property unless the trading is conducted –
 - (i) with the consent of a person who holds a permit to conduct a function, and where the trading is carried on under and in accordance with the permit; or
 - (ii) by a person who has a permit to carry on trading on local government property under any written law;

- (g) unless an employee of the local government in the course of her or his duties or on an area set aside for that purpose –
 - (i) drive or ride or take any vehicle on to local government property; or
 - (ii) park or stop any vehicle on local government property;
- (h) conduct a function or entertainment event on local government property;
- (i) charge any person for entry to local government property, unless the charge is for entry to land or a building hired by a voluntary non-profit organisation;
- (j) light a fire on local government property except in a facility provided for that purpose;
- (k) light or set off any firework or conduct a fireworks display on local government property;
- (l) fly or use a UAV;
- (m) parachute, hang glide, abseil or base jump from or on to local government property;
- (n) erect a building or a refuelling site on local government property;
- (o) make any excavation on or erect or remove any fence on local government property;
- (p) erect or install any structure above or below ground, which is local government property, for the purpose of supplying any water, power, sewer, communication, television or similar service to a person;
- (q) conduct or take part in any gambling game or contest or bet, or offer to bet, publicly; or
- (r) erect, install, operate or use any broadcasting, public address system, loudspeaker or other device for the amplification of sound on local government property.
- (2) The local government may exempt a person from compliance with subclause (1) on the application of that person.
- (3) The local government may exempt specified local government property or a class of local government property from the application of subclause (1)(a).

3.2 Permit to erect structures or camp

- (1) This clause does not apply to a caravan park or camping ground operated by the local government.
- (2) A person must not without a permit –
 - (a) camp on, lodge at or occupy any structure at night for the purpose of sleeping on local government property;
 - (b) erect any tent, camp, hut or similar structure on local government property other than a beach shade or windbreak erected for use during the hours of daylight and which is dismantled during those hours on the same day; or
 - (c) park a vehicle on local government property, thoroughfare or public place for the purpose of sleeping in the vehicle.
- (3) The maximum period for which the local government may approve an application for a permit in respect of subclause (2)(a) or (b) is that provided in regulation 11(2)(a) of the *Caravan Parks and Camping Grounds Regulations 1997*.
- (4) Any tent, camp, hut or similar structure erected in contravention of subclause (2)(b) and associated goods may, subject to Regulation 29 of the *Local Government (Functions and General) Regulations 1996*, be impounded.
- (5) Notices issued under this clause shall be in the form determined from time to time by the local government.

3.3 Permit required for possession and consumption of liquor

- (1) A person, on local government property, must not consume any liquor, have in her or his possession or under her or his control, or sell any liquor, unless –
 - (a) permitted under the *Liquor Control Act 1988*; and
 - (b) a permit has been obtained for that purpose from the local government.
- (2) Subclause (1) does not apply where the liquor is in a sealed container.

PART 4 - BEHAVIOUR ON LOCAL GOVERNMENT PROPERTY AND THOROUGHFARES

4.1 Behaviour which interferes with others

In or on any local government property or thoroughfare, a person must not, behave in a manner which –

- (a) is likely to interfere with the enjoyment of a person who might use or who might be on the property or thoroughfare; or
- (b) interferes with the enjoyment of a person using the property or thoroughfare.

4.2 Behaviour detrimental to property

A person must not behave in or on local government property or thoroughfare in a way which is or might be detrimental to the property, including but not limited to –

- (a) removing any thing from the local government property or thoroughfare including a rock, a plant or a seat provided for the use of any person; and
- (b) destroying, defacing or damaging anything on the local government property or thoroughfare, including a plant, a seat provided for the use of any person or a building.

4.3 No unauthorised entry to function

- (1) A person must not enter local government property on such days or during such times as the property is set aside for a function, except –
 - (a) through the proper entrance for that purpose; and
 - (b) on payment of any fee chargeable for admission as determined by the hirer at the time.
- (2) An authorised person may exempt a person from compliance with subclause (1)(b).

4.4 Taking or injuring fauna

- (1) In this clause –

fauna means any animal indigenous to or which periodically migrates to any State or Territory of the Commonwealth or the territorial waters of the Commonwealth and includes in relation to any such animal –

- (a) any class of animal or individual member;
- (b) the eggs or larvae; or
- (c) the carcass, skin, plumage or fur unless it has been shed or discarded by the fauna in a normal or natural manner.

- (2) A person must not, take, injure or kill or attempt to take, injure or kill any fauna which is on or above any local government property or thoroughfare, unless that person is authorised under a written law to do so.

4.5 Flora

- (1) In this clause –

flora means all vascular plants, seeds and other flora, whether living or dead.

- (2) On or above any local government property or thoroughfare, unless authorised to do so under a written law or with the written approval of an authorised person, a person must not –
 - (a) remove, damage or interfere with any flora; or
 - (b) plant or deposit any flora.

4.6 Animals

On any local government property or thoroughfare, a person must not –

- (a) tether any animal other than a dog, to an object or tree; or
- (b) permit any animal other than a dog, to enter unless authorised.

4.7 Waste

A person must not deposit or discard waste on local government property or thoroughfare except –

- (a) in a place or receptacle set aside by an authorised person for that purpose, and in accordance with any conditions that may be specified on the receptacle or a sign; or
- (b) at a waste disposal facility, and subject to directions issued from time to time by an authorised person for the orderly and proper use of those waste facilities in relation to –
 - (i) hours of business;
 - (ii) separation of waste into designated receptacles;
 - (iii) prohibition of the deposit of certain types of refuse or waste; and
 - (iv) conduct of persons, including persons in charge of vehicles, while on the site.

4.8 Glass

Unless authorised by a permit or by the local government, a person must not take glass within any area of local government property as indicated by a sign.

4.9 Intoxicated persons not to enter local government property

A person must not enter or remain on local government property while under the influence of liquor or a prohibited drug.

4.10 Vehicles on local government property

- (1) Unless authorised by a permit or determination, a person must not take or cause a vehicle to be taken onto or driven on local government property unless –
 - (a) subject to subclause (3), the local government property is clearly designated as a road, access way, or car park;
 - (b) the vehicle is driven by a local government employee, authorised person or contractor engaged by the local government, who is engaged in –
 - (i) providing a service or making a delivery in connection with the local government property; or
 - (ii) maintaining the local government property;
 - (c) the person is driving an emergency vehicle in the course of his or her duties;
 - (d) the vehicle is –
 - (i) used in accordance with the conditions set down by the local government or an authorised person; and
 - (ii) of a type allowed to be taken onto the local government property by the local government or an authorised person; or
 - (e) the vehicle is a motorised wheelchair, and the driver of that vehicle is a person with a disability.
- (2) A person must not drive a vehicle or allow a vehicle to be driven on local government property –
 - (i) at a speed exceeding 20 kilometres per hour or as otherwise indicated by a sign; or
 - (ii) in such a manner as to cause danger to any person or a nuisance.
- (3) Other than in accordance with subclause (1)(b), (c), (d) or (e) a person must not drive a vehicle on local government property or part of it that is being used for a function for which a permit has been obtained unless permitted to do so by the permit holder or an authorised person.

4.11 UAVs

A person must not use a UAV on or from local government property except where a permit or determination specifies a particular local government property.

4.12 Archery, pistol or rifle shooting

A person must not play or practise archery, pistol or rifle shooting on local government property except on land which is reserved by the local government for that purpose, or as otherwise provided by a determination or permit.

4.13 Playing or practising golf

A person must not play or practise golf on local government property except where a permit or determination specifies a particular local government property.

PART 5 - MATTERS RELATING TO PARTICULAR LOCAL GOVERNMENT PROPERTY

Division 1 - General

5.1 No entry to fenced or closed local government property

A person must not enter local government property which has been fenced off or closed to the public by a sign or otherwise, unless that person is authorised to do so by an authorised person.

5.2 Only specified gender to use toilet block or change room

- (1) Where a sign on a toilet block or change room specifies that a particular entry of the toilet block or change room is to be used by –
 - (a) females – then a person of the male gender must not use that entry of the toilet block or change room;
 - (b) males – then a person of the female gender must not use that entry of the toilet block or change room; or
 - (c) families – then, where the toilet block or change room is being used by a family, only an immediate member of that family may use that entry of the toilet block or change room.
- (2) Subclause (1)(a) and (b) do not apply to a child, when accompanied by a parent, guardian or caregiver, where the child is –
 - (a) under the age of 8 years; or
 - (b) otherwise permitted by an authorised person to use the relevant entry.

5.3 Use of shower or bath facilities

A person may use a shower or bath facility in change rooms only on conditions that –

- (a) the facilities must be used by the person only for the purpose of cleansing, bathing and washing themselves; and
- (b) the facilities must not be used for the purpose of laundering of clothing or washing of other articles.

Division 2—Beaches and foreshore areas

5.4 Use of vehicles on beaches and foreshore areas

A person must not drive or operate a vehicle on a beach or foreshore area unless that person is authorised to do so under any written law or by an authorised person.

5.5 Surf lifesaving activities

- (1) An authorised person may perform the following functions in the interests of maintaining safety at beaches in the district –
 - (a) patrol any beach;
 - (b) take onto any beach any lifesaving gear, including vehicles or boats that are used for lifesaving activities;
 - (c) indicate by signs or flags, any areas of a beach or adjacent water beyond the beach where swimming is permitted;
 - (d) indicate by signs any areas of a beach or the adjacent water beyond the beach where –
 - (i) riding of surfboards or any other appliance is prohibited;
 - (ii) launching or driving of boats or personal watercraft is prohibited; or
 - (iii) fishing is prohibited;
 - (e) regulate or designate any areas for the following activities –
 - (i) conduct of surf lifesaving activities; or
 - (ii) establishing a first aid or command post;
 - (f) direct any person to swim within the designated permitted swimming area indicated by signs or patrol flags;
 - (g) close any beach or part of any beach during any period of potential dangerous conditions or sighting of a shark; and
 - (h) direct any person to leave the water if, in the opinion of the authorised person, the person is in immediate life-threatening danger.
- (2) When any beach or part of any beach is closed in accordance with clause 5.7(1)(g) an authorised person shall advise the chief executive officer of the local government as soon as practicable.

5.6 Fishing

A person shall not fish in any area –

- (a) where fishing is prohibited as is designated by signs;
- (b) designated by an authorised person as a designated permitted swimming area.

5.7 Boat launching etc.

Unless approved by an authorised person, a person shall not launch a boat or personal watercraft into the sea or from a foreshore area into any other body of water in areas as indicated by signs.

PART 6 - ACTIVITIES IN THOROUGHFARES

Division 1 – General

6.1 General prohibitions

A person must not –

- (a) plant, or allow to remain, in a thoroughfare a plant that by virtue of its height, position or density obstructs a reasonable sight line for a driver of any vehicle negotiating or using the thoroughfare;
- (b) damage a lawn or a garden, or remove any plant or part of a plant from a lawn or a garden, in a thoroughfare unless –
 - (i) the person is the owner or the occupier of the lot abutting that portion of the thoroughfare and the lawn or the garden or the particular plant has not been installed or planted by the local government; or
 - (ii) the person is acting under the authority of a written law;
- (c) damage, or remove a street tree, or part of a street tree, irrespective of whether it was planted by the owner or occupier of the lot abutting the thoroughfare or by the local government, unless –
 - (i) the damage to, or removal of, the street tree is authorised by an authorised person in writing; or
 - (ii) the person is acting under authority of written law;
- (d) except as permitted by this local law place, or allow to be placed or remain, on a thoroughfare any thing (except water) that –
 - (i) obstructs the thoroughfare; or
 - (ii) results in a hazard for any person using the thoroughfare;
- (e) unless at the direction of an authorised person, damage, remove or interfere with any part of a thoroughfare, or any structure erected on a thoroughfare, by the local government or a person acting under the authority of a written law; or
- (f) play or participate in any game or sport so as to cause danger to any person or thing or unreasonably impede the movement of vehicles or persons on a thoroughfare.

6.2 Activities allowed with a permit

(1) A person must not, without a permit –

- (a) dig or otherwise create a trench through or under a kerb or footpath;
- (b) throw, place or deposit anything on a verge except for removal by the local government under a bulk rubbish collection, and then only in accordance with the terms and conditions and during the period of time advertised in connection with that collection by the local government;
- (c) cause any obstruction to a vehicle or a person using a thoroughfare;
- (d) cause any obstruction to a water channel or a water course in a thoroughfare;
- (e) throw, place or drain offensive, noxious or dangerous fluid onto a thoroughfare;
- (f) damage a thoroughfare;
- (g) fell or damage any street tree;
- (h) fell any tree onto a thoroughfare;
- (i) light any fire or burn any thing on a thoroughfare other than in a stove or fireplace provided for that purpose;
- (j) unless installing, or in order to maintain, a permitted verge treatment –
 - (i) lay pipes under or provide taps on any verge; or
 - (ii) place or install, on any part of a thoroughfare, anything such as gravel, stone, flagstone, cement, concrete slabs, blocks, bricks, pebbles, plastic sheeting, kerbing, wood chips, bark or sawdust;
- (k) provide, erect, install or use in or on any building, structure or land abutting on a thoroughfare any hoist or other thing for use over the thoroughfare;
- (l) on a thoroughfare use anything or do anything so as to create a nuisance;

- (m) place or cause to be placed on a thoroughfare a bulk rubbish container;
 - (n) interfere with the soil of, or anything in, a thoroughfare or take anything from a thoroughfare;
 - (o) carry on any trading on a thoroughfare;
 - (p) conduct or set up a market on a thoroughfare; or
 - (q) conduct an entertainment event on a thoroughfare.
- (2) An authorised person may exempt a person from compliance with subclause (1) on the application of that person.

6.3 Assignment of numbers

- (1) In this clause –
number means a number with or without an alphabetical suffix indicating the street address of land as assigned by the local government from time to time, in accordance with this local law.
- (2) An authorised person may assign a number to a lot in the district and may assign another number to the lot instead of that previously assigned.

6.4 No driving on closed thoroughfare

A person must not drive or take a vehicle on a thoroughfare wholly or partially closed under section 3.50 or 3.50A of the Act unless –

- (a) it is in accordance with any limit or exception specified in the order made under section 3.50 of the Act; or
- (b) the person has first obtained a permit.

6.5 Fencing of public place – Item 4(1) of Division 1, Schedule 3.1 of Act

A public place, as that term is defined in clause 1.6, is specified as a public place for the purpose of item 4(1) of Division 1 of Schedule 3.1 of the Act.

Division 2 – Permitted verge treatments

6.6 Permitted verge treatments

- (1) A person must not install or maintain a verge treatment which is not a permitted verge treatment.
- (2) An owner or occupier of land which abuts on a verge may install a permitted verge treatment, on that part of the verge directly in front of her or his land.
- (3) A permitted verge treatment is–
 - (a) the planting and maintenance of a lawn;
 - (b) the planting and maintenance of a garden provided that –
 - (i) clear sight visibility is maintained at all times for a person using the abutting thoroughfare in the vicinity of an intersection or bend in the thoroughfare or using a driveway on land adjacent to the thoroughfare for access to or from the thoroughfare;
 - (ii) where there is no footpath, a pedestrian has safe and clear access of a minimum width of 2m along that part of the verge immediately adjacent to the kerb;
 - (iii) it does not include a wall or built structure; and
 - (iv) is not of a thorny, poisonous or hazardous nature; and
 - (c) subject to subclause (4), the installation of material which do not detract from the amenity of the area, including but not limited to –
 - (i) bituminous surface or in-situ concrete, subject to reduction of area shedding of storm water or flooding ;
 - (ii) use of paving bricks or concrete slabs; and
 - (iii) all forms of loose aggregate materials such as pebbles, stones and gravel, not larger than 50mm and contained within the verge area at all times; and
 - (d) other treatment approved by the local government.
- (4) Where installation of material which would create a hard surface has been installed or is intended, an authorised person may by written notice, require –
 - (i) a reduction of area covered or to be covered, if shedding of storm water or flooding is likely to cause a nuisance to neighbours or users of a thoroughfare; and
 - (ii) an area of open space to a maximum of 1m from the edge of a street trees.

- (5) The owner and occupier of the lot abutting a verge treatment referred to in subclause (1) are each to be taken to have installed and maintained that verge treatment for the purposes of this clause and clause 6.7.

6.7 Obligations of owner or occupier

An owner or occupier who installs or maintains a permitted verge treatment must –

- (a) keep the permitted verge treatment in a good and tidy condition and, where the verge treatment is a garden or lawn, ensure that a footpath on the verge and a carriageway adjoining the verge is not obstructed by the verge treatment;
- (b) ensure that clear sight visibility is maintained at all times for a person using the abutting thoroughfare in the vicinity of an intersection or bend in a carriageway, or using a driveway on land adjacent to the thoroughfare for access to or from the thoroughfare;
- (c) not place any obstruction on or around the verge treatment;
- (d) not disturb a footpath on the verge;
- (e) ensure that the verge treatment does not damage or obstruct a drain, manhole, galley, inspection pit, channel, kerb, footpath or tree planted by the local government; and
- (f) ensure that any sprinklers or pipes installed to irrigate a verge treatment –
 - (i) do not protrude above the level of the lawn or verge treatment when not in use;
 - (ii) are not used at such times so as to cause unreasonable inconvenience to pedestrians or other persons; and
 - (iii) do not otherwise present a hazard to pedestrians or other persons.

6.8 Transitional provision

- (1) In this clause –

former provisions means the provisions of the repealed local laws which permitted certain types of verge treatments, whether with or without the consent of the local government.

- (2) A verge treatment is to be taken to be a permitted verge treatment for so long as the verge treatment remains of the same type and continues to comply with the former provisions which –
- (a) was installed prior to the commencement day; and
 - (b) on the commencement day is a type of verge treatment which was permitted under and complied with the former provisions.

6.9 Power to carry out public works on verge

Where the local government or an authority empowered to do so under a written law disturbs a verge, the local government or the authority –

- (a) is not liable to compensate any person for that disturbance;
- (b) may backfill with sand, if necessary, any garden or lawn; and
- (c) is not liable to replace or restore any –
 - (i) verge treatment and, in particular, any plant or any material or other hard surface; or
 - (ii) sprinklers, pipes or other reticulation equipment.

PART 7 - ACTIVITIES IN PUBLIC PLACES

7.1 Vehicles in public place

- (1) A person must not leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place, unless that person has first obtained a permit or is authorised to do so under a written law.
- (2) A person does not contravene subclause (1) where the vehicle is left for a period not exceeding 24 hours.

PART 8 - TEMPORARY SIGNS

8.1 Definitions

In this Part, unless the context otherwise requires –

temporary sign means a sign used for the purpose of advertisement or notification of a business, or products or services for commercial gain, whether free standing or requiring to be affixed to a structure of any type, and includes –

- (a) a bill, poster and the like;
- (b) an advertising sign; and
- (c) an event sign.

8.2 Application

- (1) This Part applies to temporary signs complying with clause 8.5.
- (2) Any temporary sign that is to be a permanent structure or fixture is to comply with –
 - (a) the Building Code as defined in section 3 of the *Building Regulations 2012*;
 - (b) any Local Planning Scheme; and
 - (c) any other written law regulating of signs within the district.

8.3 Temporary signs

- (1) A person shall not on local government property or in a thoroughfare, without a permit –
 - (a) place an temporary sign; or
 - (b) post any bill or paint, place or affix any advertisement.
- (2) Notwithstanding subclause (1), a permit is not required for one temporary sign which complies in all other respects with clauses 8.5 and 8.6.

8.4 Matters to be considered in determining application for permit

In determining an application for a permit for the purpose of clause 8.3(1), matters the local government is to have regard to include –

- (a) any other written law regulating the construction or placement of signs within the district;
- (b) the dimensions, appearance and materials of the sign;
- (c) whether or not the sign may create a hazard to persons using a thoroughfare;
- (d) other signs already approved or erected in the vicinity of the proposed location of the sign;
- (e) whether the applicant has obtained public liability insurance; and
- (f) payment of the set fee.

8.5 Requirements for temporary signs

- (1) Temporary signs shall –
 - (a) be portable and free-standing;
 - (a) have dimensions of –
 - (i) less than 1 square metre ;
 - (ii) less than 750mm horizontally;
 - (iii) more than 300mm in height;
 - (b) be secured in position in accordance with any requirements of the local government;
 - (c) be placed against the property boundary;
 - (d) be placed so as not to impede or obstruct either vehicle or pedestrian traffic, or access to a place by any person;
 - (e) be placed so as not to obstruct lines of sight for vehicle traffic;
 - (f) maintained in good condition;
 - (g) relate only to the business activity, or placed with the consent of the owner or occupier of the adjoining premises; and
 - (h) be in place only during the hours of the business activity or the event being advertised.
 - (i) only contain content relating to the business or business activity; and
 - (j) be in compliance with any limitation of the number of signs notified in writing by the local government.
- (2) Temporary signs shall not –
 - (a) be unduly distracting, in the opinion of an authorised person;
 - (b) be illuminated, rotating or incorporating reflective or fluorescent materials; or
 - (c) display only part of a message which is to be read with other separate signs in order to obtain the whole message.

8.6 Prohibition on placement of temporary signs

An temporary sign shall not be placed or affixed –

- (a) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2.5 metres;
- (b) within 30 metres of an intersection;
- (c) so as to obstruct or impede the reasonable use of a thoroughfare, verge or footpath;
- (d) to any existing post, power or light pole or similar structure;
- (e) on any natural feature, including a rock or tree, on a thoroughfare; or
- (f) on any bridge or the structural approaches to a bridge.

PART 9 - PERMITS

Division 1 – Applying for a permit

9.1 Application for permit

- (1) Where a person is required to obtain a permit under this local law, that person must apply for the permit in accordance with subclause (2).
- (2) An application for a permit under this local law must –
 - (a) be in the form determined from time to time by the local government;
 - (b) be signed by the applicant;
 - (c) provide the information required by the form; and
 - (d) be forwarded to the local government together with any set fee.
- (3) An authorised person may require an applicant to provide additional information reasonably related to an application before determining an application for a permit.
- (4) An authorised person may require an applicant to give local public notice of the application for a permit.
- (5) An authorised person may refuse to consider an application for a permit which is not in accordance with subclause (2) or where the requirements of subclause (3) or (4) have not been satisfied.

9.2 Decision on application for permit

- (1) An authorised person may –
 - (a) approve an application for a permit unconditionally or subject to any conditions; or
 - (b) refuse to approve an application for a permit.
- (2) If an authorised person approves an application for a permit, the permit is to be issued to the applicant in the form determined from time to time by the local government.
- (3) If an authorised person refuses to approve an application for a permit, written notice of that refusal is to be given to the applicant.
- (4) An authorised person may, at any time, amend a condition of approval and the amended condition takes effect when written notice of it is given to the permit holder.

9.3 General restrictions on grant of permit

- (1) An authorised person must not grant a permit if there are reasonable grounds for believing that the provision of the activity to which the application relates would constitute an unacceptable risk to the safety of the public.
- (2) An authorised person must not grant a permit unless an authorised person is satisfied that –
 - (a) the applicant is capable of carrying on the activity in accordance with this local law and the terms and conditions of the permit;
 - (b) the public place at which the activity is to be provided is suitable for that purpose;
 - (c) a permit or similar authority granted or issued to the applicant has not been cancelled in the period of 5 years before the application is made; and
 - (d) the applicant is a fit and proper person to carry on the activity.

9.4 Examples of conditions

- (1) Examples of the conditions that an authorised person may impose on a permit under clauses 9.2(1)(a) or 9.7(1)(a) are conditions relating to –

- (a) the payment of a set fee;
 - (b) compliance with a standard or a policy adopted by the local government;
 - (c) the duration and commencement of the permit;
 - (d) the commencement of the permit being contingent on the happening of an event;
 - (e) the rectification, remedying or restoration of a situation or circumstance reasonably related to the application;
 - (f) the approval of another application for a permit which may be required by the local government under any written law;
 - (g) the area of the district to which the permit applies;
 - (h) where a permit is issued for an activity which will or may cause damage to local government property, the payment of a deposit or bond against such damage; and
 - (i) the obtaining of public risk insurance in an amount and on terms reasonably required by an authorised person.
- (2) Examples of the type and content of the conditions on which a permit to hire local government property may be issued include –
- (a) when set fees and charges are to be paid;
 - (b) payment of a bond against possible damage or cleaning expenses or both;
 - (c) restrictions on the erection of material or external decorations;
 - (d) rules about the use of furniture, plant and effects;
 - (e) limitations on the number of persons who may attend any function in or on local government property;
 - (f) the duration of the hire;
 - (g) the right of an authorised person to cancel a booking during the course of an annual or seasonal booking, if an authorised person sees fit;
 - (h) a prohibition on the sale, supply or consumption of liquor unless a liquor permit is first obtained for that purpose under the *Liquor Control Act 1988*;
 - (i) whether or not the hire is for the exclusive use of the local government property;
 - (j) the obtaining of a policy of insurance in the names of both the local government and the hirer, indemnifying the local government in respect of any injury to any person or any damage to any property which may occur in connection with the hire of the local government property by the hirer; and
 - (k) the provision of an indemnity from the hirer, indemnifying the local government in respect of any injury to any person or any damage to any property which may occur in connection with the hire of the local government property by the hirer.

9.5 Imposing conditions under a policy

- (1) In this clause –
policy means a local government policy adopted by the council under section 2.7(2)(b) of the Act containing conditions subject to which an application for a permit may be approved under clause 9.2(1)(a).
- (2) Under clause 9.2(1)(a) an authorised person may approve an application subject to conditions by reference to a policy.
- (3) An authorised person must give to the permit holder a copy of the policy the part of the policy which is relevant to the application for a permit, with the form of permit referred to in clause 9.2(2).
- (4) An application for a permit is not to be taken to have been approved subject to the conditions contained in a policy until an authorised person gives the permit holder a copy of the policy or the part of the policy which is relevant to the application.
- (5) Sections 5.94 and 5.95 of the Act apply to a policy and, for that purpose, a policy is deemed to be information within section 5.94(u)(i) of the Act.

9.6 Compliance with conditions

Where an application for a permit has been approved subject to conditions, the permit holder must comply with each of those conditions, as amended.

9.7 Variation of permit

- (1) The local government may, by written notice given to the permit holder, vary a permit –
 - (a) imposing any new condition; or
 - (b) change or remove any existing condition.
- (2) An amendment may be made on application made by the permit holder or on the local government's initiative.
- (3) An amendment will come into effect on the day that written notice is given to the permit holder, or some other date as specified in the notice.

Division 2 – Duration of permits

9.8 Duration of permit

A permit is valid for one year from the date on which it is issued, unless it is –

- (a) otherwise stated in this local law or in the permit; or
- (b) suspended or cancelled under this Division.

9.9 Renewal of permit

- (1) A permit holder may apply to the local government for the renewal of a permit.
- (2) An application for renewal must –
 - (a) be in the form determined from time to time by the local government;
 - (b) be signed by the permit holder;
 - (c) provide the information required by the form;
 - (d) be forwarded to the local government no later than 28 days before the expiry of the permit, or within a shorter period that the local government in a particular case permits; and
 - (e) be accompanied by any set fee.
- (3) The provisions of this Part that apply to an application for a permit also apply to an application for the renewal of a permit as though it were an application for a permit.

9.10 Transfer of permit

- (1) An application for the transfer of a valid permit is –
 - (a) to be made in writing;
 - (b) to be signed by the permit holder and the proposed transferee of the permit;
 - (c) to include such information as an authorised person may require to enable the application to be determined; and
 - (d) to be forwarded to the local government together with any set fee.
- (2) An authorised person may approve an application for the transfer of a permit, refuse to approve it or approve it subject to any conditions.
- (3) Where an authorised person approves an application for the transfer of a permit, the transfer may be effected by an endorsement on the permit signed by an authorised person.
- (4) Where an authorised person approves the transfer of a permit, the local government is not required to refund any part of any set fee paid by the former permit holder.

9.11 Suspension of permit

- (1) The local government may, subject to clause 9.12, by written notice given to the permit holder, suspend a permit if there are reasonable grounds for believing that –
 - (a) the permit holder has contravened a term or condition of a permit;
 - (b) the permit holder has contravened a provision of this local law; or
 - (c) the continued provision of the activity authorised by the permit constitutes or will constitute an unacceptable risk to the safety, health or welfare of the public.
- (2) The suspension notice must –
 - (a) state the day, or the day and time, on or at which the suspension takes effect;
 - (b) state the reasons for the local government's decision to suspend the permit; and
 - (c) where appropriate, indicate what steps need to be taken to ensure that there is compliance with the relevant provision, term or condition or that there is no longer a risk as described in subclause (1)(c); and

- (d) inform the permit holder that the permit holder has a right to apply under the Act for a review of the local government's decision to suspend the permit.

9.12 Proposed suspension of permit

- (1) If the local government proposes to suspend a permit under clause 9.11(1)(a), the local government must give written notice to the permit holder of the proposed suspension.
- (2) The notice must –
 - (a) state that the local government proposes to suspend the permit;
 - (b) state the reasons for the proposed suspension; and
 - (c) inform the permit holder that the permit holder is entitled to make representation to the local government in respect of the proposed suspension within 7 days after the day on which the permit holder is given the notice.
- (3) In considering whether to suspend the permit, the local government must have regard to any representations made by the permit holder within the period referred to in subclause (2)(c).

9.13 Revocation of suspension of permit

- (1) The local government must, by written notice given to the permit holder revoke the suspension of a permit if the local government is satisfied that the steps specified in the suspension notice have been taken.
- (2) The local government may, by written notice given to the permit holder, revoke the suspension of the permit if it is appropriate to do so in the circumstances of a particular case.

9.14 Period of suspension of permit

The suspension of a permit has effect on the day, or the day and time, specified in the suspension notice until one of the following happens –

- (a) the suspension is revoked under clause 9.13;
- (b) the permit is cancelled under clause 9.15 or expires; or
- (c) the permit is surrendered in accordance with the provisions of this local law.

9.15 Cancellation of permit

A permit may be cancelled by the local government if –

- (a) the permit was obtained improperly;
- (b) the permit holder has persistently or frequently contravened a term or condition of the permit, or a provision of this local law, whether or not the permit is or has been suspended on the grounds of a contravention; or
- (c) there are reasonable grounds for believing that the continued provision of the activity constitutes or would constitute an unacceptable risk to the safety of the public, whether or not the permit has been suspended on the grounds of that risk.

9.16 Surrender of permit

A permit holder may, at any time by notice in writing to the local government, surrender the permit.

Division 3 – Responsibilities of permit holders and others

9.17 Production of permit

A permit holder must produce to an authorised person her or his permit immediately after being required to do so by that authorised person.

9.18 Production of permit document for amendment

If the local government amends or renews a permit, the permit holder must, if required by the local government, produce the permit document to the local government for amendment within the period specified by the local government.

9.19 Advertising

A person must not advertise, or otherwise hold out in any way, that the person conducts a commercial activity in any public place unless that person holds a permit authorising that commercial activity.

9.20 False or misleading statement

A person must not make a false or misleading statement in connection with an application in respect of a permit under this local law.

9.21 Other responsibilities of permit holder

A permit holder must, in respect of local government property to which the permit relates –

- (a) ensure that an authorised person has unobstructed access to the local government property for the purpose of inspecting the property or enforcing any provision of this local law;
- (b) comply with an instruction from an authorised person to take the action specified in the instruction for the purpose of maintaining public safety;
- (c) leave the local government property in a clean and tidy condition after its use;
- (d) report any damage or defacement of the local government property to an authorised person; and
- (e) take all reasonable action to prevent the consumption of any liquor on the local government property unless the permit allows it and a permit has been obtained under the *Liquor Control Act 1988* for that purpose.

PART 10 - SIGNS AND POWERS TO GIVE DIRECTIONS

10.1 Signs installed by the local government

- (1) The local government may install a sign in public places, on local government property or in thoroughfares specifying any conditions of use which apply to that property or thoroughfare.
- (2) A person must comply with a sign erected under subclause (1).
- (3) A condition of use specified on a sign erected under subclause (1) is –
 - (a) not to be inconsistent with any provision of this local law or any determination; and
 - (b) to be for the purpose of giving notice of the effect of a provision of this local law.

10.2 Pre-existing signs

Where a sign in a public place, property or thoroughfare or has been erected under a repealed local law then, on and from the commencement day, it is to be taken to be a sign erected under clause 10.1 if –

- (a) the sign specifies a condition of use relating to the thoroughfare which gives notice of the effect of a provision of this local law; and
- (b) the condition of use specified is not inconsistent with any provision of this local law.

10.3 Authorised person to be obeyed

- (1) A person on or in local government property that is given a lawful direction by an authorised person shall comply with that direction.
- (2) A person shall not obstruct or hinder an authorised person in the performance of that person's duties.

10.4 Refusal of entry and removal

- (1) An authorised person may refuse to allow entry, or suspend admission, to a specific venue of local government property except for the venue where local government council meetings are held, by any person who he or she believes has behaved in a manner contrary to the provisions of this Part.
- (2) If an authorised person considers that a person has behaved in a manner contrary to the provisions of this Part or reasonably suspects that a person has contravened a provision of a written law, the authorised person may direct the person to leave the local government property.
- (3) A person who has been refused entry or who has been directed to leave under subclause (1) or (2) must immediately leave the local government property quickly and peaceably.
- (4) If a person fails to comply with subclause (1) or (2), an authorised person may remove the person, or arrange for the person to be removed, from the local government property.
- (5) This refusal or suspension of entry can be for any period of up to 12 months as decided by that authorised person.

10.5 Disposal of lost property

An article left on any local government property, and not claimed within a period of 2 months, may be disposed of by the local government in any manner it thinks fit.

PART 11 - OBJECTIONS AND REVIEW**11.1 Objection and review rights**

Division 1 of Part 9 of the Act applies to a decision under this local law in respect of the grant, renewal, transfer, amendment, suspension or cancellation of a permit or consent.

PART 12 - NOTICES**12.1 Notice to remedy non-compliance**

Where any thing is required to be done or not permitted to be done by this local law, an authorised person may give a notice in writing –

- (a) to the owner or the occupier of the property which abuts that portion of the thoroughfare where the thing has been done or not done; or
- (b) to any other person who may be responsible for the thing done or not done, requiring the person to comply with the requirements of this local law.

12.2 Notice regarding damage to local government property

If a person unlawfully removes, damages or interferes with local government property or portion of a thoroughfare, an authorised person may give the person a notice requiring that person to do any one or more of the following (at the local government's option) –

- (a) reinstate the property to the state it was in before the removal, damage or interference;
- (b) replace that property; or
- (c) pay for the costs of reinstatement or replacement.

12.3 Notice requirements

A notice given must –

- (a) be in writing;
- (b) specify the reason for giving the notice, the work or action that is required to be undertaken; and
- (c) the time within which the work or action is to be undertaken.

12.4 Local government may undertake requirements of notice

If a person fails to comply with a notice referred to in clauses 12.1 or 12.2, the local government may –

- (a) do the thing specified in the notice, including replace the property, or reinstate the property to the state it was in before the removal, damage or interference;
- (a) take whatever remedial action it considers appropriate to put the local government in the position it would have been in if the breach or failure had not occurred; and
- (b) recover all costs from the person, as a debt.

12.5 Offence to fail to comply with notice

A person who fails to comply with a notice given to him or her under this local law commits an offence.

PART 13 - OFFENCES AND PENALTIES**13.1 Offences and general penalty**

- (1) A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

13.2 Prescribed offences

- (1) An offence against a clause specified in the Schedule is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (2) The amount of a modified penalty for a prescribed offence is the number specified adjacent to the clause in Schedule 2.

13.3 Form of notices

- (1) For the purposes of this local law –
 - (a) where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*;
 - (b) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and
 - (c) the form of the notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.
- (2) Where an infringement notice is given under section 9.16 of the Act in respect of an alleged offence against clause 2.4, the notice is to contain a description of the alleged offence.

13.4 Evidence of a determination

- (1) In any legal proceedings, evidence of a determination may be given by tendering the register referred to in clause 2.5 or a certified copy of an extract from the register.
- (2) If evidence of a determination is provided under subclause (1), it is to be presumed, unless the contrary is proved, that the determination was properly made and that every requirement for it to be made and have effect has been satisfied.
- (3) Subclause (2) does not make valid a determination that has not been properly made.

SCHEDULE – PRESCRIBED OFFENCES

[cl.13.2]

Offences in respect of which a modified penalty applies

Item	Clause	Nature of offence	Modified penalty \$
Part 2 – Determination in respect of local government property			
1	2.4	Failure to comply with a determination	100
Part 3 – Activities on local government property			
2	3.1	Undertaking activity on local government property without a permit	100
3	3.2(2)	Camping on local government property without approval or erecting an unauthorised structure	100
4	3.3(1)	Failure to obtain permit to possess, consume or sell liquor	100
Part 4 – Behaviour on all local government property and thoroughfares			
5	4.1	Behaviour interfering with others	100
6	4.2	Behaviour detrimental to property	200
7	4.3	Unauthorised entry to function	100
8	4.4(2)	Taking or injuring fauna without authorisation	200
9	4.5(2)	Removing, damaging or depositing flora without authorisation	200

10	4.6	Animal on local government property or thoroughfare without authorisation	100
11	4.7(a)	Improper disposal of waste on local government property	100
12	4.8	Taking glass into prohibited area	100
13	4.9	Under influence of liquor or prohibited drug on local government property	100
14	4.10(1)	Unauthorised vehicle on local government property	100
15	4.10(2)(i)	Unauthorised driving of a vehicle at more than 20km/hr on local government property	100
16	4.10(2)(ii)	Driving of a vehicle on local government property so as to cause a nuisance	100
17	4.10(3)	Unauthorised driving of a vehicle on local government property during a function	100
18	4.11	Unauthorised use of a UAV	50
19	4.12	Unauthorised archery, pistol or rifle shooting on local government property	100
20	4.13	Unauthorised playing or practising golf on local government property	100
Part 5 – Matters relating to particular local government property			
21	5.1	Unauthorised entry to closed or fenced local government property	100
22	5.2	Unauthorised entry to gender specific toilet block or change room	200
23	5.3	Unauthorised use of showers or bath facilities in change room	50
24	5.4	Unauthorised use of a vehicle on a beach or foreshore	100
25	5.6	Fishing in an unauthorised area	100
26	5.7	Launching a boat or personal watercraft in an unauthorised area	100
Part 6 – Activities in thoroughfares			
27	6.1(a)	Planting or allowing plant or verge treatment in thoroughfare to become a sightline hazard	100
28	6.1(b)	Damaging a lawn or garden in a thoroughfare	100
29	6.1(c)	Damaging or removing whole or part of a street tree without authorisation	200
30	6.1(d)	Obstruction of or permitting a hazard in a thoroughfare	100
31	6.1(e)	Damaging, removing or interfering with thoroughfare, part of thoroughfare, sign or structure in a thoroughfare without authorisation	100
32	6.1(f)	Playing games in thoroughfare so as to impede vehicles or persons	100
33	6.2(1) (a),(d), (e),(f), (g),(j)	Unauthorised activity in a thoroughfare causing damage	200
34	6.2(1) (b),(c), (h),(i), (k),(l), (m),(n), (o),(p), (q)	Unauthorised activity in a thoroughfare causing inconvenience	100

35	6.4	Driving on a closed thoroughfare	100
36	6.6(1)	Installation of an unauthorised verge treatment	
37	6.7(a), (b),(d), (e)	Failure to keep permitted verge treatment in good and tidy condition, obstruct a thoroughfare, footpath, drain, or driveway	100
38	6.7(c)	Placing an obstruction on or around a verge treatment	50
39	6.7(f)	Failure to ensure sprinklers or reticulation pipes do not protrude, do not cause inconvenience to pedestrians, or present a hazard	100
Part 7 – Activities in public places			
40	7.1(1)	Vehicle obstructing public place without authorisation	100
Part 8 – Temporary signs			
41	8.3(1)	Placement of non-compliant temporary sign, or posting a bill or painting, or placing an advertisement without authorisation	100
42	8.5	Failure to comply with requirements for a temporary sign	100
43	8.6	Placement of a temporary sign in a prohibited location	100
Part 9 – Permits			
44	9.6	Failure to comply with permit condition	100
45	9.17, 9.18	Failure to produce permit for inspection or amendment when required	100
46	9.19	Advertising of commercial activity in a public space without holding a permit	200
47	9.20	False or misleading statement in application for a permit	200
Part 10 – Signs and powers to give directions			
48	10.1(2)	Failure to comply with condition of use indicated by a sign	100
49	10.3(1)	Failure to comply with direction of authorised person	100
50	10.3(2)	Obstruction or hindrance of an authorised person	100
51	10.4(3)	Failure to leave a venue when instructed by an authorised person	200
52	10.4(5)	Failure to comply with period of refusal or suspension	200
Part 12 – Notices			
53	12.5	Failure to comply with notice	100
Part 13 – Offences and penalties			
54	13.1	Offence not elsewhere specified	100

Dated 9 September 2020

The Common Seal of the Shire of Cocos (Keeling) Islands was affixed by authority of a resolution of Council in the presence of –



Aindil MINKOM, President

Andrea SELVEY, Chief Executive Officer.



10.1.2 WALGA LOCAL GOVERNMENT CONVENTION 2025 - ATTENDANCE AND PROGRAM SUMMARY

FILE NUMBER:

AUTHOR: Ibrahim Macrae, Acting Chief Executive Officer

AUTHORISER: Ibrahim Macrae, Acting Chief Executive Officer

DISCLOSURE(S) OF INTEREST: Author - Nil

Authoriser -

ISLAND: Shire Wide

ATTACHMENTS: 10.1.2.1 - LGC25-Program-20250624-1_1 [↓](#)

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 inform Council of the 2025 WALGA Local Government Convention and seek endorsement for Elected Member and staff attendance.

A copy of the 2025 Local Government Convention Draft Program is attached for Council's reference (attachment 10.1.2.1)

BACKGROUND

The Western Australian Local Government Association (WALGA) will host its 2025 Local Government Convention from Monday 22 to Wednesday 24 September 2025 at the Perth Convention and Exhibition Centre.

The 2025 theme, ‘Lean into Legacy’, focuses on how today’s decisions shape the future of communities. It encourages governance, leadership, and decision-making that considers long-term impact and stewardship.

The convention program includes keynote presentations, panel discussions, breakout sessions, and networking opportunities for Elected Members, local government professionals, and sector stakeholders.

COMMENT

Council’s attendance at the Convention offers an opportunity to:

- Build sector knowledge and leadership capacity;
- Engage with key stakeholders including WALGA, sector partners and State Government agencies;
- Identify emerging trends and best practices relevant to the Shire;
- Contribute to statewide sector advocacy through participation in the WALGA AGM.

The WALGA AGM is scheduled for Tuesday 23 September and is a key forum for shaping WALGA’s policy and advocacy agenda. Representation ensures the Shire’s interests are considered in decisions that impact local governments, including those in the Indian Ocean Territories.

The Procurement Forum on Wednesday 24 September may be of particular benefit to officers or Elected Members involved in procurement and contract management. Topics include value for money, ethical procurement, and risk-informed decision-making.

Post-convention debriefs by attendees are encouraged to share key learnings and embed knowledge into the Shire’s strategic planning and governance practices.

POLICY AND LEGISLATION IMPLICATIONS

Attendance at the WALGA Local Government Convention 2025 is consistent with the Shire’s policies relating to Elected Member Training and Professional Development, which support ongoing capacity building for Council members and officers.

Participation in the WALGA Annual General Meeting is also in line with the *Local Government Act 1995* and WALGA’s governance framework, which recognises member local governments’ rights to be represented in sector-wide decision-making processes. Council’s nomination of a voting and proxy delegate ensures the Shire can exercise its voting rights on matters that may influence policy positions, advocacy priorities, and operational frameworks across the local government sector.

FINANCIAL IMPLICATIONS

Costs for registration, travel, and accommodation will be met from the 2025/26 training and conferences budget.

STRATEGIC IMPLICATIONS

Theme

L Leadership

Goal

- L1 To be involve, respectful and inclusive and to facilitate diveristy and representation within the dcision making process.

Strategy

- L1.3 Shire representatives (Councillors and Shire Leadership team) to pro-actively engage, communicate with, and increase visibility within the community.

RISK IMPLICATIONS

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Compliance	Missed leadership and training opportunities	Minor (Low)	Support participation of key delegates

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 REQUIREMENT

Simple Majority

CONCLUSION

The WALGA Local Government Convention 2025 presents a valuable opportunity for Elected Members and Shire officers to engage with peers across the sector, enhance their understanding of emerging issues, and contribute to policy-shaping discussions. Attendance supports the Shire's commitment to informed governance, professional development, and active participation in the broader local government community. Endorsing attendance and delegate nominations will ensure the Shire remains well-represented and aligned with sector-wide developments.

OFFICER RECOMMENDATION – ITEM NO 10.1.2

THAT COUNCIL, BYSIMPLE MAJORITY:

- NOTES THE WALGA LOCAL GOVERNMENT CONVENTION 2025 PROGRAM AND THEME;
- ENDORSES THE ATTENDANCE OF THE FOLLOWING ELECTED MEMBERS AND OFFICERS:
 - [INSERT NAME(S)];
- NOMINATES COUNCILLOR _____ AS VOTING DELEGATE AND COUNCILLOR _____ AS PROXY DELEGATE TO REPRESENT THE SHIRE AT THE WALGA ANNUAL GENERAL MEETING ON TUESDAY, 23 SEPTEMBER 2025.

SUSPENSION OF STANDING ORDERS

RESOLUTION OCM/25/003

MOVED: CR A YOUNG

SECONDED: CR A BADLU

A MOTION WAS MOVED THAT COUNCIL SUSPEND STANDING ORDERS AT 4:13PM.

THE MOTION WAS PUT AND DECLARED CARRIED (4/0)

FOR: BADLU, KNIGHT, MINKOM, YOUNG

AGAINST: NIL

RESUMPTION OF STANDING ORDERS

RESOLUTION OCM/25/004

MOVED: CR A YOUNG

SECONDED: CR A BADLU

A MOTION WAS MOVED THAT COUNCIL RESUME STANDING ORDERS AT 4:18PM.

THE MOTION WAS PUT AND DECLARED CARRIED (4/0)

FOR: BADLU, KNIGHT, MINKOM, YOUNG

AGAINST: NIL

RESOLUTION - ITEM NO 10.1.2 OCM/25/005

MOVED: CR A YOUNG

SECONDED: CR A BADLU

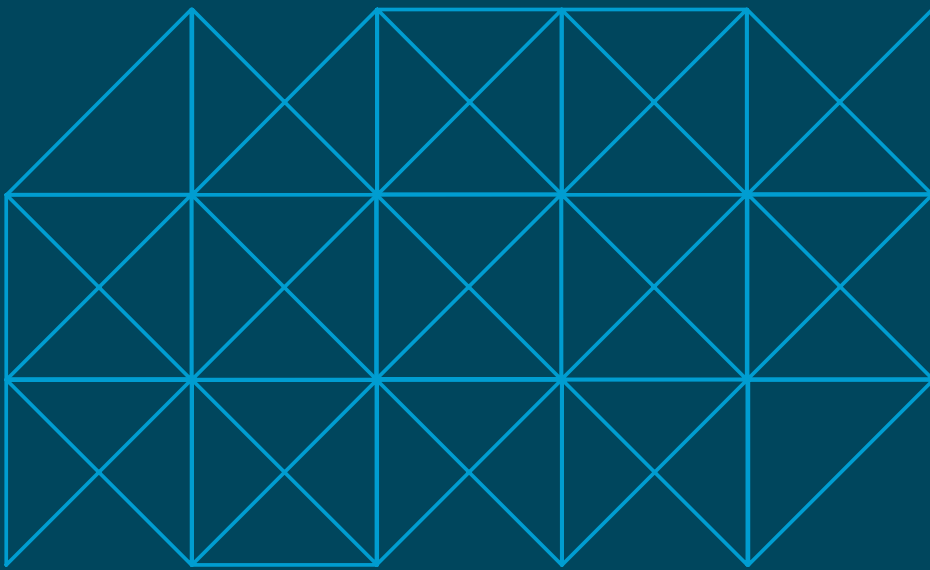
THAT COUNCIL, BY SIMPLE MAJORITY:

- 1. NOTES THE WALGA LOCAL GOVERNMENT CONVENTION 2025 PROGRAM AND THEME;**
- 2. ENDORSES THE ATTENDANCE OF ELECTED MEMBERS AND OFFICERS;**
- 3. NOMINATES COUNCILLOR AYESHA YOUNG AS VOTING DELEGATE AND COUNCILLOR SIGNA KNIGHT AS PROXY DELEGATE TO REPRESENT THE SHIRE AT THE WALGA ANNUAL GENERAL MEETING ON TUESDAY, 23 SEPTEMBER 2025.**

THE MOTION WAS PUT AND DECLARED CARRIED (4/0)

FOR: BADLU, KNIGHT, MINKOM, YOUNG

AGAINST: NIL



LEAN INTO LEGACY

WALGA LOCAL GOVERNMENT
CONVENTION 2025





WALGA's Local Government Convention will return to the Perth Convention and Exhibition Centre from Monday 22 – Wednesday 24 September 2025.

Our 2025 theme 'Lean into Legacy' delves into how the decisions we make today form the building blocks for tomorrow. With a focus on reflective, current and future legacy, we will explore how leaving a lasting, positive legacy as a Local Government means making choices that endure far beyond election cycles.

Detailed information about the keynote speaker, breakout sessions and Program will be provided shortly and updated on the Convention website when published.



MONDAY, 22 SEPTEMBER

9:00am	Planning Showcase Registration (only)
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9:30am–3:15pm	Planning Showcase
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11:00am	Registration Desk Opens
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11:30am–2:30pm	Heads of Agency Lunch
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3:30pm–5:00pm	Mayors and Presidents Forum
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4:00pm	Exhibition Opens Pavilion 1
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6:00pm–9:00pm	Welcome Drinks
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TUESDAY, 23 SEPTEMBER

7:30am **Registration Desk Opens**

8:00am **Exhibition Opens**

SESSION ONE - BELLEVUE BALLROOM 1 & 2

9:00am **Opening Segment, Welcome to Country**

9:15am **MC Welcome**

9:20am **Opening Address**

9:35am **WALGA President Address**

9:55am **Keynote Address**

10:55am **Morning Tea**

SESSION TWO - BELLEVUE BALLROOM 1 & 2

11:45am **State of Play**

1:15pm **Address**

1:30pm **Lunch**

AGM - BELLEVUE BALLROOM 1 & 2

2:15pm–5:00pm **WALGA Annual General Meeting**

4:00pm **Exhibition Closes**

6:00pm–10:00pm **Convention Cocktail Gala**
Location: The Art Gallery of WA

WEDNESDAY, 24 SEPTEMBER

6:30am	Registration Desk Opens
7:00am–8:45am	Icons Breakfast
7:00am	Exhibition Opens
8:45am	Icons Photo Opportunity
8:30am	Procurement Network Forum Registrations Open
9:00am–4:30pm	Procurement Network Forum

OPENING SESSION - BELLEVUE BALLROOM 1 & 2

9:45am	Opening
9:55am	Panel Session
10:55am	Address
11:10am	Morning Tea

BREAKOUT SESSIONS

11:40am–1:10pm	Breakout Session 1
11:40am–1:10pm	Breakout Session 2
1:10pm	Lunch

CLOSING SESSION

2:30pm	Closing Keynote
3:30pm	Closing Remarks
3:45pm	Convention Close



WALGA

LEAN INTO *LEGACY*

WALGA LOCAL GOVERNMENT
CONVENTION 2025

10.2 GOVERNANCE, RISK AND PLANNING

Nil

10.3 FINANCE AND CORPORATE SERVICES

10.3.1 BUDGET 2025/26

FILE NUMBER:

AUTHOR: David Tombs, Manager Finance and Corporate Services

AUTHORISER: Ibrahim Macrae, Acting Chief Executive Officer

DISCLOSURE(S) OF INTEREST: Author - Nil

Authoriser - Nil

ISLAND:

ATTACHMENTS: 10.3.1.1 - 2025/26 Proposed Budget [↓](#)
10.3.1.2 - 2025/26 Proposed Fees and Charges [↓](#)
10.3.1.3 - 2025/26 Proposed Fees (Waste) [↓](#)

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 for Council to consider and adopt the proposed budget for Municipal, Trust and Reserve Funds for the 2025/26 financial year, together with supporting schedules, including imposition of rates and minimum payments, adoption of fees and charges, setting of Elected Members fees for the year and other consequential matters arising from the budget papers.

BACKGROUND

The presented budget for 2025/26 is a balanced budget. This Budget document has been prepared in accordance with the *Local Government Act 1995 (WA) (CKI)*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards.

Commentary – Key Points

The 2025/26 Budget has been developed based on knowledge that was available in June/July 2025. It is generally recognised that circumstances change over time and, accordingly, some of the items included or excluded from the Budget will require amending during the financial year.

The accounting treatment of the Shire's Top Level Domain income means that the Shire's '*accounting income*' differs quite significantly to its '*cash income*'. This income stream is difficult to accurately predict as it relies on future foreign exchange rates and future internet usage by third parties.

Expenditures related to this income stream are also uncertain.

The Shire also faces uncertainty in relation to future expenditures that may be necessary in relation to Coastal Hazard Management initiatives and Kampong issues.

Accordingly, due to the levels of uncertainty that exist with the above, Officers have adopted a relatively conservative approach when developing this budget.

In order to balance the budget, Officers have modelled (and proposed) an overall rate increase of 2.8%. As the Shire's rateable properties have all recently been revalued many properties will incur a rate increase below or above this 2.8%. This always occurs when properties are revalued and, generally, such variances are thought to 'level out' over a number of revaluations.

The underlying budget figures do not include any significant service level changes from 2024/25. The main budgetary changes proposed for 2025/26 include:

- recognition of new accounting processes for Water Corp invoices that relate to the Kampong tenants. These costs will now be recorded in the Shire's accounts and the Shire will invoice the tenants (previously these invoices bypassed the Shire's ledger)
- the level of waste fees charged to Commonwealth Departments has been reduced.

In providing facilities and services, Council must consider a range of principles including service cost and quality standards, value for money and community expectations. Council must balance affordability and accessibility of services with its financial capacity and in the interests of long-term financial sustainability.

Proposed Rates

In response to the Shire's Public Notice of Intention to Levy Differential Rates and Minimum Payments, the Shire received one response.

The response expressed concern on the increase of rates with regards to the level of services being delivered by council, stating that:

- over the past 12-18 months maintenance within the community has been minimal
- the roads are the worst they have ever been
- the parks areas are in a terrible state, with rubbish bins very rarely cleaned
- maintenance of the community sites basically being non-existent

- reduced opening days/hours at the rubbish tip
- minimal perceived progress regarding boat ramps

The Shire is currently actively recruiting a new CEO, Infrastructure Manager and Environment Officer. Officers expect the level of services currently being delivered to increase once these positions are filled.

As noted above, the proposed rate increases equate to an overall 2.8% increase in Rate Income compared to 2024/25. As explained in a Public Notice that accompanied Council's Intention to Levy Differential Rates and Minimum Payments, rateable properties were revalued for the 2025/26 financial year and this always results in a wide range of rate increases that apply to each rateable property.

Capital Program

The main features of the Shire's proposed 2025/26 Capital Program are (figures rounded):

Road Renewals Program	\$1,215,000
Plant Renewals	\$800,000
Buildings Renewals	\$210,000
Minor Structures Renewals	\$300,000
Other Infrastructure (renewal and growth assets)	\$450,000
Software	\$80,000
Other (Gym equipment, cinema equipment)	\$24,000
Total	\$3,079,000

Fees and Charges

In response to the Shire's Public Notice of the Proposed Fees and Charges for 2025/26, the Shire did not receive any responses.

However, the Shire did receive a Ministerial Directive to not charge higher Waste Fees on any residential premise, regardless of the identity of the owner or occupier of the residential property. A major review of the Waste Management Fees and Charges occurred in 2023/24. Council has been directed to treat Commonwealth owned residential properties as 'normal' residences with respect to charging the annual waste collection bin fees.

The Shire will continue to work on finding efficiencies and passing on cost savings where possible. Shire services are provided on the basis of one of the following pricing methods:

1. Market Price
2. Full Cost Recovery
3. Subsidised Price

The 2024/25 Fees and Charges Schedule has two categories for its Bin Collection Services:

1. Private Residential/Not for Profit
2. Commercial and Public Agency

Officers have amended this for 2025/26 to:

1. Private Residential, Not for Profit and Local Owned and Operated Businesses
2. Other Commercial and Public Agency

The Proposed Schedule of Fees Charges form part of the Statutory Budget report and are included as Attachments 2 and 3 to this report.

Budget Variations and Materiality Thresholds

Budget variations are expected to be reported to Council throughout the year, with explanations provided for material variances. Since (at least) 2017/18 the level of materiality has been set at the greater of 10% and \$20,000.

For context, Council's total income in 2017/18 Council's was \$4m.

Council's budgeted Income for 2025/26 has increased significantly to around \$10.5m and Officers now consider the \$20,000 materiality figure less relevant and suggest that it be increased. Officers are recommending the materiality figures for 2025/26 be the greater of 10% and \$50,000.

POLICY AND LEGISLATION IMPLICATIONS

This Budget has been prepared in accordance with the *Local Government Act 1995 (WA) (CKI)*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards

FINANCIAL IMPLICATIONS

The proposed budget is a balanced budget for the 2025/26 financial year.

STRATEGIC IMPLICATIONS

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

Theme

L Leadership

Goal

L2 To ensure that Shire resources are utilised in a manner that represents the best interest of the whole community

Strategy

L2.1 Responsible financial management utilizing resources to meet legislative requirements and community expectations

RISK IMPLICATIONS

Risk Category	Description	Rating (consequence likelihood) x	Mitigation Action
Financial	The budget does not accurately materially reflect actual expenditure and revenue	Low (3)	The budget has been prepared with sufficient analysis and rigour to provide a high level of confidence.
Reputation	The budget does not reflect community aspiration and priority.	Moderate (3)	The budget has been prepared to align with other Shire strategic documents

Compliance	The budget does not comply.	Low (4)	The budget has been prepared in accordance with requirements.
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Risk Matrix

Consequence / Likelihood	Insignificant (1)	Minor (2)	Medium (3)	Major (4)	Extreme (5)
Almost Certain (5)	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely (4)	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible (3)	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely (2)	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare (1)	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

VOTING REQUIREMENT

Absolute Majority

CONCLUSION

Officers submit the Shire's 2025/26 Annual Budget for adoption as required under Section 6.2 of the *Local Government Act 1995 (WA) (CKI)*.

OFFICER RECOMMENDATION – ITEM NO 10.3.1

THAT COUNCIL, BY ABSOLUTE MAJORITY:

- PURSUANT TO SECTION 6.2 OF THE *LOCAL GOVERNMENT ACT 1995 (WA) (CKI)* AND PART 3 OF THE *LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996*, RESOLVES TO ADOPT THE 2025/2026 BUDGET, INCLUDING THE STATEMENT OF COMPREHENSIVE INCOME BY NATURE AND TYPE, STATEMENT OF CASH FLOWS, STATEMENT OF FINANCIAL ACTIVITY, SUPPORTING NOTES TO AND FORMING PART OF THE STATUTORY BUDGET, CAPITAL EXPENDITURE BUDGET AND TRANSFERS TO/FROM RESERVE FUNDS FOR THE YEAR ENDING 30 JUNE 2026, AS DETAILED IN ATTACHMENT 10.3.1.1.
- PURSUANT TO SECTIONS 6.32, 6.34, 6.35, 6.37 AND 6.38 OF THE *LOCAL GOVERNMENT ACT 1995 (WA) (CKI)* AND REGULATION 54 OF THE *LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996*, RESOLVES TO ADOPT THE 2025/2026 GENERAL RATE AND MINIMUM PAYMENT FOR THE SHIRE OF COCOS (KEELING) ISLANDS AS FOLLOWS:

RATING CATEGORY	RATE IN \$ 2025/26	MINIMUM RATE 2025/26
GRV General Developed	0.10505	\$840
GRV Vacant Land	0.20850	\$920
GRV Business	0.11750	\$840

- PURSUANT TO THE PROVISIONS OF THE *WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007* PART 6, DIVISION 3, SECTION 67:
 - LEVY A CHARGE OF \$630 IN RESPECT OF THE REMOVAL OF THE CONTENTS OF ONE 240L REFUSE BIN FROM RESIDENTIAL PROPERTY PER WEEK; AND

- B) APPLY A PENSIONER DISCOUNT RATE IN RESPECT OF THE REMOVAL OF THE CONTENTS OF ONE 240L REFUSE BIN FROM RESIDENTIAL PROPERTY PER WEEK BEING \$400 FOR A SINGLE PENSION HOUSEHOLD AND \$420 FOR A COUPLE PENSION HOUSEHOLD; AND
- C) LEVY A MINIMUM CHARGE OF \$3,150 IN RESPECT OF THE REMOVAL OF THE CONTENTS OF ONE 240L REFUSE BIN FROM A COMMERCIAL AND/OR PUBLIC AGENCY PROPERTY PER WEEK;

ANY ADDITIONAL BINS OR COLLECTIONS WILL RESULT IN ADDITIONAL CHARGES;

4. **RATES INSTALMENTS**

ENDORSE THE DUE DATES FOR PAYMENT OF INSTALMENT OPTIONS AS:

- A) ONE (1) INSTALMENT OPTION – MONDAY 29 SEPTEMBER 2025: AND
- B) FOUR (4) INSTALMENT OPTION - FIRST INSTALMENT MONDAY 29 SEPTEMBER 2025, SECOND INSTALMENT THURSDAY 11 DECEMBER 2025, THIRD INSTALMENT FRIDAY 20 FEBRUARY 2026, AND FOURTH INSTALMENT FRIDAY 24 APRIL 2026;

5. **INSTALMENT ADMINISTRATION FEE**

PURSUANT TO SECTIONS 6.45 AND 6.50 OF *THE LOCAL GOVERNMENT ACT (WA) (CKI) 1995* AND REGULATION 67 OF THE LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996 RESOLVES TO ADOPT AN INSTALMENT ADMINISTRATION CHARGE WHERE THE OWNER HAS ELECTED TO PAY RATES (AND SERVICE CHARGES) BY WAY OF AN INSTALMENT OPTION OF \$5 FOR EACH INSTALMENT AFTER THE INITIAL INSTALMENT IS PAID, BEING \$15.00;

6. **INSTALMENT INTEREST**

PURSUANT TO REGULATION 68 OF THE LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996, RESOLVES TO ADOPT AN INSTALMENT INTEREST RATE OF 5.5% WHERE THE OWNER HAS ELECTED TO PAY RATES AND SERVICE CHARGES THROUGH AN INSTALMENT OPTION;

7. **PENALTY INTEREST**

PURSUANT TO SECTIONS 6.51(1) AND 6.51(4) OF *THE LOCAL GOVERNMENT ACT (WA) (CKI) 1995* AND REGULATION 70 OF THE LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996, RESOLVES TO ADOPT AN INTEREST RATE OF 7% PER ANNUM FOR RATES AND CHARGES THAT REMAIN UNPAID AFTER BECOMING DUE AND PAYABLE;

8. **ELECTED MEMBERS' FEES AND ALLOWANCES**

PURSUANT TO SECTION 5.99 OF THE *LOCAL GOVERNMENT ACT 1995 (WA) (CKI)*, RESOLVES TO SET THE ANNUAL ATTENDANCE FEE FOR ALL COUNCILLORS TO \$7,250 AND THE SHIRE PRESIDENT'S ALLOWANCE TO \$7,250 FOR THE 2025/2026 FINANCIAL YEAR.

9. **FEES AND CHARGES**

PURSUANT TO SECTION 6.16 OF THE *LOCAL GOVERNMENT ACT 1995 (WA) (CKI)*, ADOPTS THE FEES AND CHARGES SET OUT ON ATTACHMENTS 2 AND 3 TO TAKE EFFECT 1 AUGUST 2025.

10. **MATERIAL VARIANCE FOR 2025/2026 FINANCIAL YEAR**

PURSUANT TO REGULATION 34(5) OF THE *LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996* ADOPTS THE LEVEL TO BE USED IN THE MONTHLY STATEMENTS OF FINANCIAL ACTIVITY IN 2025/2026 FOR REPORTING MATERIAL VARIANCES TO BE THE GREATER OF:

- I) 10%; OR
- II) \$50,000;

RESOLUTION - ITEM NO 10.3.1 OCM/25/006

MOVED: CR A YOUNG

SECONDED: CR A BADLU

THAT COUNCIL, BY ABSOLUTE MAJORITY:

- 1. PURSUANT TO SECTION 6.2 OF THE *LOCAL GOVERNMENT ACT 1995 (WA) (CKI)* AND PART 3 OF THE *LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996*, RESOLVES TO ADOPT THE 2025/2026 BUDGET, INCLUDING THE STATEMENT OF COMPREHENSIVE INCOME BY NATURE AND TYPE, STATEMENT OF CASH FLOWS, STATEMENT OF FINANCIAL ACTIVITY, SUPPORTING NOTES TO AND FORMING PART OF THE STATUTORY BUDGET, CAPITAL EXPENDITURE BUDGET AND TRANSFERS TO/FROM RESERVE FUNDS FOR THE YEAR ENDING 30 JUNE 2026, AS DETAILED IN ATTACHMENT 1.**
- 2. PURSUANT TO SECTIONS 6.32, 6.34, 6.35, 6.37 AND 6.38 OF THE *LOCAL GOVERNMENT ACT 1995 (WA) (CKI)* AND REGULATION 54 OF THE *LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996*, RESOLVES TO ADOPT THE 2025/2026 GENERAL RATE AND MINIMUM PAYMENT FOR THE SHIRE OF COCOS (KEELING) ISLANDS AS FOLLOWS:**

RATING CATEGORY	RATE IN \$ 2025/26	MINIMUM RATE 2025/26
GRV General Developed	0.10505	\$840
GRV Vacant Land	0.20850	\$920
GRV Business	0.11750	\$840

- 3. PURSUANT TO THE PROVISIONS OF THE *WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007* PART 6, DIVISION 3, SECTION 67:**
 - A) LEVY A CHARGE OF \$630 IN RESPECT OF THE REMOVAL OF THE CONTENTS OF ONE 240L REFUSE BIN FROM RESIDENTIAL PROPERTY PER WEEK; AND**
 - B) APPLY A PENSIONER DISCOUNT RATE IN RESPECT OF THE REMOVAL OF THE CONTENTS OF ONE 240L REFUSE BIN FROM RESIDENTIAL PROPERTY PER WEEK BEING \$400 FOR A SINGLE PENSION HOUSEHOLD AND \$420 FOR A COUPLE PENSION HOUSEHOLD; AND**
 - C) LEVY A MINIMUM CHARGE OF \$3,150 IN RESPECT OF THE REMOVAL OF THE CONTENTS OF ONE 240L REFUSE BIN FROM A COMMERCIAL AND/OR PUBLIC AGENCY PROPERTY PER WEEK;**

ANY ADDITIONAL BINS OR COLLECTIONS WILL RESULT IN ADDITIONAL CHARGES;

4. RATES INSTALMENTS

ENDORSE THE DUE DATES FOR PAYMENT OF INSTALMENT OPTIONS AS:

- A) ONE (1) INSTALMENT OPTION – MONDAY 29 SEPTEMBER 2025: AND**

B) FOUR (4) INSTALMENT OPTION - FIRST INSTALMENT MONDAY 29 SEPTEMBER 2025, SECOND INSTALMENT THURSDAY 11 DECEMBER 2025, THIRD INSTALMENT FRIDAY 20 FEBRUARY 2026, FOURTH INSTALMENT THURSDAY 11 APRIL 2026;

5. **INSTALMENT ADMINISTRATION ANNUAL BUDGET**

PURSUANT TO SECTIONS 6.45 AND 6.50 OF *THE LOCAL GOVERNMENT ACT (WA) (CKI) 1995* AND REGULATION 68 OF *THE LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996* RESOLVES TO ADOPT AN INSTALMENT ADMINISTRATION CHARGE WHERE THE OWNER HAS ELECTED TO PAY RATES (AND SERVICE CHARGES) BY WAY OF AN INSTALMENT OPTION OF \$5 FOR EACH INSTALMENT AFTER THE INITIAL INSTALMENT IS PAID, BEING \$15.00;

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6. **INSTALMENT INTEREST**

PURSUANT TO REGULATION 68 OF *THE LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996* RESOLVES TO ADOPT AN INSTALMENT INTEREST RATE OF 5.5% WHERE THE OWNER HAS ELECTED TO PAY RATES AND SERVICE CHARGES THROUGH AN INSTALMENT OPTION;

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Statement of Cash Flows

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Statement of Financial Activity

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7. **PENALTY INTEREST**

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PURSUANT TO SECTIONS 6.51(1) AND 6.51(4) OF *THE LOCAL GOVERNMENT ACT (WA) (CKI) 1995* AND REGULATION 70 OF *THE LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996*, RESOLVES TO ADOPT AN INTEREST RATE OF 7% PER ANNUM FOR RATES AND CHARGES THAT REMAIN UNPAID AFTER BECOMING DUE AND PAYABLE;

Schedule of Fees and Charges

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SHIRE'S VISION

8. **ELECTED MEMBERS' FEES AND ALLOWANCES**

PURSUANT TO SECTION 5.99 OF *THE LOCAL GOVERNMENT ACT 1995 (WA) (CKI)*, RESOLVES TO SET THE ANNUAL ATTENDANCE FEE FOR ALL COUNCILLORS TO \$7,250 AND THE SHIRE PRESIDENT'S ALLOWANCE TO \$7,250 FOR THE 2025/2026 FINANCIAL YEAR.

9. **FEES AND CHARGES**

PURSUANT TO SECTION 6.16 OF *THE LOCAL GOVERNMENT ACT 1995 (WA) (CKI)*, ADOPTS THE FEES AND CHARGES SET OUT ON ATTACHMENTS 2 AND 3 TO TAKE EFFECT 1 AUGUST 2025.

10. **MATERIAL VARIANCE FOR 2025/2026 FINANCIAL YEAR**

PURSUANT TO REGULATION 34(5) OF *THE LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996* ADOPTS THE LEVEL TO BE USED IN THE MONTHLY STATEMENTS OF FINANCIAL ACTIVITY IN 2025/2026 FOR REPORTING MATERIAL VARIANCES TO BE THE GREATER OF:

I) 10%; OR

II) \$50,000;

THE MOTION WAS PUT AND DECLARED CARRIED BY ABSOLUTE MAJORITY (4/0)

FOR: BADLU, KNIGHT, MINKOM, YOUNG

AGAINST: NIL

SHIRE OF COCOS (KEELING) ISLANDS
STATEMENT OF COMPREHENSIVE INCOME
FOR THE YEAR ENDED 30 JUNE 2026

	Note	2025/26 Budget	2024/25 Actual	2024/25 Budget
Revenue				
Rates	2(a)	\$ 539,316	\$ 526,206	\$ 524,569
Grants, subsidies and contributions		5,573,260	4,910,449	5,661,002
Fees and charges	13	1,095,796	1,125,421	1,064,788
Interest revenue	9(a)	320,000	294,493	288,650
Other revenue		3,028,000	3,384,493	4,034,610
		10,556,372	10,241,062	11,573,619
Expenses				
Employee costs		(4,439,210)	(4,075,767)	(4,126,807)
Materials and contracts		(3,413,550)	(2,485,000)	(2,559,959)
Utility charges		(69,787)	(67,754)	(67,370)
Depreciation	6	(1,505,875)	(1,347,466)	(1,504,592)
Finance costs	9(c)	(500)	(500)	(822)
Insurance		(190,324)	(183,004)	(183,004)
Other expenditure		(1,001,021)	(561,865)	(1,210,252)
		(10,620,267)	(8,721,356)	(9,652,806)
		(63,895)	1,519,706	1,920,813
Capital grants, subsidies and contributions		750,000	95,800	257,654
Profit on asset disposals	5	0	0	20,500
Loss on asset disposals	5	0	0	(44,660)
		750,000	95,800	233,494
Net result for the period		686,105	1,615,506	2,154,307
Total other comprehensive income for the period		0	0	0
Total comprehensive income for the period		686,105	1,615,506	2,154,307

This statement is to be read in conjunction with the accompanying notes.

SHIRE OF COCOS (KEELING) ISLANDS
STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30 JUNE 2026

		2025/26	2024/25	2024/25
	Note	Budget	Actual	Budget
CASH FLOWS FROM OPERATING ACTIVITIES				
Receipts		\$	\$	\$
Rates		539,316	526,206	524,569
Grants, subsidies and contributions		5,573,260	4,910,449	5,612,796
Fees and charges		1,095,796	1,125,421	1,064,788
Interest revenue		320,000	294,493	288,650
Goods and services tax received		0	0	0
Other revenue		5,528,000	5,384,493	4,034,610
		13,056,372	12,241,062	11,525,413
Payments				
Employee costs		(4,439,210)	(4,075,767)	(4,126,807)
Materials and contracts		(3,413,550)	(2,485,000)	(2,559,959)
Utility charges		(69,787)	(67,754)	(67,370)
Finance costs		(500)	(500)	(822)
Insurance paid		(190,324)	(183,004)	(183,004)
Other expenditure		(1,001,021)	(971,865)	(1,210,252)
		(9,114,392)	(7,783,890)	(8,148,214)
Net cash provided by operating activities	4	3,941,980	4,457,172	3,377,199
CASH FLOWS FROM INVESTING ACTIVITIES				
Payments for purchase of property, plant & equipment	5(a)	(1,383,077)	(957,430)	(992,196)
Payments for construction of infrastructure	5(b)	(1,617,420)	(145,855)	(281,883)
Payments for intangible assets	5(c)	(78,420)	0	0
Capital grants, subsidies and contributions		750,000	95,800	403,652
Proceeds from sale of property, plant and equipment	5(a)	30,000	68,430	(24,160)
Net cash (used in) investing activities		(2,298,917)	(939,055)	(894,587)
CASH FLOWS FROM FINANCING ACTIVITIES				
Payments for principal portion of lease liabilities	7	(12,908)	(12,908)	(12,908)
Net cash (used in) financing activities		(12,908)	(12,908)	(12,908)
Net increase in cash held		1,630,155	3,505,209	2,469,704
Cash at beginning of year		9,768,041	6,262,832	5,628,320
Cash and cash equivalents at the end of the year	4	11,398,196	9,768,041	8,098,024

This statement is to be read in conjunction with the accompanying notes.

SHIRE OF COCOS (KEELING) ISLANDS
STATEMENT OF FINANCIAL ACTIVITY
FOR THE YEAR ENDED 30 JUNE 2026

OPERATING ACTIVITIES

Revenue from operating activities

	Note	2025/26 Budget	2024/25 Actual	2024/25 Budget
		\$	\$	\$
General rates	2(a)(i)	509,516	503,028	500,579
Rates excluding general rates	2(a)	29,800	23,990	23,990
Grants, subsidies and contributions		5,481,923	4,910,449	5,661,002
Fees and charges	13	1,095,796	1,125,421	1,064,788
Interest revenue	9(a)	320,000	294,493	288,650
Other revenue		3,028,000	3,384,493	4,034,610
Proceeds from Non Current Debtor		1,100,000	1,164,493	0
Profit on asset disposals	5	0	0	20,500
		11,565,035	11,406,367	11,594,119

Expenditure from operating activities

Employee costs		(4,439,210)	(4,075,767)	(4,126,807)
Materials and contracts		(3,463,550)	(2,485,000)	(2,559,959)
Utility charges		(69,787)	(67,754)	(67,370)
Depreciation	6	(1,505,875)	(1,347,466)	(1,504,592)
Finance costs	9(c)	(500)	(500)	(822)
Insurance		(190,324)	(183,004)	(183,004)
Other expenditure		(1,001,021)	(561,865)	(1,210,252)
Loss on asset disposals	5	0	0	(44,660)
		(10,670,267)	(8,721,356)	(9,697,466)

Non cash amounts excluded from operating activities

3(c) 1,471,519 1,347,468 1,545,952

Amount attributable to operating activities

2,366,287 4,032,479 3,442,605

INVESTING ACTIVITIES

Inflows from investing activities

Capital grants, subsidies and contributions		750,000	95,800	257,654
Proceeds from disposal of property, plant and equipment	5(a)	30,000	68,430	(24,160)
		780,000	164,230	233,494

Outflows from investing activities

Payments for property, plant and equipment	5(a)	(1,383,077)	(957,430)	(992,196)
Payments for construction of infrastructure	5(b)	(1,617,420)	(145,855)	(281,883)
Payments for intangible assets	5(c)	(78,420)	0	0
		(3,078,917)	(1,103,285)	(1,274,079)

Amount attributable to investing activities

(2,298,917) (939,055) (1,040,585)

FINANCING ACTIVITIES

Inflows from financing activities

Transfers from reserve accounts	8(a)	3,967,534	2,439,415	3,331,374
		3,967,534	2,439,415	3,331,374

Outflows from financing activities

Payments for principal portion of lease liabilities	7	(12,908)	(12,908)	(12,908)
Transfers to reserve accounts	8(a)	(6,347,078)	(6,091,288)	(5,788,986)
		(6,359,986)	(6,104,196)	(5,801,894)

Amount attributable to financing activities

(2,392,452) (3,664,781) (2,470,520)

MOVEMENT IN SURPLUS OR DEFICIT

Surplus at the start of the financial year

3 2,325,082 2,896,439 68,500

Amount attributable to operating activities

2,366,287 4,032,479 3,442,605

Amount attributable to investing activities

(2,298,917) (939,055) (1,040,585)

Amount attributable to financing activities

(2,392,452) (3,664,781) (2,470,520)

Surplus/(deficit) remaining after the imposition of general rates

3 **0 2,325,082 0**

This statement is to be read in conjunction with the accompanying notes.

**CITY OF SOMEWHERE
FOR THE YEAR ENDED 30 JUNE 2026
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SHIRE OF COCOS (KEELING) ISLANDS NOTES TO AND FORMING PART OF THE BUDGET FOR THE YEAR ENDED 30 JUNE 2026

1 BASIS OF PREPARATION

The annual budget of the Shire of Cocos (Keeling) Islands which is a Class 4 local government is a forward looking document and has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

Local Government Act 1995 requirements

Section 6.4(2) of the *Local Government Act 1995* read with the *Local Government (Financial Management) Regulations 1996* prescribe that the annual budget be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from *AASB 16 Leases* which would have required the Shire to measure any vested improvements at zero cost.

Accounting policies which have been adopted in the preparation of this annual budget have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the annual budget has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

The local government reporting entity

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this annual budget.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 11 to the annual budget.

2024/25 actual balances

Balances shown in this budget as 2024/25 Actual are estimates as forecast at the time of preparation of the annual budget and are subject to final adjustments.

Budget comparative figures

Unless otherwise stated, the budget comparative figures shown in the budget relate to the original budget estimate for the relevant item of disclosure.

Comparative figures

Where required, comparative figures have been adjusted to conform with changes in presentation for the current financial year.

Rounding off figures

All figures shown in this statement are rounded to the nearest dollar.

Statement of Cashflows

Investing and financing transactions that do not require the use of cash or cash equivalents shall be excluded from a statement of cash flows. Such transactions shall be disclosed elsewhere in the financial statements in a way that provides all the relevant information about these investing and financing activities.

Initial application of accounting standards

During the budget year, the below revised Australian Accounting Standards and Interpretations are expected to be compiled, become mandatory and be applicable to its operations.

- *AASB 2020-1 Amendments to Australian Accounting Standards*
 - *Classification of Liabilities as Current or Non-current*
- *AASB 2022-5 Amendments to Australian Accounting Standards*
 - *Lease Liability in a Sale and Leaseback*
- *AASB 2022-6 Amendments to Australian Accounting Standards*
 - *Non-current Liabilities with Covenants*
- *AASB 2023-1 Amendments to Australian Accounting Standards*
 - *Supplier Finance Arrangements*
- *AASB 2023-3 Amendments to Australian Accounting Standards*
 - *Disclosure of Non-current Liabilities with Covenants: Tier 2*
- *AASB 2024-1 Amendments to Australian Accounting Standards*
 - *Supplier Finance Arrangements: Tier 2 Disclosures*

It is not expected these standards will have an impact on the annual budget.

- *AASB 2022-10 Amendments to Australian Accounting Standards*
 - *Fair Value Measurement of Non-Financial Assets of Not-for-Profit Public Sector Entities*, became mandatory during the budget year. Amendments to *AASB 13 Fair Value Measurement* impacts the future determination of fair value when revaluing assets using the cost approach. Timing of future revaluations is defined by regulation 17A of *Local Government (Financial Management) Regulations 1996*. Impacts of this pronouncement are yet to be quantified and are dependent on the timing of future revaluations of asset classes. No material impact is expected in relation to the 2025-26 statutory budget.

New accounting standards for application in future years

The following new accounting standards will have application to local government in future years:

- *AASB 2014-10 Amendments to Australian Accounting Standards*
 - *Sale or Contribution of Assets between an Investor and its Associate or Joint Venture*
- *AASB 2024-4b Amendments to Australian Accounting Standards*
 - *Effective Date of Amendments to AASB 10 and AASB 128 [deferred AASB 10 and AASB 128 amendments in AASB 2014-10 apply]*
- *AASB 2022-9 Amendments to Australian Accounting Standards*
 - *Insurance Contracts in the Public Sector*
- *AASB 2023-5 Amendments to Australian Accounting Standards*
 - *Lack of Exchangeability*
- *AASB 18 (FP) Presentation and Disclosure in Financial Statements*
 - *(Appendix D) [for for-profit entities]*
- *AASB 18 (NFP/super) Presentation and Disclosure in Financial Statements*
 - *(Appendix D) [for not-for-profit and superannuation entities]*
- *AASB 2024-2 Amendments to Australian Accounting Standards*
 - *Classification and Measurement of Financial Instruments*
- *AASB 2024-3 Amendments to Australian Accounting Standards*
 - *Standards – Annual Improvements Volume 11*

It is not expected these standards will have an impact on the annual budget.

Critical accounting estimates and judgements

The preparation of the annual budget in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

As with all estimates, the use of different assumptions could lead to material changes in the amounts reported in the financial report.

The following are estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year and further information on their nature and impact can be found in the relevant note:

- Fair value measurement of assets carried at reportable value including:
 - Property, plant and equipment
 - Infrastructure
- Expected credit losses on financial assets
- Assets held for sale
- Impairment losses of non-financial assets
- Investment property
- Estimated useful life of intangible assets
- Measurement of employee benefits
- Measurement of provisions



SHIRE OF COCOS (KEELING) ISLANDS
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2026

2. RATES AND SERVICE CHARGES

(a) Rating Information

Rate Description	Basis of valuation	Rate in dollar	Number of properties	Rateable value*	2025/26 Budgeted rate revenue	2025/26 Budgeted interim rates	2025/26 Budgeted total revenue	2024/25 Actual total revenue	2024/25 Budget total revenue
				\$	\$	\$	\$	\$	\$
(i) General rates									
GRV - General Developed	Gross rental valuation	0.10505	158	3,277,040	344,253	0	344,253	340,864	338,415
GRV - Vacant Land	Gross rental valuation	0.20850	10	53,970	11,253		11,253	11,025	11,025
GRV - Business	Gross rental valuation	0.11750	44	1,310,725	154,010		154,010	151,139	151,139
Total general rates			212	4,641,735	509,516	0	509,516	503,028	500,579
		Minimum							
		\$							
(ii) Minimum payment									
GRV - General Developed	Gross rental valuation	840.00	3	3,540	2,520		2,520	3,240	3,240
GRV - Vacant Land	Gross rental valuation	920.00	5	16,120	4,600		4,600	4,550	4,550
GRV - Business	Gross rental valuation	840.00	27	77,030	22,680		22,680	16,200	16,200
Total minimum payments			35	96,690	29,800	0	29,800	23,990	23,990
Total general rates and minimum payments			247	4,738,425	539,316	0	539,316	527,018	524,569

The Shire did not raise specified area rates for the year ended 30th June 2026.

*Rateable Value at time of adopting budget.

All rateable properties within the district used predominately for non-rural purposes are rated according to their Gross Rental Valuation (GRV), all other properties are rated according to their Unimproved Valuation (UV).

The general rates detailed for the 2025/26 financial year have been determined by Council on the basis of raising the revenue required to meet the estimated deficiency between the total estimated expenditure proposed in the budget and the estimated revenue to be received from all sources other than general rates and also considering the extent of any increase in rating over the level adopted in the previous year.

The minimum payments have been determined by Council on the basis that all ratepayers must make a reasonable contribution to the cost of local government services/facilities.

SHIRE OF COCOS (KEELING) ISLANDS
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2026

2. RATES AND SERVICE CHARGES (CONTINUED)

(b) Interest Charges and Instalments - Rates and Service Charges

The following instalment options are available to ratepayers for the payment of rates and service charges.

Instalment options	Date due	Instalment plan admin charge	Instalment plan interest rate	Unpaid rates interest rates
		\$	%	%
Option one				
Single full payment	29/09/2025	0	NA	7.0%
Option two				
First instalment	29/09/2025	15	NA	7.0%
Second instalment	11/12/2025	0	5.5%	7.0%
Third instalment	20/02/2026	0	5.5%	7.0%
Fourth instalment	24/04/2026	0	5.5%	7.0%

(c) Objectives and Reasons for Differential Rating

To provide equity in the rating of properties across the Shire the following rate categories have been determined for the implementation of differential rating.

(i) Differential general rate

Description	Characteristics	Objects	Reasons
GRV General Developed	This category covers residential, special use and other properties where no commercial activity is occurring and is not being advertised as holiday accommodation.	The object of the rate for this category is to be the base rate by which all GRV rated properties are assessed.	This category has the lowest rate in the dollar as other GRV categories have a higher demand on Shire resources and vacant land is encouraged to be developed.
GRV Vacant Land	This category includes all properties that have no improvements other than merged improvements as defined in the Valuation of Land Act 1998	The object of the rate for this category is to encourage land owners to develop residential vacant land.	The Shire wants to promote and encourage land owners to develop vacant land to its full potential, thereby stimulating growth.
GRV Business	This category applies to all properties zoned commercial and industrial or on all properties where commercial activity is the main use.	The object of the rate is to fund the costs associated with the higher level of services provided to properties in this category.	The Shire incurs higher costs to service these areas including car park infrastructure, landscaping and other amenities as well as additional expenditure associated with tourism and economic development activities that benefit these rate payers.

**SHIRE OF COCOS (KEELING) ISLANDS
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2026****2. RATES AND SERVICE CHARGES (CONTINUED)****(ii) Differential Minimum Payment**

GRV General Developed	This category covers residential, special use and other properties where no commercial activity is occurring and is not being advertised as holiday accommodation.	This payment is considered the minimum contribution for basic services and infrastructure.	This is considered to be the base minimum for GRV rated residential properties
GRV Vacant Land	This category includes all properties that have no improvements other than merged improvements as defined in the Valuation of Land Act 1998	This payment is considered the minimum contribution for basic services and infrastructure.	The minimum for this category is designed to encourage land owners to develop their vacant land.
GRV Business	This category applies to all properties zoned commercial and industrial or on all properties where commercial activity is the main use.	This payment is considered the minimum contribution for basic services and infrastructure.	This is considered to be the base minimum for GRV rated business properties

SHIRE OF COCOS (KEELING) ISLANDS
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2026

2. RATES AND SERVICE CHARGES (CONTINUED)

(d) Service Charges

The Shire did not raise service charges for the year ended 30th June 2026.

(f) Waivers or concessions

The Shire does not anticipate any waivers or concessions for the year ended 30th June 2026.

SHIRE OF COCOS (KEELING) ISLANDS
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2026

3. NET CURRENT ASSETS

(a) Composition of estimated net current assets

Current assets

Cash and cash equivalents
Receivables
Inventories
Other assets
Other assets

Less: current liabilities

Trade and other payables
Lease liabilities
Employee provisions

Net current assets

Less: Total adjustments to net current assets

Net current assets used in the Statement of Financial Activity

(b) Current assets and liabilities excluded from budgeted deficiency

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation 32* to agree to the surplus/(deficit) after imposition of general rates.

Adjustments to net current assets

Less: Cash - reserve accounts
Add: Current liabilities not expected to be cleared at end of year
- Current portion of lease liabilities
- Current portion of employee benefit provisions held in reserve

Total adjustments to net current assets

Note	2025/26 Budget 30 June 2026	2024/25 Actual 30 June 2025	2024/25 Budget 30 June 2025
	\$	\$	\$
4	11,017,938	9,387,783	8,098,024
	1,808,302	3,208,302	205,360
	12,882	12,882	10,409
	0	141,337	0
	32	33	0
	12,839,154	12,750,337	8,313,793
	(168,600)	(168,600)	(153,010)
7	(5,270)	(11,415)	(13,185)
	(498,622)	(498,622)	(518,768)
	(672,492)	(678,637)	(684,963)
	12,166,662	12,071,700	7,628,830
3(b)	(12,166,662)	(9,746,618)	(7,628,830)
	0	2,325,082	0
8	(12,517,360)	(10,137,817)	(8,021,799)
	5,270	11,415	13,185
	345,428	379,784	379,784
	(12,166,662)	(9,746,618)	(7,628,830)

EXPLANATION OF DIFFERENCE IN NET CURRENT ASSETS AND SURPLUS/(DEFICIT)

Items excluded from calculation of budgeted deficiency

When calculating the budget deficiency for the purpose of Section 6.2 (2)(c) of the *Local Government Act 1995* the following amounts have been excluded as provided by *Local Government (Financial Management) Regulation 32* which will not fund the budgeted expenditure.

(c) Non-cash amounts excluded from operating activities

The following non-cash revenue or expenditure has been excluded from amounts attributable to operating activities within the Statement of Financial Activity in accordance with *Financial Management Regulation 32*.

Adjustments to operating activities

Less: Profit on asset disposals
Add: Loss on asset disposals
Add: Depreciation
Movement in current employee provisions associated with restricted cash
Non-cash movements in non-current assets and liabilities:
- Employee provisions

Non cash amounts excluded from operating activities

Note	2025/26 Budget 30 June 2026	2024/25 Actual 30 June 2025	2024/25 Budget 30 June 2025
	\$	\$	\$
5	0	0	(20,500)
5	0	0	44,660
6	1,505,875	1,347,466	1,504,592
	(34,356)	0	17,200
	0	2	
	1,471,519	1,347,468	1,545,952

SHIRE OF COCOS (KEELING) ISLANDS NOTES TO AND FORMING PART OF THE BUDGET FOR THE YEAR ENDED 30 JUNE 2026

3. NET CURRENT ASSETS

(d) MATERIAL ACCOUNTING POLICIES

CURRENT AND NON-CURRENT CLASSIFICATION

The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Shire's operational cycle. In the case of liabilities where the Shire does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current or non-current based on the Shire's intentions to release for sale.

TRADE AND OTHER PAYABLES

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the financial year that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.

PREPAID RATES

Prepaid rates are, until the taxable event has occurred (start of the next financial year), refundable at the request of the ratepayer. Rates received in advance are initially recognised as a financial liability. When the taxable event occurs, the financial liability is extinguished and the Shire recognises revenue for the prepaid rates that have not been refunded.

INVENTORIES

General

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

SUPERANNUATION

The Shire contributes to a number of superannuation funds on behalf of employees. All funds to which the Shire contributes are defined contribution plans.

INVENTORY - LAND HELD FOR RESALE

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed.

Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point.

Inventory - land held for resale is classified as current except where it is held as non-current based on the Shire's intentions to release for sale.

GOODS AND SERVICES TAX (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

CONTRACT LIABILITIES

Contract liabilities represent the Shire's obligation to transfer goods or services to a customer for which the Shire has received consideration from the customer.

Contract liabilities represent obligations which are not yet satisfied. Contract liabilities are recognised as revenue when the performance obligations in the contract are satisfied.

TRADE AND OTHER RECEIVABLES

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for grants, contributions, reimbursements, and goods sold and services performed in the ordinary course of business.

Trade and other receivables are recognised initially at the amount of consideration that is unconditional, unless they contain significant financing components, when they are recognised at fair value.

Trade receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.

Due to the short term nature of current receivables, their carrying amount is considered to be the same as their fair value. Non-current receivables are indexed to inflation, any difference between the face value and fair value is considered immaterial.

The Shire applies the AASB 9 simplified approach to measuring expected credit losses using a lifetime expected loss allowance for all trade receivables. To measure the expected credit losses, rates receivable are separated from other trade receivables due to the difference in payment terms and security for rates receivable.

PROVISIONS

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

EMPLOYEE BENEFITS

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the determination of the net current asset position.

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the determination of the net current asset position.

Other long-term employee benefits

Long-term employee benefits provisions are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.

The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

SHIRE OF COCOS (KEELING) ISLANDS
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2026

4. RECONCILIATION OF CASH

For the purposes of the Statement of Cash Flows, cash includes cash and cash equivalents, net of outstanding bank overdrafts. Estimated cash at the end of the reporting period is as follows:

Note	2025/26 Budget	2024/25 Actual	2024/25 Budget
	\$	\$	\$
Cash at bank and on hand	6,013,703	1,362,783	76,225
Term deposits	5,004,235	8,025,000	8,021,799
Total cash and cash equivalents	11,017,938	9,387,783	8,098,024
Held as			
- Unrestricted cash and cash equivalents	(1,499,422)	(750,034)	76,225
- Restricted cash and cash equivalents	12,517,360	10,137,817	8,021,799
3(a)	11,017,938	9,387,783	8,098,024
Restrictions			
The following classes of assets have restrictions imposed by regulations or other externally imposed requirements which limit or direct the purpose for which the resources may be used:			
- Cash and cash equivalents	12,517,360	10,137,817	8,021,799
	12,517,360	10,137,817	8,021,799
The assets are restricted as a result of the specified purposes associated with the liabilities below:			
Reserve accounts	12,517,360	10,137,817	8,021,799
8	12,517,360	10,137,817	8,021,799
Reconciliation of net cash provided by operating activities to net result			
Net result	686,105	1,615,506	2,154,307
Depreciation	1,505,875	1,347,466	1,504,592
(Profit)/loss on sale of asset	0	0	24,160
(Increase)/decrease in receivables	2,500,000	1,734,252	0
(Increase)/decrease in inventories	0	(4,131)	0
(Increase)/decrease in other assets	0	145,966	50,000
Increase/(decrease) in payables	0	(286,090)	(98,206)
Increase/(decrease) in employee provisions	0	3	0
Capital grants, subsidies and contributions	(750,000)	(95,800)	(257,654)
Net cash from operating activities	3,941,980	4,457,172	3,377,199

MATERIAL ACCOUNTING POLICES

CASH AND CASH EQUIVALENTS

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks, other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.

Bank overdrafts are shown as short term borrowings in current liabilities in Note 3 - Net Current Assets.

FINANCIAL ASSETS AT AMORTISED COST

The Shire classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.



SHIRE OF COCOS (KEELING) ISLANDS
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2026

5. PROPERTY, PLANT AND EQUIPMENT

	2025/26 Budget							2024/25 Actual							2024/25 Budget						
	Additions	In-kind Additions	Disposals - Net Book Value	Transfer to non-current assets classified as held for sale	Disposals - Sale Proceeds	Disposals - Profit	Disposals - Loss	Additions	In-kind Additions	Disposals - Net Book Value	Transfer to non-current assets classified as held for sale	Disposals - Sale Proceeds	Disposals - Profit	Disposals - Loss	Additions	In-kind Additions	Disposals - Net Book Value	Transfer to non-current assets classified as held for sale	Disposals - Sale Proceeds	Disposals - Profit	Disposals - Loss
(a) Property, Plant and Equipment	\$	\$	\$		\$	\$	\$	\$	\$	\$		\$	\$	\$	\$	\$	\$		\$	\$	\$
Buildings - non-specialised	511,789						0	145,352						0	193,755						0
Furniture and equipment	7,688						0	157,586						0	151,057						0
Plant and equipment	863,600		(30,000)		30,000		0	654,492		(12,350)		68,430		(56,080)	647,384			(24,160)	20,500		(44,660)
Total	1,383,077	0	(30,000)	0	30,000	0	0	957,430	0	(12,350)	0	68,430	0	(56,080)	992,196	0	0	0	(24,160)	20,500	(44,660)
(b) Infrastructure																					
Infrastructure - roads	1,214,920						0	145,855						0	281,883						0
Other infrastructure	402,500						0							0							0
Total	1,617,420	0	0	0	0	0	0	145,855	0	0	0	0	0	0	281,883	0	0	0	0	0	0
(c) Intangible Assets																					
Software	78,420						0							0							0
	78,420	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	3,078,917	0	(30,000)	0	30,000	0	0	1,103,285	0	(12,350)	0	68,430	0	(56,080)	1,274,079	0	0	0	(24,160)	20,500	(44,660)

MATERIAL ACCOUNTING POLICIES

RECOGNITION OF ASSETS

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Financial Management Regulation 17A (5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

GAINS AND LOSSES ON DISPOSAL

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in profit or loss in the period which they arise.

SHIRE OF COCOS (KEELING) ISLANDS
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2026

6. DEPRECIATION

By Class

Buildings - non-specialised
Furniture and equipment
Plant and equipment
Infrastructure - roads
Other infrastructure
Right of use - buildings
Intangible assets - software

By Program

Governance
Law, order, public safety
Education and welfare
Housing
Community amenities
Recreation and culture
Transport
Economic services
Other property and services

2025/26 Budget	2024/25 Actual	2024/25 Budget
\$	\$	\$
470,975	464,839	451,054
42,946	18,338	30,993
541,791	488,182	505,558
165,091	161,455	232,247
272,182	272,182	271,850
11,890	11,890	11,890
1,000	1,000	1,000
1,505,875	1,417,885	1,504,592
15,496	15,496	20,757
6,951	6,951	6,947
15,281	15,281	15,259
47,518	47,518	47,461
94,699	89,699	100,221
311,899	301,899	300,241
341,124	310,671	378,457
100,121	100,121	99,998
572,784	530,247	535,251
1,505,875	1,417,885	1,504,592

MATERIAL ACCOUNTING POLICIES

DEPRECIATION

The depreciable amount of all fixed assets including buildings but excluding freehold land, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.

The assets residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period.

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

Major depreciation periods used for each class of depreciable asset are:

Buildings - non-specialised	30 to 100 years
Furniture and equipment	4 to 15 years
Plant and equipment	4 to 15 years
Infrastructure - roads	20 to 50 years
Other infrastructure	10 years
Right of use - buildings	term of lease
Intangible assets - software	40 years

AMORTISATION

The depreciable amount of all intangible assets with a finite useful life, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset is held for use.

The assets residual value of intangible assets is considered to be zero and useful live and amortisation method are reviewed at the end of each financial year.

Amortisation is included within Depreciation on non-current assets in the Statement of Comprehensive Income.

SHIRE OF COCOS (KEELING) ISLANDS
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2026

7. LEASE LIABILITIES

Purpose	Lease Number	Institution	Lease Interest Rate	Lease Term	Budget Lease Principal 1 July 2025	2025/26 Budget New Leases	2025/26 Budget Lease Principal Repayments	Budget Lease Principal outstanding 30 June 2026	2025/26 Budget Lease Interest Repayments	Actual Principal 1 July 2024	2024/25 Actual New Leases	2024/25 Actual Lease Principal repayments	Actual Lease Principal outstanding 30 June 2025	2024/25 Actual Lease Interest repayments	Budget Principal 1 July 2024	2024/25 Budget New Leases	2024/25 Budget Lease Principal repayments	Budget Lease Principal outstanding 30 June 2025	2024/25 Budget Lease Interest repayments
					\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
West Island Admin Office		Dept Infrastructure		5	18,763		(12,908)	5,855	(500)	31,671		(12,908)	18,763	(500)	31,671		(12,908)	18,763	(821)
					18,763	0	(12,908)	5,855	(500)	31,671	0	(12,908)	18,763	(500)	31,671	0	(12,908)	18,763	(821)

MATERIAL ACCOUNTING POLICIES

LEASES

At the inception of a contract, the Shire assesses whether the contract is, or contains, a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration.

At the commencement date, a right-of-use asset is recognised at cost and a lease liability at the present value of the lease payments that are not paid at that date. The lease payments are discounted using the interest rate implicit in the lease, if that rate can be readily determined. If that rate cannot be readily determined, the Shire uses its incremental borrowing rate.

LEASE LIABILITIES

The present value of future lease payments not paid at the reporting date discounted using the incremental borrowing rate where the implicit interest rate in the lease is not readily determined.

SHIRE OF COCOS (KEELING) ISLANDS
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2026

8. RESERVE ACCOUNTS

(a) Reserve Accounts - Movement

	2025/26 Budget				2024/25 Actual				2024/25 Budget			
	Opening Balance	Transfer to	Transfer (from)	Closing Balance	Opening Balance	Transfer to	Transfer (from)	Closing Balance	Opening Balance	Transfer to	Transfer (from)	Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Restricted by council												
(b) Leave reserve	379,784	11,394	(45,750)	345,428	362,584	17,200	0	379,784	362,584	17,200		379,784
(c) Plant Reserve	1,045,155	573,145	(813,600)	804,700	986,465	528,182	(469,492)	1,045,155	986,465	545,558	(520,000)	1,012,023
(d) Building Reserve	1,803,905	336,702	(511,789)	1,628,818	1,610,354	338,903	(145,352)	1,803,905	1,610,354	330,632	(280,421)	1,660,565
(e) Furniture and equipment reserve	(228)	25,761	(7,688)	17,845	41,961	11,803	(53,992)	(228)	41,961	19,396	(17,957)	43,400
(f) Self insurance reserve	113,838	3,415	0	117,253	109,838	4,000	0	113,838	109,838	4,000		113,838
(g) Community reserve	541,796	16,254	0	558,050	517,796	24,000	0	541,796	517,796	24,000		541,796
(h) Climate adaption reserve	94,301	2,829	0	97,130	91,101	3,200	0	94,301	91,101	3,200		94,301
(i) Land Trust Administration Reserve	84,883	2,546	0	87,429	84,083	800	0	84,883	84,083	100,800		184,883
(j) Waste management Reserve	0	313,800	(313,800)	0	0	470,000	(470,000)	0	0	491,000	(491,000)	0
(k) IT & Communications Reserve	5,717,683	5,010,530	(1,874,907)	8,853,306	2,448,262	4,570,000	(1,300,579)	5,717,683	1,526,505	4,130,000	(2,021,996)	3,634,509
(l) Infrastructure Reserve	356,700	50,701	(400,000)	7,401	233,500	123,200	0	356,700	233,500	123,200		356,700
	10,137,817	6,347,078	(3,967,534)	12,517,360	6,485,944	6,091,288	(2,439,415)	10,137,817	5,564,187	5,788,986	(3,331,374)	8,021,799

(b) Reserve Accounts - Purposes

In accordance with Council resolutions in relation to each reserve account, the purpose for which the reserves are set aside are as follows:

Reserve name	Anticipated date of use	Purpose of the reserve
Restricted by legislation		
Restricted by council		
(b) Leave reserve	Ongoing	- to be used to fund annual and long service leave requirements.
(c) Plant Reserve	Ongoing	- to be used for the purchase of major plant.
(d) Building Reserve	Ongoing	- to be used for the construction of Council buildings.
(e) Furniture and equipment reserve	Ongoing	- to be used for the purchase of furniture and office equipment.
(f) Self insurance reserve	Ongoing	- to be used to ensure that Council has sufficient cover on all insurance policies
(g) Community reserve	Ongoing	- to be used for the development of Home Island facilities and infrastructure.
(h) Climate adaption reserve	Ongoing	- to be used for the purpose of providing for the needs of climate adaptation in the future.
(i) Land Trust Administration Reserve	Ongoing	- to be used to provide funds for the future administration and winding-up of the 1979 and 1984 Land Trusts
(j) Waste management Reserve	Ongoing	- to be used to restrict bin collection and transfer station gate fees to fund waste management operating and capital costs
(k) IT & Communications Reserve	Ongoing	- to be used to restrict .cc income to fund Shire ICT costs and other community improvement initiatives.
(l) Infrastructure Reserve	Ongoing	- to be used for use towards future Shire infrastructure projects

SHIRE OF COCOS (KEELING) ISLANDS
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2026

9. OTHER INFORMATION

The net result includes as revenues

(a) Interest earnings

	2025/26 Budget	2024/25 Actual	2024/25 Budget
	\$	\$	\$
Investments	311,000	285,493	285,000
Other interest revenue	9,000	9,000	3,450
	320,000	294,493	288,450

The net result includes as expenses

(b) Auditors remuneration

	2025/26 Budget	2024/25 Actual	2024/25 Budget
	\$	\$	\$
Audit services	77,500	65,000	75,000
Other services	13,250	12,500	7,500
	90,750	77,500	82,500

(c) Interest expenses (finance costs)

	2025/26 Budget	2024/25 Actual	2024/25 Budget
	\$	\$	\$
Interest on lease liabilities (refer Note 7)	500	500	821
	500	500	821

SHIRE OF COCOS (KEELING) ISLANDS
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2026

10. COUNCIL MEMBERS REMUNERATION

	2025/26 Budget	2024/25 Actual	2024/25 Budget
	\$	\$	\$
Cr Minkom (A)			
President's allowance	7,250	7,000	7,000
Meeting attendance fees	7,250	7,000	7,000
Other expenses	1,500	750	1,500
Travel and accommodation expenses	13,500	10,336	13,000
	29,500	25,086	28,500
Cr Minkom (I)			
Deputy President's allowance	7,250	7,000	7,000
Other expenses	1,050	375	1,000
Travel and accommodation expenses	7,250	1,112	7,000
	15,550	8,487	15,000
Council member 1			
Meeting attendance fees	7,250	7,000	7,000
Other expenses	1,050	375	1,000
Travel and accommodation expenses	7,250	1,112	7,000
	15,550	8,487	15,000
Council member 2			
Meeting attendance fees	7,250	7,000	7,000
Other expenses	1,050	375	1,000
Travel and accommodation expenses	7,250	2,867	7,000
	15,550	10,242	15,000
Council member 3			
Meeting attendance fees	7,250	7,000	7,000
Other expenses	1,050	375	1,000
Travel and accommodation expenses	7,250	1,112	7,000
	15,550	8,487	15,000
Council member 4			
Meeting attendance fees	7,250	7,000	7,000
Other expenses	1,050	375	1,000
Travel and accommodation expenses	7,250	1,112	7,000
	15,550	8,487	15,000
Council member 5			
Meeting attendance fees	7,250	7,000	7,000
Other expenses	1,050	375	1,000
Travel and accommodation expenses	7,250	469	7,000
	15,550	7,844	15,000
Total Council Member Remuneration	122,800	77,120	118,500
President's allowance	7,250	7,000	7,000
Deputy President's allowance	7,250	7,000	7,000
Meeting attendance fees	43,500	42,000	42,000
Other expenses	7,800	3,000	7,500
Travel and accommodation expenses	57,000	18,120	55,000
	122,800	77,120	118,500

SHIRE OF COCOS (KEELING) ISLANDS
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2026

11. LAND TRUSTS

STATEMENTS OF FINANCIAL ACTIVITY
FOR THE YEAR ENDED 30 JUNE 2026

1979 LAND TRUST

OPERATING ACTIVITIES

Revenue from operating activities

Fees and charges

Other revenue

Expenditure from operating activities

Employee costs

Materials and contracts

Utility charges

Depreciation

Insurance

Non-cash amounts excluded from operating activities

Amount attributable to operating activities

INVESTING ACTIVITIES

Outflows from investing activities

Payments for property, plant and equipment

MOVEMENT IN SURPLUS OR DEFICIT

Surplus or deficit at the start of the financial year

Amount attributable to operating activities

Amount attributable to investing activities

Surplus or deficit at the end of the financial year -

NET CONTRIBUTION TO/ (FROM) SHIRE

2025/26 Budget	2024/25 Actual	2024/25 Budget
\$	\$	\$
538,000	538,000	486,668
102,500	102,500	106,040
640,500	640,500	592,708
(210,000)	(200,000)	(263,218)
(600,000)	(520,000)	(717,170)
(69,000)	(67,000)	(55,720)
(1,700,000)	(1,700,000)	(1,690,415)
(317,000)	(313,000)	(321,353)
(2,896,000)	(2,800,000)	(3,047,876)
1,700,000	1,700,000	1,690,415
(555,500)	(459,500)	(764,753)
(250,000)	0	(144,920)
(250,000)	0	(144,920)
0	0	0
(555,500)	(459,500)	(764,753)
(250,000)	0	(144,920)
(805,500)	(459,500)	(909,673)

1984 LAND TRUST

OPERATING ACTIVITIES

Revenue from operating activities

Fees and charges

Expenditure from operating activities

Employee costs

Materials and contracts

Utility charges

Depreciation

Insurance

Non-cash amounts excluded from operating activities

Amount attributable to operating activities

2025/26 Budget	2024/25 Actual	2024/25 Budget
\$	\$	\$
152,500	152,500	152,542
152,500	152,500	152,542
(78,000)	(75,000)	(64,230)
(51,500)	(50,000)	(51,095)
(7,300)	(7,000)	(9,120)
(267,000)	(267,000)	(267,213)
(47,500)	(46,500)	(39,747)
(451,300)	(445,500)	(431,405)
267,000	267,000	267,213
(31,800)	(26,000)	(11,650)

SHIRE OF COCOS (KEELING) ISLANDS
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2026

12. REVENUE AND EXPENDITURE

(a) Revenue and Expenditure Classification

REVENUES

RATES

All rates levied under the *Local Government Act 1995*. Includes general, differential, specific area rates, minimum payment, interim rates, back rates, ex-gratia rates, less discounts offered.
Exclude administration fees, interest on instalments, interest on arrears, service charges and sewerage rates.

GRANTS, SUBSIDIES AND CONTRIBUTIONS

All amounts received as grants, subsidies and contributions that are not capital grants.

CAPITAL GRANTS, SUBSIDIES AND CONTRIBUTIONS

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

REVENUE FROM CONTRACTS WITH CUSTOMERS

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

FEES AND CHARGES

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees.
Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

SERVICE CHARGES

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*, Regulation 54 of the *Local Government (Financial Management) Regulations 1996* identifies the charges which can be raised. These are television and radio broadcasting, underground electricity and neighbourhood surveillance services and water.
Exclude rubbish removal charges which should not be classified as a service charge. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

INTEREST REVENUE

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

OTHER REVENUE / INCOME

Other revenue, which cannot be classified under the above headings, includes dividends, discounts, rebates etc.

PROFIT ON ASSET DISPOSAL

Gain on the disposal of assets including gains on the disposal of long-term investments.

EXPENSES

EMPLOYEE COSTS

All costs associated with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.
Note AASB 119 *Employee Benefits* provides a definition of employee benefits which should be considered.

MATERIALS AND CONTRACTS

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses (such as telephone and internet charges), advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc.
Local governments may wish to disclose more detail such as contract services, consultancy, information technology and rental or lease expenditures.

UTILITIES (GAS, ELECTRICITY, WATER)

Expenditures made to the respective agencies for the provision of power, gas or water.
Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

INSURANCE

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

LOSS ON ASSET DISPOSAL

Loss on the disposal of fixed assets.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation and amortisation expenses raised on all classes of assets.

FINANCE COSTS

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

OTHER EXPENDITURE

Statutory fees, taxes, provision for bad debts, member's fees or levies including DFES levy and State taxes. Donations and subsidies made to community groups.

SHIRE OF COCOS (KEELING) ISLANDS
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2026

12. REVENUE AND EXPENDITURE

(b) Revenue Recognition

Recognition of revenue from contracts with customers is dependant on the source of revenue and the associated terms and conditions associated with each source of revenue and recognised as follows:

Revenue Category	Nature of goods and services	When obligations typically satisfied	Payment terms	Returns/Refunds/Warranties	Determination of transaction price	Allocating transaction price	Measuring obligations for returns	Timing of Revenue recognition
Grant contracts with customers	Community events, minor facilities, research, design, planning evaluation and services	Over time	Fixed terms transfer of funds based on agreed milestones and reporting	Contract obligation if project not complete	Set by mutual agreement with the customer	Based on the progress of works to match performance obligations	Returns limited to repayment of transaction price of terms breached	Output method based on project milestones and/or completion date matched to performance obligations as inputs are shared
Licences/ Registrations/ Approvals	Building, planning, development and animal management, having the same nature as a licence regardless of naming.	Single point in time	Full payment prior to issue	None	Set by State legislation or limited by legislation to the cost of provision	Based on timing of issue of the associated rights	No refunds	On payment and issue of the licence, registration or approval
Waste management entry fees	Waste treatment, recycling and disposal service at disposal sites	Single point in time	Payment in advance at gate or on normal trading terms if credit provided	None	Adopted by council annually	Based on timing of entry to facility	Not applicable	On entry to facility
Fees and charges for other goods and services	Contractual services agreements	Single point in time or per service agreement	Per Service Agreement	Per Service Agreement	Adopted by council annually or on negotiation with customer	Applied fully based on timing of provision	Per Service Agreement	Output method based on project milestones and/or completion date matched to performance obligations

SHIRE OF COCOS (KEELING) ISLANDS
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30 JUNE 2026

13. FEES AND CHARGES

	2025/26 Budget	2024/25 Actual	2024/25 Budget
	\$	\$	\$
By Program:			
General purpose funding	536	520	510
Law, order, public safety	3,971	3,855	5,795
Health	3,801	3,690	1,920
Housing	294,216	72,054	74,430
Community amenities	311,088	477,027	483,080
Recreation and culture	17,671	17,156	67,200
Transport	3,090	3,000	3,000
Economic services	89,595	86,985	118,992
Other property and services	371,830	361,000	309,861
	1,095,796	1,025,287	1,064,788

The subsequent pages detail the fees and charges proposed to be imposed by the local government.

Shire of Cocos (Keeling) Islands 2025/2026 SCHEDULE OF FEES & CHARGES					
All fees and charges imposed by the Shire of Cocos (Keeling) Islands are effective 1 August 2025. Any Statutory Fees are fees imposed by other government agencies are subject to change without warning.					
	Fees & Charges	Explanatory Comment	Statutory	Cost Methodology	2024/25
All Shire Services					
Administration					
	Freedom of Information Act 1992 - Application fee under section 12(1)(e) for an application for non-personal information.		Yes	Fee set by other Authority	\$30.00
	Freedom of Information Act 1992 - Charge for time taken by staff dealing with the application (per hour, or pro rata for a part of an hour).	Per hour.	Yes	Fee set by other Authority	\$30.00
	Charge for time taken by staff photocopying for Freedom of Information applications per hour, or pro rata for a part of an hour of staff time.	Per hour.	Yes	Fee set by other Authority	\$30.00
	Charge per copy for photocopying documentation in response to a Freedom of Information application.	Per A4 page.	Yes	Fee set by other Authority	\$0.20
	Charge for delivery, packaging and postage Freedom of Application response.	Actual cost of postage.	Yes	Fee set by other Authority	Actual cost
Rating Services					
Rating Services					
	Property Listing / Rate Book	No charge for inspection at local government office.	No	Subsidised Price	No charge
	Property Listing / Rate Book	Other than by inspection at local government office (1 property).	No	Full Cost Recovery	\$48.00
	Property Listing / Rate Book	Other than by inspection at local government office (for 5 or more properties).	No	Full Cost Recovery	\$90.00
	Landgate Queries - EAS Cocos/Orders & Requisitions through Landgate	through Landgate	No	Full Cost Recovery	\$42.00
	Landgate Queries - EAS Cocos/ Rates Only through Landgate	through Landgate	No	Full Cost Recovery	\$42.00
	Landgate Queries - EAS Cocos/Rates, Orders & Requisitions through Landgate	through Landgate	No	Full Cost Recovery	\$85.00
	Administration fee on rates instalments payment option	4 instalments	No	Limits set in Act	\$15.00
	Instalment Option - Interest	Local Government (Financial Management) Regulations 1996 r67	No	Limits set in Act	5.50%
	Late Payment Penalty Interest	Local Government (Financial Management) Regulations 1996 r68	No	Limits set in Act	7.00%
Finance & Administration					
Publications					
	Annual Report		No		available on website
	ASDD 40th Anniversay Book	per book	No		\$30.00
Lease Administration Fees					
	New Lease Preparation Fee.		No	Full Cost Recovery	\$275.00
	Deed of Variation.		No	Full Cost Recovery	\$275.00
	Deed of Assignment.		No	Full Cost Recovery	\$275.00
	Deed of Sub-Lease.		No	Full Cost Recovery	\$275.00
	Landgate valuation fees.		No	Subsidised Price	50% Actual cost
	Legal fees.		No	Full Cost Recovery	Actual cost
	Lease customisation.		No	Full Cost Recovery	Actual cost
	Easement and other documents.		No	Full Cost Recovery	Actual cost
	Caveat lodgement and withdrawal.		No	Full Cost Recovery	Actual cost
	Retail Lease SAT Lodgement Fee	* if applicable	Yes	Full Cost Recovery	Actual cost
Housing Rental and Other Charges					
Kampong Housing Rental - Home Island					
	Two bedroom	per week	No	Subsidised Price	\$295.00
	Three bedroom	per week	No	Subsidised Price	\$306.00
	Four bedroom	per week	No	Subsidised Price	\$318.00
	Pensioner Discounted Single - Kampong Rental	per week * Conditions apply Dependant on Household income	No	Subsidised Price	As per Department of Communities Housing Policy - 25% of Pension
	Pensioner Discounted Couple - Kampong Rental	per week * Conditions apply Dependant on Household income	No	Subsidised Price	As per Department of Communities Housing Policy - 25% of Pension
	Bungalow Housing	per week	No	Subsidised Price	\$306.00
	Lot 202 & 204 - Houses	per week	No	Subsidised Price	\$414.00
	Kampong lease insurance contribution	annual charge payable in two instalments	No	Subsidised Price	50% of cost
	Other rental contributions		No	Full Cost Recovery	per individual agreement
Container Park Site Rent					
	Non-powered site	per week (minimum) per annum	No	Market Price	\$30.00 \$1,000.00
	Powered site	per week (minimum) per annum	No	Market Price	\$50.00 \$2,500.00
	Non-powered site - Cocos Island P&C Association		No	Subsidised Price	No Charge

Shire of Cocos (Keeling) Islands 2025/2026 SCHEDULE OF FEES & CHARGES

All fees and charges imposed by the Shire of Cocos (Keeling) Islands are effective 1 August 2025.
Any Statutory Fees are fees imposed by other government agencies are subject to change without warning.

	Fees & Charges	Explanatory Comment	Statutory	Cost Methodology	2024/25
Private works					
Professional Fees					
	Professional Advice (Expert Witness Statement, Reports etc.), Manager/Coordinator admin fees applicable on Works & Services jobs >\$10,000.				
	Chief Executive Officer	Per hour	No	Market Price	\$240.00
	Manager / Coordinator	Per hour	No	Market Price	\$190.00
	Officer	Per hour	No	Market Price	\$90.00
	Translation Services	Per hour	No	Market Price	\$95.00
	* Above rates are for ordinary hours only during week days. Time outside of these hours will incur penalty rates. (Saturday & After Hours x1.5, Sunday x2)				
Works & Services					
	Major Private Works >\$20,000.	works to be contracted	No	Market Price	to be quoted
Sand and Coral					
	Sand - delivered to West Island	Per m3	No	Market Price	\$155.00
	Sand - delivered to Home Island	Per m3	No	Market Price	\$120.00
	Minimum charge 1 m3				
Excavation Permit - Road Crossing					
	Reinstatement of road	Bitumen - \$/m2	No	Full Cost Recovery	\$340.00
		Paving - \$/m2	No	Full Cost Recovery	\$365.00
		Gravel - \$/m2	No	Full Cost Recovery	\$105.00
Labour					
	General Labourer	Per hour	No	Market Price	\$85.00
	Mechanic	Per hour	No	Market Price	\$115.00
	Carpenter	Per hour	No	Market Price	\$105.00
	Plumber	Per hour - Home Island Only	No	Market Price	\$105.00
	Coxswain	Per hour	No	Market Price	\$115.00
	Ranger - Pest Control (Rat Baiting / Other)	Per hour	No	Market Price	\$95.00
	Materials		No	Market Price	cost + 10%
	Camping Allowance	payable where overnight camping required	No	Full Cost Recovery	per Local Government Industry Award 2020
	Travel Allowance	payable where overnight travel required	No	Full Cost Recovery	Per ATO - Reasonable Travel and Meal Allowance rates
	* Above rates are for ordinary hours only during week days. Time outside of these hours will incur penalty rates. (Saturday & After Hours x1.5, Sunday x2)				
	** Availability of Shire plant and labour for private works is at the discretion of the Shire's Manager Infrastructure and/or CEO				
Plant & equipment hire					
Wet Hire					
	Excavator - Komatsu PC220LC or PC200	Per hour with operator	No	Full Cost Recovery	\$370.00
	Grader - Case876	Per hour with operator	No	Full Cost Recovery	\$315.00
	Roller	Per hour with operator	No	Full Cost Recovery	\$290.00
	Loader - Home Island - Hyundai HL740	Per hour with operator	No	Full Cost Recovery	\$290.00
	Loader - West Island - Hyundai HL757	Per hour with operator	No	Full Cost Recovery	\$310.00
	Tractor - large, includes attachments	Per hour with operator	No	Full Cost Recovery	\$250.00
	Skid Steer Loader/ Bobcat	Per hour with operator	No	Full Cost Recovery	\$180.00
	Mini Excavator - 2.5T	Per hour with operator	No	Full Cost Recovery	\$195.00
	Mini Excavator - 5T	Per hour with operator	No	Full Cost Recovery	\$230.00
	Genie Work Platform - Home Island	Per hour with operator	No	Full Cost Recovery	\$190.00
	Tipper Truck - West Island	Per hour with operator	No	Full Cost Recovery	\$285.00
	Tipper Truck- Home Island	Per hour with operator	No	Full Cost Recovery	\$210.00
	Mowing	Per hour with operator	No	Full Cost Recovery	\$150.00
	Transport of Plant between islands		No	Full Cost Recovery	at cost
	** Above rates are for ordinary hours only during week days. Time outside of these hours will incur penalty rates for labour component. (Saturday & After Hours x1.5, Sunday x2)				
Dry Hire					
	Excavator - Komatsu PC220LC or PC200	Per hour with operator	No	Full Cost Recovery	\$285.00
	Grader - Case876	Per hour with operator	No	Full Cost Recovery	\$230.00
	Roller	Per hour with operator	No	Full Cost Recovery	\$205.00
	Loader - Home Island - Hyundai HL740	Per hour with operator	No	Full Cost Recovery	\$200.00
	Loader - West Island - Hyundai HL757	Per hour with operator	No	Full Cost Recovery	\$225.00
	Tractor - large, includes attachments	Per hour with operator	No	Full Cost Recovery	\$170.00
	Skid Steer Loader/ Bobcat	Per hour with operator	No	Full Cost Recovery	\$95.00
	Mini Excavator - 2.5T	Per hour with operator	No	Full Cost Recovery	\$110.00
	Mini Excavator - 5T	Per hour with operator	No	Full Cost Recovery	\$150.00
	Genie Work Platform - Home Island	Per hour with operator	No	Full Cost Recovery	\$105.00
	Tipper Truck - West Island	Per hour with operator	No	Full Cost Recovery	\$200.00
	Tipper Truck- Home Island	Per hour with operator	No	Full Cost Recovery	\$130.00
	Mowing	Per hour with operator	No	Full Cost Recovery	\$65.00
	Transport of Plant between islands		No	Full Cost Recovery	at cost
	Stump grinder	Per day - Commercial use Per day - Community use	No No	Market Price Subsidised Price	\$125.00 \$85.00
	Solar Lighting Towers	Per day - Commercial use Per day - Community use	No No	Market Price Subsidised Price	\$115.00 \$35.00

Shire of Cocos (Keeling) Islands 2025/2026 SCHEDULE OF FEES & CHARGES					
All fees and charges imposed by the Shire of Cocos (Keeling) Islands are effective 1 August 2025. Any Statutory Fees are fees imposed by other government agencies are subject to change without warning.					
	Fees & Charges	Explanatory Comment	Statutory	Cost Methodology	2024/25
	Portable Generator 3.5KVA	Per day - Commercial use	No	Market Price	\$110 + fuel
		Per day - Community use	No	Subsidised Price	\$35 + fuel
	Scaffolding	Per day	No	Market Price	\$85.00
	PA system	Refundable Bond	No		\$200.00
	** Minimum charge 2hours per plant hired including operator costs during ordinary working hours.				
	*** All plant hire is subject to availability with a minimum 48 hours notice of intent to hire.				
	**** The User of Equipment and/or Labour that is hired is to maintain a daily record of such usage and is to provide this record to Council Officers within TEN working days of the end of each calendar month (or other billing period as agreed by the parties). Failure to do so will incur a Penalty of \$750 per working day until such information is provided.				
	Council staff may waive or reduce such fees as considered appropriate.				

Shire of Cocos (Keeling) Islands 2025/2026 SCHEDULE OF FEES & CHARGES

All fees and charges imposed by the Shire of Cocos (Keeling) Islands are effective 1 August 2025.
Any Statutory Fees are fees imposed by other government agencies are subject to change without warning.

	Fees & Charges	Explanatory Comment	Statutory	Cost Methodology	2024/25
Community Facilities, Recreation and Culture					
Home Island Museum Entry					
	Visitor (Adult and children aged 12 and over)	per person / per day	No	Subsidised Price	\$5.00
	Visitor (Child under 12)		No	Subsidised Price	NIL
	Resident		No	Subsidised Price	NIL
Community Hall Hire Fees & Charges					
Cyclone Shelter - Home Island					
	Commercial or Private Hall hire	per hour (minimum 1 hour)	No	Full Cost Recovery	\$40.00
		Per day	No	Full Cost Recovery	\$260.00
	Cocos Island Resident (non-commercial)	per hour (minimum 1 hour)	No	Subsidised Price	\$25.00
		Per day	No	Subsidised Price	\$85.00
	Kitchen (in addition to hall hire)	per hour (minimum 1 hour)	No	Subsidised Price	\$25.00
	Kitchen (in addition to hall hire)	Per day	No	Subsidised Price	\$60.00
	Kitchen only - Not for Profit Community Fundraisers		No	Subsidised Price	NIL
	Key bond	To be paid when key collected and reimbursed on return of key.	No		\$50.00
	Cleaning Bond	held on Cyclone Shelter - to be paid prior to hire and refunded on inspection for satisfactory cleanliness.	No		\$200.00
	Bond hold - additional cleaning per staff member per hour	Actual cost recovery	No	Full Cost Recovery	\$40.00 - \$250.00
Pondok Indah - Home Island					
	Commercial or Private hire	per hour (minimum 1 hour)	No	Market Price	\$40.00
	Cocos Island Resident (non-commercial)	per hour (minimum 1 hour)	No	Subsidised Price	\$20.00
Sport & Recreation Equipment Hire					
	Jukung Hire * <i>subject to equip availability</i>	per hour (minimum 1 hour)	No	Full Cost Recovery	\$20.00
		Per day	No	Full Cost Recovery	\$105.00
new	Marquee hire - Private resident use	Per day	No	Subsidised Price	\$50.00
		Per Week	No	Subsidised Price	\$160.00
new	Marquee hire - Commercial / non-resident use	Per day	No	Full Cost Recovery	\$105.00
		Per Week	No	Full Cost Recovery	\$315.00
	Bond hold - to cover damages (refundable)	per hire	No	Full Cost Recovery	\$105.00
*** All hire is subject to availability with a minimum 48hours notice of intent to hire. Marquee setup & take down may incur additional labour charges.					
*New marquee available 2024/25 once capital purchase completed					
Gym Fees - Home Island					
	Annual Membership fee	Per Year	No	Subsidised Price	\$120.00
Camping Fees - Scout Park & Direction Island only. Refer Camping Policy CPC7.					
	Adult	Per night, payable at time of booking	No	Subsidised Price	\$20.00
	Child	Per night, payable at time of booking	No	Subsidised Price	\$10.00
	Resident camping permits	14nights per year in accordance with Shire Policy	No	Subsidised Price	NIL
	Refund Admin charge	% of total booking fee	No	Full Cost Recovery	25%
no refund for bookings cancelled one month or less before camping dates.					
* Maximum 14 days consecutive camping allowed, maximum 21 days in any three month period.					
	Impounding Fee - camping equipment		No	Full Cost Recovery	\$100.00
Port Fees - Cocos (Keeling) Islands Marine Traffic and Harbour Facilities Determination 2015					
	Port Anchorage - Private Vessels	per day	Yes	Fee set by other Authority	\$10.00
		per week	Yes	Fee set by other Authority	\$50.00
	Forms available on the Shire website				
	Private vessels in excess of 150 GRT will require pilotage.				

Shire of Cocos (Keeling) Islands 2025/2026 SCHEDULE OF FEES & CHARGES

All fees and charges imposed by the Shire of Cocos (Keeling) Islands are effective 1 August 2025.
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	Fees & Charges	Explanatory Comment	Statutory	Cost Methodology	2024/25
Animal Control					
Cats					
	The Cat Act 2011 requires all cats over the age of six (6) months to be sterilised, microchipped and registered.				
	Registration fees: Cat - One year.	For one year only. Valid to 31st October each year.	Yes	Fee set by other Authority	20.00
	Registration fees: Less than 6 months - Half Fee	After 31st May each year	Yes	Fee set by other Authority	10.00
	Registration fees: Cat - Three years.	For three years.	Yes	Fee set by other Authority	42.50
	Registration fees: Cat - Life.	For the life of the animal.	Yes	Fee set by other Authority	100.00
	Registration fees: Cat - Concessions	Pensioner Concession Card holders	Yes	Fee set by other Authority	50% of registration fee
	Cat sterilisation & microchipping	Vet visit to Cocos Islands	No	Full Cost Recovery	Actual cost
	Cat surrender/disposal fee.	Per animal.	No	Full Cost Recovery	Actual cost
	Cat Collars		No	Full Cost Recovery	10.00
Environmental Health					
Food Business					
	Food Act Registration - Application Fee	One Off Fee upon application	No	Limits set in Act	\$75.00
	Food Act Registration Fee	Annual Fee	No	Limits set in Act	\$150.00
Home Business					
	Initial application for approval of a home occupation where the home occupation has not commenced	One Off Fee upon application	No	Limits set in Act	\$100.00
	Application for the renewal of an approval of a home occupation where the application is made before the approval expires	Annual Fee	No	Limits set in Act	\$73.00
Itinerate Traders - Trading Activities on Thoroughfares, Public Places and Local Government Property					
	Application Fee	One off	No	Full Cost Recovery	\$80.00
	Daily Permit fee	Per day	No	Full Cost Recovery	\$10.00
	Weekly Permit fee	Per week	No	Full Cost Recovery	\$50.00
	Monthly Permit fee	Per month	No	Full Cost Recovery	\$120.00
	Annual Permit fee	Per Year	No	Full Cost Recovery	\$250.00
	* Itinerate Traders Permit not required for vendors participating in a market day event organised by the Shire or the Community Resources Centre to encourage activation and participation at these events.				

Shire of Cocos (Keeling) Islands 2025/2026 SCHEDULE OF FEES & CHARGES					
All fees and charges imposed by the Shire of Cocos (Keeling) Islands are effective 1 August 2025. Any Statutory Fees are fees imposed by other government agencies are subject to change without warning.					
	Fees & Charges	Explanatory Comment	Statutory	Cost Methodology	2024/25
Planning and Building Fees					
Administration					
Planning and Development Regulations 2009					
	Zoning Certificate - Application Fee for Zoning Certificate.	Proforma advising of current zoning under Town Planning Scheme and any changes to Scheme being considered by Council, does not include site inspection.	Yes	Fee set by other Authority	\$73.00
	Written advice - Application Fee for Written Planning Advice.	Proforma advising of current zoning under Town Planning Scheme and any changes to Scheme being considered by Council, does not include site inspection.	Yes	Fee set by other Authority	\$73.00
	Clause 61A Deemed to Comply Check.	Applicable for Single houses, and extensions to, only.	Yes	Fee set by other Authority	\$295.00
Development Application					
Planning and Development Regulations 2009					
	Development Cost <\$50,000.	Penalty: The fee plus by way of penalty, twice that fee (=3x fee in total).	Yes	Fee set by other Authority	\$147.00
	Development Cost \$50,000 - \$500,000.	Penalty: The fee plus by way of penalty, twice that fee (=3x fee in total).	Yes	Fee set by other Authority	0.32% of estimated cost of development
	Development Cost \$500,000 - \$2,500,000.	Penalty: The fee plus by way of penalty, twice that fee (=3x fee in total).	Yes	Fee set by other Authority	\$1,700 + 0.257% for every \$1 in excess of \$500,000
	Development Cost \$2,500,000 - \$5,000,000.	Penalty: The fee plus by way of penalty, twice that fee (=3x fee in total).	Yes	Fee set by other Authority	\$7,161 + 0.206% for every \$1 in excess of \$2.5 million
	Development Cost \$5,000,000 - \$21,500,000.	Penalty: The fee plus by way of penalty, twice that fee (=3x fee in total).	Yes	Fee set by other Authority	\$12,633 + 0.123% for every \$1 in excess of \$5 million
	Development Cost >\$21,500,000.	Penalty: The fee plus by way of penalty, twice that fee (=3x fee in total).	Yes	Fee set by other Authority	\$34,196.00
	Amendment or Renewal of an Approved Development Application	Amendments to and renewals of previously assessed and approved Development Application.	Yes	Fee set by other Authority	\$295.00
	Change of Use/Continuation of Non-Conforming Use.	Determining a development application (other than for an extractive industry) where the development has already commenced or been carried out.	Yes	Fee set by other Authority	Penalty: The fee plus by way of penalty, twice that fee (=3x fee in total).
Scheme Amendments / Structure Plans					
	Complex amendments.	Fees calculated & applied in accordance with Part 7 of the Planning & Development Regulations 2009.	No	Fee set by other Authority	Actual cost
	Standard amendments.	Fees calculated & applied in accordance with Part 7 of the Planning & Development Regulations 2009.	No	Fee set by other Authority	Actual cost
	Basic amendments.	Fees calculated & applied in accordance with Part 7 of the Planning & Development Regulations 2009.	No	Fee set by other Authority	Actual cost
	New Local Structure Plan.	Fees calculated & applied in accordance with Part 7 of the Planning & Development Regulations 2009.	Yes	Fee set by other Authority	Actual cost
	Amendment to Local Structure Plan.	Fees calculated & applied in accordance with Part 7 of the Planning & Development Regulations 2009.	Yes	Fee set by other Authority	Actual cost
The fees, charges and costs associated with processing and considering Amendments and Structure Plans are determined using the prescribed hourly rates, guidelines and relevant forms set out in the Planning and Development Regulations 2009. The fees will be determined after making allowances for officers time, direct costs involved and a percentage allowance to recover operating overhead costs.					

Shire of Cocos (Keeling) Islands 2025/2026 SCHEDULE OF FEES & CHARGES

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	Fees & Charges	Explanatory Comment	Statutory	Cost Methodology	2024/25
Building					
	Satellite Dish				
	Satellite Dish Application	1m ³ or less	No	Full Cost Recovery	\$50.00
		Greater than 1m ³	Yes	Fee set by other Authority	As per statutory Building Permit fees
	Pool Enclosure Inspections				
	Initial Inspection of pool enclosure	per Building Act Regulation	Yes	Fee set by other Authority	\$312.00
	Periodic inspection program (annual fee)	per Building Act Regulation 53A(3)	Yes	Fee set by other Authority	\$58.45
	Additional inspections or other non-mandatory inspections.	Each.	No	Full Cost Recovery	Actual cost
	Provision of an inspection certificate for a swimming pool barrier.	r28 - Inspection Certificate to contain information identified in r29.	No	Full Cost Recovery	Actual cost
	Building General				
	Application to vary a component/s of an already approved Building Permit.	Based on the change in contract value, but not less than fee listed.	No	Fee set by other Authority	108.00
	Building Services Levy (applicable on above applications).	0.137% where construction value >\$45K or \$61.65min.	Yes	Fee set by other Authority	0.137% or \$61.65min
	BSL Commission	Administration fee retained by Shire of Cocos (Keeling) Islands for collection of BSL Levy.	Yes	Full Cost Recovery	5.00
	Building Record Search				
	Building Search Fee (Payable on all requests at time of request).	(s129, s131 Act) - Fee plus copying charges.	No	Full Cost Recovery	\$40.00 + copying charges
	Copies of Commercial Plans - A4 to A0.	Per set.	No	Full Cost Recovery	40.00
	Copies of Residential Plans - A4 to A3.	Per set.	No	Full Cost Recovery	18.00
	Copies of Plans - Larger than A3.	Single copy.	No	Full Cost Recovery	13.00
	Copies of Plans - A4 to A3.	Single copy.	No	Full Cost Recovery	7.00
	Building Permit Fees (Building Act 2011)				
	Extension of time during which a building permit has affect.	As per s32(3)f of the Building Act 2011.	Yes	Fee set by other Authority	110.00
	Un-Certified Building Permit.	0.32% of estimated building works value but not less than \$110.00.	Yes	Fee set by other Authority	0.32% or 110.00
	Certified Building Permit Class 1 & 10.	0.19% of estimated building works value but not less than \$110.00.	Yes	Fee set by other Authority	0.19% or 110.00
	Certified Building Permit Class 2 to 9.	0.09% of estimated building works value but not less than \$110.00.	Yes	Fee set by other Authority	0.09% or 110.00
	Building Services Levy (applicable on above applications).	0.137% where construction value >\$45K or \$61.65min.	Yes	Fee set by other Authority	0.137% or \$61.65min
	BSL Commission (on the above applications).	Administration fee retained by Shire of Cocos (Keeling) Islands for collection of BSL Levy.	Yes	Fee set by other Authority	5.00
	Application for approval of battery powered smoke alarms.		Yes	Fee set by other Authority	179.40
	Demolition Licences - (Building Act 2011)				
	Extension of time during which a demolition permit has affect.	As per s32(3)f of the Building Act 2011.	Yes	Fee set by other Authority	110.00
	Demolition Permit Class 1 & 10.	Flat rate.	Yes	Fee set by other Authority	110.00
	Demolition Permit Class 2 to 9.	\$110.00 for each storey of the building.	Yes	Fee set by other Authority	\$110.00 per storey
	Building Services Levy (BSL) (applicable on the above applications).	Building Services (Complaint Resolution & Administration) Regulations 2011. r12.	Yes	Fee set by other Authority	0.137% or \$61.65minimum
	BSL Commission.	Administration fee retained by Shire of Cocos (Keeling) Islands for collection of BSL Levy.	Yes	Fee set by other Authority	5.00
	Building Approval Certificate - BAC (Building Act 2011)				
	Building Approval Certificate for Unauthorised Works (s51(3)).	0.38% of construction value but not less than \$110.00.	Yes	Fee set by other Authority	0.38% or \$110.00
	Building Services Levy for unauthorised work (s51).	0.274% where construction value >\$45k or \$123.30 minimum.	Yes	Fee set by other Authority	0.274% where construction value >\$45k or \$123.30 minimum
	BSL Commission.	Administration fee retained by Shire of Cocos (Keeling) Islands for collection of BSL Levy.	Yes	Fee set by other Authority	5.00
	Building Approval Certificate for an existing building (no work has commenced or been done).	(s52(2).	Yes	Fee set by other Authority	110.00
	Building Services Levy (BSL) (applicable on the above application).		Yes	Fee set by other Authority	61.65
	BSL Commission.	Administration fee retained by Shire of Cocos (Keeling) Islands for collection of BSL Levy.	Yes	Full Cost Recovery	5.00

Shire of Cocos (Keeling) Islands 2025/2026 SCHEDULE OF FEES & CHARGES

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	Fees & Charges	Explanatory Comment	Statutory	Cost Methodology	2024/25
Occupancy Permits (Building Act 2011)					
	Occupancy Permit for a completed Building.	with existing approval (s46).	Yes	Fee set by other Authority	110.00
	Modification of Occupancy Permit for additional use on a temporary basis.	(s48).	Yes	Fee set by other Authority	110.00
	Application to extend the time for an occupancy permit or building approval certificate.	(s65(3)a).	Yes	Fee set by other Authority	110.00
	Temp Occupancy Permit for incomplete building.	(s47).	Yes	Fee set by other Authority	110.00
	Replacement Occupancy Permit for permanent change of building use.	(s49).	Yes	Fee set by other Authority	110.00
	Replacement Occupancy Permit for an existing building.	(s52(1)).	Yes	Fee set by other Authority	110.00
	Occupancy Permit or BAC for the registration of Strata Scheme, plan or subdivision (s50(1) & (2)).	\$11.60 each unit covered by the application but not less than \$115.00.	Yes	Fee set by other Authority	\$11.60 each unit covered by the application but not less than \$115.00
	Building Services Levy (BSL) (applicable on the above application except s46 & s48).		Yes	Fee set by other Authority	61.65
	BSL Commission.	Administration fee retained by Shire of Cocos (Keeling) Islands for collection of BSL Levy.	Yes	Full Cost Recovery	5.00
	Occupancy Permit for which unauthorised work has been done.	(s51(2)).	Yes	Fee set by other Authority	0.18% of construction value but not less than \$105.00 min
	Building Services Levy for unauthorised work (s51).	0.274% where construction value >\$45k or \$123.30 minimum (less \$5 commission).	Yes	Fee set by other Authority	0.274% where construction value >\$45k or \$123.30 minimum
	BSL Commission.	Administration fee retained by Shire of Cocos (Keeling) Islands for collection of BSL Levy.	Yes	Full Cost Recovery	5.00
Building/Certification Fees - (Refer Building Act 2011)					
	Application as defined in regulation 31 (for each building standard in respect of which a declaration is sought).		Yes	Fee set by other Authority	2160.15
	Certificate of Construction Compliance.	Listed fee - Two hours officer time or part thereof. Excess of two hours - half this fee per hour thereafter.	No	Fee set by other Authority	216.00
	Certificate of Building Compliance.	Listed fee - Two hours officer time or part thereof. Excess of two hours - half this fee per hour thereafter.	No	Fee set by other Authority	216.00
	Certificate of Design Compliance - Class 1 & 10 Buildings.	Class 1 & 10 Buildings.	No	Fee set by other Authority	0.13% of the estimated value of building work but not less than \$105
	Certificate of Design Compliance - Class 2 - 9 Buildings.	Class 2 - 9 Buildings.	No	Fee set by other Authority	0.09% of the estimated value of building work but not less than \$105
	Provision of Information & Advice from Building Services.	Per hour.	No	Fee set by other Authority	108.00
	Request seeking Confirmation.	Confirmation that Planning, Environmental Health, Infrastructure etc. requirements have been met.	No	Fee set by other Authority	108.00
	Compile an alternative solution for class 1 and 10.	Minimum of listed fee for first two hours or part thereof. Then half this fee per hour thereafter.	No	Fee set by other Authority	216.00
	DFES Consultation.	Class 2 - 9 Buildings.	No	Fee set by other Authority	105.00
	Certificate of Construction Compliance.	Includes one site inspection; additional inspections charged as per fee listed below. Priced on application.	No	Fee set by other Authority	\$540.00 minimum
	Certificate of Building Compliance - Class 1 & 10.	Includes one site inspection; additional inspections charged as per fee listed below. Priced on application.	No	Fee set by other Authority	\$360.00 minimum
	Certificate of Building Compliance - Class 2 - 9.	Includes one site inspection; additional inspections charged as per fee listed below. Priced on application.	No	Fee set by other Authority	\$540.00 minimum
	Additional inspections.	Per hour.	No	Fee set by other Authority	180.00
	Certificate of Design Compliance - Class 1 & 10 Buildings.	Class 1 & 10 Buildings.	No	Fee set by other Authority	\$360.00 minimum
	Certificate of Design Compliance - Class 2 - 9 Buildings.	Class 2 - 9 Buildings.	No	Fee set by other Authority	\$540.00 minimum + 0.1% of Construction Value
	Provision of Information & Advice from Building Services.	Per hour.	No	Fee set by other Authority	180.00
	Compile an alternative solution for class 1 and 10.	Minimum starting rate. Priced on application.	No	Fee set by other Authority	\$360.00 minimum

Shire of Cocos (Keeling) Islands 2025/2026 SCHEDULE OF FEES & CHARGES						
WASTE MANAGEMENT FEES						
All fees and charges imposed by the Shire of Cocos (Keeling) Islands are effective 1 August 2025.						
Transfer Station - OPENING HOURS			Shire Office - OPENING HOURS			
<div>Home Island Tues: 11am-12pm Fri: 10.30am-11.30am Sat: 1pm-4pm</div> <div>West Island Mon & Thurs: 11pm-12pm</div> <div>** or by appointment</div>			<div>Home Island ph: 9162 6649 Monday to Thursday 7am to 4pm Friday 7am to 12pm</div> <div>West Island ph: 9162 6740 Monday 8am to 10.15am Wednesday 8am to 2.00pm Friday 8am to 10.15am</div>			
Gate Fees must be paid in advance and receipt taken to the Transfer Station for acceptance of Waste Payment can be made in person at the Shire Office or over the Phone (receipt will be emailed)						
Pursuant to the Waste Avoidance and Resources Recovery Act 2007 Part 6, Division 3, Section 67						
BIN COLLECTION SERVICE - Fees & Charges		Explanatory Comment	Cost Methodology	Residential (Private and/or Locally Owned & Operated Businesses) & Not For Profit Community	Cost Methodology	Other Commercial & Public Agency
Charged on Annual Rates Notice						
General Petruscible Waste		per Bin	Subsidised Price	630.00	Cost Recovery	3,150.00
General Petruscible Waste - Pensioner Discounted (Single) * Conditions apply - Dependant on Household income		per Bin	Subsidised Price	400.00		N/A
General Petruscible Waste - Pensioner Discounted (Couple) * Conditions apply - Dependant on Household income		per Bin	Subsidised Price	420.00		N/A
General Recycling Waste - (Glass & Cans only)		per Bin	Subsidised Price	NIL	Subsidised Price	NIL
Additional or Replacement Bin (Bin supply only, collection fees apply per above)		per Bin	Full Cost Recovery	75.00	Cost Recovery	70.00
* additional bin fee also applies for replacement bin where vandalism or intentional damage caused.						
Above rates include 1x pre-cyclone verge pickup of non-petruscible waste per year (m3 limits and exclusions apply). Small Business Grants available to subsidise businesses that directly service the Cocos Community (Conditions apply)						
Late Payment Penalty Interest		Can be waived by CEO		7.00%		7.00%
TRANSFER STATION - Gate Fees & Charges		Explanatory Comment	Cost Methodology	Residential (Private and/or Locally Owned & Operated Businesses) & Not For Profit Community Groups	Cost Methodology	Commercial & Public Agency
General Waste						
General Waste (Petruscible Waste)		per Bin minimum charge	Subsidised Price	NIL	Cost Recovery	30.00
General Recycling Waste - (Glass & Cans only)			Subsidised Price	NIL	Subsidised Price	NIL
Greenwaste			Subsidised Price	NIL	Subsidised Price	NIL
Mattresses		per unit	Subsidised Price	5.00	Cost Recovery	30.00
E-Waste		per unit	Subsidised Price	7.00	Cost Recovery	80.00
Scrap Metal		per m3	Subsidised Price	70.00	Cost Recovery	870.00
Construction & Demolition Waste		per m3	Subsidised Price	110.00	Cost Recovery	1765.00
Crushed concrete		per m3	Subsidised Price	5.00	Cost Recovery	50.00
Ceiling fans		per fan	Subsidised Price	6.00	Cost Recovery	85.00
The Shire is not currently accepting any asbestos containing materials. All asbestos containing materials must be appropriately shipped off island at owners expense.						
Whitegoods						
Fridge / Freezer (bar fridge = 1/2 unit)		per unit	Subsidised Price	145.00	Cost Recovery	960.00
Air Conditioner		per unit	Subsidised Price	17.00	Cost Recovery	425.00
Washing Machine / Dryer		per unit	Subsidised Price	17.00	Cost Recovery	425.00
Oven		per unit	Subsidised Price	17.00	Cost Recovery	425.00
Dishwasher		per unit	Subsidised Price	17.00	Cost Recovery	425.00
Solar Panel		per unit	Subsidised Price	23.00	Cost Recovery	95.00
Solar Tank		per unit	Subsidised Price	80.00	Cost Recovery	327.00
Vehicles / Motorcycles / Vessels						
To be accepted all glass, tyres, batteries must be removed and oil drained.						
2 wheeled motorbike		per unit	Subsidised Price	260.00	Cost Recovery	765.00
Quadbikes / Buggies / Vessels <1 tonne		per unit	Subsidised Price	530.00	Cost Recovery	4,800.00
Vehicles/Vessels >1tonne, < 2 tonne		per unit	Subsidised Price	1,035.00	Cost Recovery	5,485.00
Vehicles/Vessels > 2 tonne, < 5 tonne		per unit	Subsidised Price	2,060.00	Cost Recovery	13,715.00
Vehicles/Vessels > 5 tonne		per unit	Subsidised Price	3,715.00	Cost Recovery	20,570.00
* includes trailers						
Tyres						
Passenger car tyres & car/boat trailer tyres		per unit	Subsidised Price	8.00	Cost Recovery	78.00
Truck tyre		per unit	Subsidised Price	90.00	Cost Recovery	455.00
Truck tyre - large		per unit	Subsidised Price	140.00	Cost Recovery	685.00
Tractor / plant tyre		per unit	Subsidised Price	245.00	Cost Recovery	1,225.00
Other						
Outboard motor - small-medium		per unit	Subsidised Price	42.00	Cost Recovery	100.00
Outboard motor - large		per unit	Subsidised Price	65.00	Cost Recovery	150.00
Engine oil		per litre	Subsidised Price	1.00	Cost Recovery	3.00
Battery		per unit	Subsidised Price	6.00	Cost Recovery	60.00

Shire of Cocos (Keeling) Islands 2025/2026 SCHEDULE OF FEES & CHARGES	
WASTE MANAGEMENT FEES	
Illegal Dumping	<p>The illegal dumping of Waste is an offence under the <i>Environmental Protection Act 1986 (WA) (CKI)</i> . Upon conviction, the offence carries a maximum penalty of \$125,000 for a company and \$62,500 for an individual.</p> <p>Anyone who witnesses or has information regarding illegal dumping may call the Pollution Watch Hotline on 1300 784 782 or email pollutionwatch@dwer.wa.gov.au</p> <p>Public Waste Collection Sheds/Bins /Containers Permit and Clean up of Council Reserves, Streets or Public Places from Associated Littering or Illegal Dumping. Unauthorised use of reserves, streets and street verges. Clean up fee for any residual matter, waste or unwanted materials including soils, tyres, oils, solid or liquid chemicals, household hazardous waste, asbestos, any light globe, chemicals of any nature, sand, vegetative materials, plastics, metals, furniture, bedding, clothing, household products, white goods, electronic products, cardboard, newspaper and magazines and any other product whatsoever left on any reserves, streets including verges, or other public places without approval of Council shall be charged a fee for the full cost of a clean up including treatment and any disposal costs. Does not preclude any other charges/penalties that may apply in accordance with other legislation.</p> <p>Where a culprit can be identified, Private Works fees and charges will apply for the collection and processing of illegally dumped waste as well as the applicable Transfer Station Gate Fee. The Private works Fee will be based on staff and employees time and equipment to clean the site and treat and dispose of the matter as required. A minimum fee of 2 hours will apply.</p>
DEFINITIONS	
Private Residential	Predominant use of property is for long term accomodation including privately owned houses and long-term rentals to private residents.
Private Commercial	Privately owned commercial business properties, includes short-term/holiday accomodation.
Public Agency	Includes properties owned by <u>or</u> used by a Commonwealth or other Public Agency. This covers both residential and commercial properties
Pertruscible waste	General solid waste that contains organic matter capable of being decomposed

10.3.2 INSURANCE RENEWAL 2025/26

FILE NUMBER:

AUTHOR: David Tombs, Manager Finance and Corporate Services

AUTHORISER: Ibrahim Macrae, Acting Chief Executive Officer

DISCLOSURE(S) OF INTEREST: Author -

Authoriser -

ISLAND: Shire Wide

ATTACHMENTS: 10.3.2.1 - LGISWA Invoice [↓](#)

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 a summary of its Insurance Renewal Report for the 2025/26 financial year and obtain approval for the related payments.

BACKGROUND

Council transfers much of its inherent risk via various insurance policies.

Council achieves this via its membership of LGIS (WA).

The fees Council is charged for its main Insurance invoice exceeds the amounts delegated to CEO and other officers and so this report is provided to Council.

POLICY AND LEGISLATION IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Cost of Council's main Insurance Invoice is \$533,838 (this is actually split over two smaller invoices of \$266,919), a 0.4% increase over 2024/25 and within the relevant budget.

The majority of this cost relates to Kampong housing and is charged to the two Land Trusts.

STRATEGIC IMPLICATIONS

Theme

L Leadership

Goal

L2 To ensure that Shire resources are utilised in a manner that represents the best interest of the whole community

Strategy

L2.1 Responsible financial management utilizing resources to meet legislative requirements and community expectations

Council could make a strategic decision to reduce the level of its 'external insurance' and choose to 'self insure' these risks instead.

Officers do not recommend such a change to its current risk management strategies.

RISK IMPLICATIONS

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	That Council's insurance program is unaffordable	Low (4)	Continued monitoring of these costs.
Reputation	Under-insurance could have serious consequences for Council.	Moderate (8)	Continued monitoring of the Insurance coverage.
Compliance	Council approval is needed for the level of associated expenditure.	Low (2)	Officers awareness of approved Financial Delegations

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 REQUIREMENT

Absolute Majority

CONCLUSION

Officers recommend the Insurance related payments are approved.

OFFICER RECOMMENDATION – ITEM NO 10.3.2

THAT COUNCIL, BY ABSOLUTE MAJORITY:

- NOTE AND RECEIVE THE LGISWA INSURANCE SUMMARY AND APPROVE PAYMENT OF \$533,838 FOR SCHEME MEMBERSHIP FOR THE 2025/26 FINANCIAL YEAR.

RESOLUTION - ITEM NO 10.3.2 OCM/25/007

MOVED: CR A BADLU

SECONDED: CR A YOUNG

THAT COUNCIL, BY ABSOLUTE MAJORITY:

- 1. NOTE AND RECEIVE THE LGISWA INSURANCE SUMMARY AND APPROVE PAYMENT OF \$533,838 FOR SCHEME MEMBERSHIP FOR THE 2025/26 FINANCIAL YEAR.**

THE MOTION WAS PUT AND DECLARED CARRIED BY ABSOLUTE MAJORITY (4/0)

FOR: BADLU, KNIGHT, MINKOM, YOUNG

AGAINST: NIL



Frank Mills
Cocos (Keeling) Islands Shire Council
Lot 256 Jalan Melati
Home Island
Cocos (Keeling) Islands WA 6799

Tax Invoice

LGISWA
ABN 59 780 338 975
Managed by
JLT Risk Solutions Pty Ltd
ABN 69 009 098 864
Level 3, 170 Railway Pde
WEST LEEDERVILLE WA 6007
PO Box 1003
WEST PERTH WA 6872
Tel +61 8 9483 8888
Fax +61 8 9483 8898
www.lgiswa.com.au

Invoice No. **100-160881-01**
Date 7 July 2025
Our Ref Listed overleaf
Member Code 100-COCO
Member Shire of Cocos (Keeling) Islands
Cover Listed overleaf
Period 30/06/2025 to 30/06/2026
Trust LGISWA

Account Manager/s

Stephanie McEachen +61 8 9483 8825
Jason Harwood 9483 8870

Contribution	266,919.40
GST	0.00

TOTAL DUE	AUD \$266,919.40
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Refer overleaf for membership details for the period 30/06/2025 to 30/06/2026

PAYMENT OPTIONS

PAY BY DIRECT CREDIT

Total Due AUD \$266,919.40 by 31/07/2025

EFT ONLY	Bank: ANZ Banking Group Ltd BSB: 016-498 Email Remittance to: accounts@lgiswa.com.au	Acct: 8353 11413 Ref: 100-COCO
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Invoice # 100-160881-01
Cocos (Keeling) Islands Shire Council

INFORMATION RELATING TO YOUR INVOICE AND OUR SERVICES

If you are registered for GST purposes, your input tax credit entitlement is, or is based on, the GST amount shown. In accordance with the GST law, the GST amount will be less than 1/11th of the total amount payable. This document will be a tax invoice for GST when you make a payment.

FINANCIAL SERVICES GUIDE (FSG)

For important information about us and the services we provide go to www.jltpublicsector.com/financial-services-guide.html to download the JLT Public Sector Financial Services Guide. You should read it carefully and make sure you understand it. If there is anything in the FSG that you do not understand, please contact us.

CONSOLIDATION SUMMARY

This table presents a breakdown of your annual membership contribution. Your contribution can be made in two instalments and this invoice represents 50% of the annual contribution.

OUR REF	SCHEME PROTECTION	COVER REF NO.	AMOUNT	COMMENT
000929	Local Government Special Risks	000929	\$455,118.84	LGIS Property
000930	Public Liability	000930	\$32,321.52	LGIS - Public Liability
001078	Crime	05CH005846	\$5,964.74	LGIS Cybercrime
001114	Casual Hirers Liability	001114	\$0.00	LGIS - Casual Hirer's Liability
001571	Personal Accident	63-2342695-ZAH	\$579.00	LGIS - Personal Accident Volunteers
001602	Environmental Impairment Liability	EL0000212293	\$0.00	LGIS - Pollution Liability
002032	Motor Vehicle	63 2228090 VFT	\$27,800.70	LGIS - Motor Vehicle
002050	Management Liability	05CH005534	\$11,128.00	LGIS - Management Liability
002259	Travel	63-2342696-ZCT	\$926.00	LGIS - Travel

INSTALMENT SUMMARY

Your contribution payments can be made via instalments. In line with the Scheme Rules payment of contribution must be made within 30 days of this contribution notice.

DUE DATE	\$ AMOUNT	OUR REF
31/07/2025	266,919.40	100-160881-01
31/10/2025	266,919.40	100-160881-02



Invoice # 100-160881-01
Cocos (Keeling) Islands Shire Council

Important Information - Mutual Risk Products

LGISWA (THE SCHEME) - STATUTORY NOTICE

LGISWA is a Managed Investment Scheme and Mutual Risk Product as defined by ASIC under the Corporations Act 2001 (Cth) that is neither authorised under, nor subject to, the provisions of the Insurance Act 1973 (Cth). LGISWA is not a product regulated by APRA. The future liabilities based upon procedures which are supported by both independent legal and actuarial experts and includes specific financial provisions for late reported claims (IBNR) and future claim developments plus a prudential risk margin. These provisions are amounts in addition to specific claim estimates.

LGISWA Board of representatives of Western Australian Local Government Association (WALGA) has established financial targets to ensure that adequate financial resources are available to discharge future liabilities and make future payments. This is achieved via a combination of financial management strategies which may include purchasing reinsurance, developing risk margins and retaining surplus funds. The LGISWA Board reviews the operating financial statements at regular intervals and an independent audit occurs annually.

WALGA has appointed JLT Risk Solutions Pty Ltd (JLT) as Scheme Manager.

The Trust Deed is the primary document which governs the operation of the Scheme. By its acceptance of an offer of membership (or renewal membership) a member agrees that at all times while it remains a member of the Scheme it will be bound by the Trust Deed and Scheme Rules and perform the obligations of a member accordingly. Protection policies are issued as a guide as to the terms under which claim will be considered and settled. For a copy of the Trust Deed, Scheme Rules, Product Disclosure Statement and Protection Policies, go to:

<https://www.lgiswa.com.au>

CHANGE OF RISK OR CIRCUMSTANCES

Please tell the Scheme Manager about any changes to your circumstances or business, such as any alteration of risk, location changes, new or changed business activities, as they could affect your protection.

UNREPORTED LOSSES

Please let the Scheme Manager know whether there are any losses which have occurred that have not been reported to the Scheme Manager, whether you intend making a claim or not.

NEW CLAIMS

Any terms provided to you are based on the understanding that there will be no deterioration in the claims experience (or change in the underwriting information) between the date terms are quoted and the inception date of the cover. If changes do occur during this period, the terms quoted may be revised or even withdrawn.

RECEIVING INFORMATION ABOUT OTHER PRODUCTS AND SERVICES

The Scheme Manager may, from time to time, offer you information about products and services which may be of interest to you. Please notify the Scheme Manager if you do not wish to receive such additional information.

FINANCIAL SERVICES GUIDE (FSG)

For important information about the Scheme and the services provided, access the link below JLT Public Sector Financial Services Guide. You should read it carefully and make sure you understand it. If there is anything in the FSG that you do not understand, please contact the Scheme Manager.

www.jltpublicsector.com/financial-services-guide.html

PRIVACY POLICY

We value your privacy and are committed to handling your personal information in accordance with the Australian Privacy Principles and Privacy Act. Full details of how we collect, hold, use and disclose personal information is detailed in our Privacy Policy available online via the link below. If you require a copy, you can contact us or email privacy.australia@marsh.com.

<https://www.jltpublicsector.com/privacy-policy.html>

COMPLAINTS PROCEDURES

If a Member has a complaint about the Scheme, including but not limited to a complaint about non-payment of a Claim, they can communicate it to the Scheme Manager via post, telephone or email:

PO Box 1003
WEST PERTH WA 6872
+61 8 9483 8888

www.lgiswa.com.au

A more detailed explanation of our complaints procedures can be found here:

<https://jltpublicsector.com/financial-services-guide.html>.

If you require a further explanation of the above information, please contact us immediately.

10.3.3 SCHEDULE OF ACCOUNTS

FILE NUMBER:

AUTHOR: Sally Badlu, Senior Finance Officer

AUTHORISER: Ibrahim Macrae, Acting Chief Executive Officer

DISCLOSURE(S) OF INTEREST: Author - Nil

Authoriser - Nil

ISLAND: Shire Wide

ATTACHMENTS: 10.3.3.1 - Fuel Transactions [↓](#)
10.3.3.2 - Franks Credit Card Transactions [↓](#)
10.3.3.3 - Credit Card Transactions [↓](#)
10.3.3.4 - List of Accounts Paid June 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 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 present to Council a list of accounts paid under delegated authority for the period May/June 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 10.3.3.4.

Payment Type	Amount (\$)
EFT Payments #11582 - #11660	\$1,005,651.20
Direct Debit Payment	\$101,173.72
Cheque Payment 11775-11776	\$4,363.94
Total Payments	1,111,188.86

The May/June payments are significantly higher than other months' expenditures as the May/June payments include a backlog of IT related payments. The backlog was the result of the transition of IT Services.

Contained within Attachment 10.3.3.1, 10.3.3.2, 10.3.3.3 and 10.3.3.4 is a detailed transaction listing of payments, including credit card expenditure and fuel card expenditure as per the Summary table above.

POLICY AND LEGISLATION IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The payments listed in this report are part of the Shire's approved budget and regular financial operations. All payments have been made in accordance with the 2024–2025 Annual Budget.

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	Low (3)	Procedures in place to ensure all expenditure

	scrutiny.		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.

STRATEGIC IMPLICATIONS

Theme

L Leadership

Goal

L2 To ensure that Shire resources are utilised in a manner that represents the best interest of the whole community

Strategy

L2.1 Responsible financial management utilizing resources to meet legislative requirements and community expectations

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 REQUIREMENT

Simple Majority

CONCLUSION

It is recommended that Council receives the report provided for the period July 2025.

OFFICER RECOMMENDATION – ITEM NO 10.3.3

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 JULY 2025 TOTTALLING \$1,111,188.86 AS CONTAINED IN ATTACHMENT 10.3.3.1.
2. RECEIVES THE DETAILED TRANSACTION LISTING OF CREDIT CARD AND FUEL CARD EXPENDITURE FOR THE PERIOD JULY 2025, AS CONTAINED IN ATTACHMENT 10.3.3.1, 10.3.3.2

AND 10.3.3.3.

RESOLUTION - ITEM NO 10.3.3 OCM/25/008

MOVED: CR A YOUNG

SECONDED: CR A BADLU

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 JULY 2025 TOTALLING \$1,111,188.86 AS CONTAINED IN ATTACHMENT 10.3.3.4.**
- 2. RECEIVES THE DETAILED TRANSACTION LISTING OF CREDIT CARD AND FUEL CARD EXPENDITURE FOR THE PERIOD JULY 2025, AS CONTAINED IN ATTACHMENT 10.3.3.1, 10.3.3.2 AND 10.3.3.3.**

THE MOTION WAS PUT AND DECLARED CARRIED (4/0)

FOR: BADLU, KNIGHT, MINKOM, YOUNG

AGAINST: NIL

Detailed Fuel Card Transactions for May 2025 (paid in June 2025)						
Date	Card Number	Registration	Product	Quantity	Per Litre	Total
30.05.2025	7034301108997898	C1897	DIESEL	60.9	\$ 2.75	\$ 167.20
30.05.2025	7034301108997880	C1895	DIESEL	57.06	\$ 2.75	\$ 156.65
29.05.2025	7034301108997906	C1898	DIESEL	90.95	\$ 2.75	\$ 249.70
28.05.2025	7034301108998433	C1454	DIESEL	877.19	\$ 2.75	\$ 2,408.28
27.05.2025	7034301108997906	C1898	DIESEL	300.06	\$ 2.75	\$ 823.80
27.05.2025	7034301108998433	C1454	DIESEL	166.12	\$ 2.75	\$ 456.07
26.05.2025	7034301108997906	C1898	DIESEL	59.92	\$ 2.75	\$ 164.51
19.05.2025	7034301108997898	C1897	DIESEL	60.61	\$ 2.75	\$ 166.40
19.05.2025	7034301108997898	C1897	DIESEL	400.02	\$ 2.75	\$ 1,098.24
18.05.2025	7034303093122078	N/A	DIESEL	47.64	\$ 2.75	\$ 130.79
14.05.2025	7034301108997906	C1898	DIESEL	64.77	\$ 2.75	\$ 177.83
14.05.2025	7034301108998433	C1454	DIESEL	390.82	\$ 2.75	\$ 1,072.98
08.05.2025	7034301108997906	C1898	DIESEL	634.45	\$ 2.75	\$ 1,741.85
05.05.2025	7034301108998433	C1454	DIESEL	450	\$ 2.75	\$ 1,235.45
05.05.2025	7034301108998433	C1454	DIESEL	317	\$ 2.75	\$ 870.31
02.05.2025	7034301108997898	C1897	DIESEL	59.89	\$ 2.75	\$ 164.43
02.05.2025	7034301108997906	C1898	DIESEL	63.65	\$ 2.75	\$ 174.75
02.05.2025	7034301108998433	C1454	DIESEL	53.48	\$ 2.75	\$ 146.83
01.05.2025	7034301108997906	C1898	DIESEL	90.02	\$ 2.75	\$ 247.15
Total				4244.55	\$ 2.75	\$ 11,653.22

Detailed Credit Card Transaction - June 2025			
Date	Name	Description	Amount
Credit Card - Chief Executive Officer			
04.05.2025	Virgin Australia	Virgin Australia	\$ 1,914.19
05.05.2025	Cover More Ins Aus	Cover More Ins Aus	\$ 23.00
07.05.2025	GM TaxiPay	Taxi Fare	\$ 68.88
07.05.2025	Live Payments	Taxi Fare	\$ 31.50
07.05.2025	Swan Taxi	Taxi Fare	\$ 24.36
08.05.2025	GM TaxiPay	Taxi Fare	\$ 16.59
08.05.2025	13Cabs	Taxi Fare	\$ 38.01
09.05.2025	GM TaxiPay	Taxi Fare	\$ 54.08
17.05.2025	AIG Australia	Taxi Fare	\$ 64.00
18.05.2025	Qantas Airways	Qantas Airways	\$ 1,066.10
18.05.2025	Qantas Airways	Qantas Airways	\$ 1,066.10
18.05.2025	Qantas Airways	Qantas Airways	\$ 17.00
18.05.2025	Qantas Airways	Qantas Airways	\$ 17.00
18.05.2025	Qantas Airways	Qantas Airways	\$ 130.00
18.05.2025	Qantas Airways	Qantas Airways	\$ 130.00
23.05.2025	ZLR Receipt	Taxi Fare	\$ 108.84
	Total		\$ 4,769.65

Detailed Credit Card Transaction - June 2025			
Date	Name	Description	Amount
Credit Card - Governance & Risk Co-ordinator			
28.05.2025	Cocos Island Co-operative Society	Cocos Island Co-operative Society - Fuel	\$ 222.60
29.05.2025	Shamroks Supermarkets	Staff Amenities	\$ 9.00
30.05.2025	Cocos Island Co-operative Society	Cocos Island Co-operative Society - Tools	\$ 88.00
30.05.2025	Cocos Island Co-operative Society	Cocos Island Co-operative Society - Fuel	\$ 630.18
30.05.2025	Shamroks Supermarkets	Staff Amenities	\$ 16.00
02.06.2025	Virgin Australia	Flight Changes for Cr O Sloan	\$ 34.00
04.06.2025	Cocos Island Co-operative Society	Cocos Island Co-operative Society -Tools	\$ 204.75
04.06.2025	Virgin Australia	Flight Changes for Cr Isa Minkom	\$ 133.00
05.06.2025	Virgin Australia	Cr Isa Minkom ALGA Convention Trip	\$ 1,535.69
05.06.2025	Virgin Australia	Ibrahim Macrae ALGA Convention Trip	\$ 1,387.10
05.06.2025	Virgin Australia	Cr Aindil Minkom ALGA Convention Trip	\$ 1,764.45
05.06.2025	Virgin Australia	Cr Signa Knight ALGA Convention Trip	\$ 1,419.50
05.06.2025	Virgin Australia	Cr Osman Sloan ALGA Convention Trip	\$ 1,535.69
13.06.2025	Cocos Island Co-operative Society	Cocos Island Co-operative Society - Fuel	\$ 796.40
18.06.2025	Cab Fare	Taxi Fare	\$ 43.78
19.06.2025	Crown Promenade Perth	Accommodation - Ibrahim Macrae ALGA Convention Trip	\$ 998.35
20.06.2025	Crown Promenade Perth	Accommodation - Cr Isa Minkom ALGA Convention Trip	\$ 645.34
20.06.2025	Crown Promenade Perth	Accommodation - Cr Aindil Minkom ALGA Convention Trip	\$ 645.34
21.06.2025	Crown Promenade Perth	Accommodation - Cr Signa Knight ALGA Convention Trip	\$ 329.00
21.06.2025	Crown Metropol Perth	Accommodation- Cr Osman Sloan ALGA Convention Trip	\$ 817.29
22.06.2025	BWC	Taxi Fare	\$ 63.00
22.06.2025	GM TaxiPay	Taxi Fare	\$ 48.51
23.06.2025	Starlink Australia	Starlink Subscription	\$ 538.00
23.06.2025	Virgin Australia	Flight Changes Fee - Cr Aindil Minkom	\$ 110.97
23.06.2025	Virgin Australia	Flight Changes Fee - Cr Aindil Minkom	\$ 110.97
23.06.2025	Virgin Australia	Flight Changes Fee - Cr Isa Minkom	\$ 168.50
23.06.2025	Virgin Australia	Flight Changes Fee - Cr Ibrahim Macrae	\$ 264.40
23.06.2025	Virgin Australia	Flight Changes Fee - Cr Signa Knight	\$ 265.06
24.06.2025	Virgin Australia	Flight Changes Fee - Cr Osman Sloan	\$ 54.25
25.06.2025	ACT Cabs	Taxi Fare	\$ 21.84
	Total		\$ 14,900.96
Date	Name	Description	Amount
Credit Card - Manager of Finance and Corporate Service			
03.06.2025	Pulu Connect	4G Phone Account	\$50.75
10.06.2025	KraftKolour Thomas Town	Batik WorkShops Materials	\$481.14
17.06.2025	Australia Federal Police	Criminal History Check - D Tombs	\$56.34
18.06.2025	Cocos Island Co-operative Society	Fuel	\$70.00
18.06.2025	Shamroks Supermarkets	Office Amenities - Milk	\$50.00
19.06.2025	Cocos Island Co-operative Society	Hardware Cocos Coop - Hardware Supplies	\$6.35
23.06.2025	Cocos Island Co-operative Society	Hardware Cocos Coop - Hardware Supplies	\$10.40
24.06.2025	Shamroks Supermarkets	School Holiday Programs Supplies	\$107.00
24.06.2025	Shamroks Supermarkets	Batik Provision Project	\$28.00
25.06.2025	Cocos Island Co-operative Society	Hardware Cocos Coop - Hardware Supplies	\$127.00
25.06.2025	Cocos Island Co-operative Society	Hardware Cocos Coop - Hardware Supplies	\$94.50
	Total		\$ 1,081.48
Date	Name	Description	Amount
Credit Card - Chief Executive Officer			
27.05.2025	Spotto WA	Taxi Fare	\$ 102.06
27.05.2025	Spotto WA	Taxi Fare	\$ 135.45
28.05.2025	Spotto WA	Taxi Fare	\$ 100.49
28.05.2025	Swan Taxi	Taxi Fare	\$ 102.17
29.05.2025	Spotto WA	Taxi Fare	\$ 183.44
30.05.2025	Spotto WA	Taxi Fare	\$ 76.65
20.06.2025	AIG Australia	AIG Australia	\$ 58.00
21.06.2025	Qantas Airways	Qantas Airways - ALGA Convention Trip	\$ 1,686.88
21.06.2025	Qantas Airways	Qantas Airways - ALGA Convention Trip	\$ 1,686.88
21.06.2025	Qantas Airways	Qantas Airways - ALGA Convention Trip	\$ 20.00
21.06.2025	Qantas Airways	Qantas Airways - ALGA Convention Trip	\$ 20.00
22.06.2025	Meriton Suites Canberra	Meriton Suites Canberra - ALGA Convention Trip	\$ 1,850.21
22.06.2025	Meriton Suites Canberra	Meriton Suites Canberra - ALGA Convention Trip	\$ 1,850.21
22.06.2025	GM TaxiPay	Taxi Fare	\$ 34.23
23.06.2025	ACT Cab	Taxi Fare	\$ 17.22
23.06.2025	Aerial CG	Taxi Fare	\$ 11.66
	Total		\$ 4,235.13
Total Credit Card Transaction for the Month Ended June 2025			\$ 20,217.57

List of Accounts Paid Under Delegated Authority for the Month of June 2025				
Chq/EFT	Date	Name	Description	Amount
EFT11582	05/06/2025	Complete Building Supplies Wa	Purchase materials (HI Retail)	\$ 34,233.30
EFT11583	05/06/2025	Pulu Connect	Fixed Data 18:C2:41:1B:6D:E4 Rate Plan Standard	\$ 850.00
EFT11584	05/06/2025	CPM Licencing	Renewal Registration for Shire motor vehicle C1483	\$ 99.30
EFT11585	05/06/2025	Cocos (K) Islands Community Resource Centre	Funding-Atoll period July 2025-June 2026	\$ 23,690.00
EFT11586	05/06/2025	David Gray & Co Pty Ltd	Purchase Bin	\$ 2,234.00
EFT11587	05/06/2025	Fully Promoted Osborne Park	Sample Caps-Home Island Museum Merch	\$ 180.00
EFT11588	05/06/2025	Multiwave Networks Pty Ltd	NBN Sky Muster Premium month June 2025 for-Hse 31 WI,56 WI,16 WI	\$ 297.00
EFT11589	05/06/2025	Nextgen Skills	Apprenticeship-Certificae III in Plumbing	\$ 3,610.72
EFT11590	05/06/2025	Official CPM	Rent for-Hse 16,31&56 WI month June 2025	\$ 4,652.00
EFT11591	05/06/2025	Office National Canning Vale	Purchase Toner Cartridge	\$ 4,655.13
EFT11592	05/06/2025	Roy Galvin & Co Pty Ltd	Purchase materials for (Kampong mtc)	\$ 3,461.30
EFT11593	05/06/2025	RSEA Pty Ltd	Purchase Sureguard	\$ 302.56
EFT11594	05/06/2025	Musahirin Shakirin	Travel Allowance for p/e 06.06.2025 too 24.06.2025	\$ 1,480.15
EFT11595	05/06/2025	Solahart Fremantle	Supply Solahart Roof Top Solar Hot Water System	\$ 22,812.00
EFT11596	05/06/2025	STIHL Shop	Purchase of materials for (Parks & Reserve)	\$ 2,726.25
EFT11597	05/06/2025	Telstra	Telephone charges period 24.05.2025 to 24.06.2025	\$ 430.09
EFT11598	05/06/2025	Total Tools O'connor	Purchase Battery	\$ 2,360.67
EFT11599	12/06/2025	Collector of Public Monies	Electricity charges for-Shire Depot Shed HI month Feb/April 2025	\$ 8,896.50
EFT11600	12/06/2025	Alan Piper Consulting	DRF Round 3 Submission Support	\$ 7,920.00
EFT11601	12/06/2025	Boc Ltd	Container Service-Daily Tracking period 28.04.2025 to 28.05.2025	\$ 80.28
EFT11602	12/06/2025	Melur Brian	Reimbursement airfares entitlement	\$ 405.00
EFT11603	12/06/2025	Cocos (Keeling) Islands Tourism Association Inc.	HI Museum as per agreement month May 2025	\$ 1,030.59
EFT11604	12/06/2025	Cocos (K) Islands Community Resource Centre	Hire Conference Room Council Meeting	\$ 60.00
EFT11605	12/06/2025	Dash Digital	Hosting Caretaker-June 2025	\$ 164.00
EFT11606	12/06/2025	Dekk Rubber Trakcs & Pads	Purchase Dekk/Rubber Track	\$ 1,915.00
EFT11607	12/06/2025	Direct Office & Commercial Furniture	Purchase Office Furniture	\$ 2,471.70
EFT11608	12/06/2025	Zaitu Feyrel	Jukung Restorer month 22.05.2025-28.05.2025	\$ 600.00
EFT11609	12/06/2025	Focus Networks	Agreement Monthly MPS Devices	\$ 6,256.60
EFT11610	12/06/2025	Fire & Safety Services Co Pty Ltd	Complete Service,Inspection/Maintenance of Fire Detection	\$ 1,510.00
EFT11611	12/06/2025	Xavier Hart	Atoll Distributors month May 2025	\$ 45.00
EFT11612	12/06/2025	Infocouncil Pty Ltd	Infocouncil Implementation fee,Training/UAT Support	\$ 12,000.00
EFT11613	12/06/2025	Indian Ocean Group Training	Training First Aid-M.Bentley,R.Chongkin,N.Hj Dolman,A.Mocksen	\$ 1,420.00
EFT11614	12/06/2025	IT Vision	IT Vision Annual Subscription	\$ 40,066.96
EFT11615	12/06/2025	Fadhl Kamarudin	Reimbursement airfares entitlement	\$ 1,306.18
EFT11616	12/06/2025	Land & Water Technology Pty Ltd	Purchase Lockable Ball Valves 20mm Stainless	\$ 2,284.68
EFT11617	12/06/2025	Adirah Qaisarah Mhd Isa	Atoll Distributors for-Adirah Qaisarah Mhd Isa month May 2025	\$ 150.00
EFT11618	12/06/2025	Oil & Energy Pty Ltd	Purchase Gaus S2 V220,V100	\$ 1,927.57
EFT11619	12/06/2025	Slimline Warehouse	Purchase outdoor Bulletin Board	\$ 864.50
EFT11620	12/06/2025	Subco Pty Ltd	Service 1: Shire Office (Building ID AUUCKI0007) 100Mbps	\$ 1,000.00
EFT11621	12/06/2025	Ruby William	Atoll Distributors for-Ruby Williams month June 2025	\$ 45.00
EFT11622	12/06/2025	WA Local Government Association	Diploma of Local Government-Ibrahim Macrae June 2025	\$ 11,500.00
EFT11623	12/06/2025	Zentner Shipping Pty Ltd	Freight charges Voyage # Lotti AL2501NB month April 2025	\$ 41,440.50
EFT11624	13/06/2025	Pulu Connect	Provision of Internet Service for 7 Months	\$ 272,867.82
EFT11625	13/06/2025	Meriton Suites Canberra	Accommodation (Canberra Conference) 22-26.06.2025	\$ 9,900.00
EFT11626	16/06/2025	Australian Local Government Association	NGA 2025 Registration-Cr Ibrahim Macrae	\$ 6,594.00
EFT11627	16/06/2025	Pulu Connect	Provision of Internet Service for 3 Months And New Server	\$ 299,791.80
EFT11628	16/06/2025	Signa Knight	Travel Allowance for (ALGA Convention-Canberra)	\$ 1,755.75
EFT11629	16/06/2025	Ibrahim Macrae	Travel Allowance for (ALGA Convention-Canberra)	\$ 1,755.75
EFT11630	19/06/2025	Frank Mills	Travel Allowance for (ALGA Convention-Canberra)	\$ 1,112.15
EFT11631	19/06/2025	Mhd Isa Minkom	Travel Allowance for (ALGA Convention-Canberra)	\$ 1,112.15
EFT11632	19/06/2025	Aindil Minkom	Travel Allowance for (ALGA Convention-Canberra)	\$ 1,112.15
EFT11633	19/06/2025	Osman Sloan	Travel Allowance for (ALGA Convention-Canberra)	\$ 1,112.15
EFT11634	27/06/2025	Collector of Public Monies	Electricity Charges for-Lot 18-Small Business Centre (UNIT 8 New Gift Shop)	\$ 177.60
EFT11635	27/06/2025	Awliyah Ashari	Atoll Distributors month June 2025	\$ 50.00
EFT11636	27/06/2025	B.M Refrigeration	New Acon install HI Retail Centre Tenancy 8	\$ 3,743.00

EFT11637	27/06/2025	Cocos (K) Islands Golf Club Inc	Adopt-A-Spot	\$ 110.00
EFT11638	27/06/2025	Civic Legal	Professional Fee;Advice on travel and other allowance for Councillors	\$ 24,805.25
EFT11639	27/06/2025	David Gray & Co Pty Ltd	Purchase Termidor (Animal Control)	\$ 590.00
EFT11640	27/06/2025	Zaitu Feyrel	Jukong Restorer for 03.06.25-05.06.25	\$ 360.00
EFT11641	27/06/2025	Focus Networks	Agreement Monthly Saas for June 2025	\$ 3,850.21
EFT11642	27/06/2025	Xavier Hart	Atoll Distributors month June 2025	\$ 30.00
EFT11643	27/06/2025	Indian Ocean Group Training	Traineeship Fees for-Cert II in Maritime Operation-Coxswain Grade 1 Near Coastal	\$ 2,400.00
EFT11644	27/06/2025	IT Vision	Synergysoft End of Year Financials 5 May 2025 (David Tombs)	\$ 1,275.00
EFT11645	27/06/2025	JC Consulting	Stage 2- Cocos Keeling Batik Revival Workshop 2025	\$ 5,602.34
EFT11646	27/06/2025	Adirah Qaisarah Mhd Isa	Atoll Distributors month June 2025	\$ 50.00
EFT11647	27/06/2025	Mo Sparks Electrical	Electrical Maintenance Kampong/Business Centre	\$ 11,900.00
EFT11648	27/06/2025	Sweet As Makan	Catering Olympians meet and greet-Suka Duka	\$ 500.00
EFT11649	27/06/2025	Musahirin Shakirin	Reimbursement for Stage 1 Block Release Resource Books	\$ 211.00
EFT11650	27/06/2025	Luluilmaknun Sloan	Reimbursement for Water,Phone,Internet,Fuel	\$ 1,401.56
EFT11651	27/06/2025	South Metropolitan TAFE	Course Fees for-Saufie Zaitol CPC30220-CIII in Carpentry	\$ 60.85
EFT11652	27/06/2025	Niamh Swingle	Reimbursement for (Jukong Restorer Project)	\$ 11.30
EFT11653	27/06/2025	Total Tools O'connor	Purchase materials Small Items	\$ 3,347.28
EFT11654	27/06/2025	Totally Workwear Distribution Center	Purchase uniforms	\$ 2,454.06
EFT11655	27/06/2025	Uniqco (wa) Pty Ltd	Mobile Asset Business Analytics and Support Service-Contract 2025/2026	\$ 20,000.00
EFT11656	27/06/2025	Westslab	Purchase Materials (General Road Mtc)	\$ 890.00
EFT11657	27/06/2025	Ruby William	Atoll Distributors month June 2025	\$ 30.00
EFT11658	27/06/2025	WA Local Government Association	Enrol Amallia Alim-LGA30120 Certificate III in LG	\$ 2,950.00
EFT11659	27/06/2025	Zentner Shipping Pty Ltd	Freight charges Voyage # ASC Lotti AL2502NB month June 25	\$ 67,158.50
EFT11660	27/06/2025	Focus Networks	SSL Scurity Certificate	\$ 1,145.00
		Total Eftpos payments		\$ 1,005,651.20
11775	12/06/2025	Water Corporation	Water Usage Charges for-Lot 256 HI	\$ 3,687.67
11776	27/06/2025	Water Corporation	Water usage charges for-Lot 227 HI	\$ 676.27
		Total Cheque Payments		\$ 4,363.94
DD11549.1	01/06/2025	Australian Super	Superannuation contributions	\$ 1,826.21
DD11549.2	01/06/2025	LGIA Super	Payroll deductions	\$ 2,113.70
DD11549.3	01/06/2025	Unisuper	Payroll deductions	\$ 1,157.72
DD11549.4	01/06/2025	AXA Australia	Superannuation contributions	\$ 3,123.67
DD11549.5	01/06/2025	Aware Super	Superannuation contributions	\$ 8,707.53
DD11549.6	01/06/2025	Panorama Super	Superannuation contributions	\$ 1,396.52
DD11549.7	01/06/2025	Commonwealth Life Superannuation Mastertrust	Superannuation contributions	\$ 597.74
DD11549.8	01/06/2025	Rest Superannuation	Superannuation contributions	\$ 1,190.10
DD11549.9	01/06/2025	Australian Super	Superannuation contributions	\$ 1,181.79
DD11565.1	15/06/2025	Australian Super	Superannuation contributions	\$ 1,805.91
DD11565.2	15/06/2025	LGIA Super	Payroll deductions	\$ 2,113.70
DD11565.3	15/06/2025	Unisuper	Payroll deductions	\$ 1,157.72
DD11565.4	15/06/2025	AXA Australia	Superannuation contributions	\$ 3,155.26
DD11565.5	15/06/2025	Aware Super	Superannuation contributions	\$ 8,137.59
DD11565.6	15/06/2025	Panorama Super	Superannuation contributions	\$ 1,231.95
DD11565.7	15/06/2025	Commonwealth Life Superannuation Mastertrust	Superannuation contributions	\$ 593.33
DD11565.8	15/06/2025	Rest Superannuation	Superannuation contributions	\$ 1,209.77
DD11565.9	15/06/2025	Australian Super	Superannuation contributions	\$ 1,187.28
DD11577.1	13/06/2025	Viva Energy Australia Ltd	Fuel Purchased 2025	\$ 11,653.22
DD11583.1	29/06/2025	Australian Super	Superannuation contributions	\$ 1,850.31
DD11583.2	29/06/2025	LGIA Super	Payroll deductions	\$ 1,428.97
DD11583.3	29/06/2025	Unisuper	Payroll deductions	\$ 1,178.37
DD11583.4	29/06/2025	AXA Australia	Superannuation contributions	\$ 3,181.39
DD11583.5	29/06/2025	Aware Super	Superannuation contributions	\$ 8,650.56
DD11583.6	29/06/2025	Panorama Super	Superannuation contributions	\$ 1,231.95
DD11583.7	29/06/2025	Commonwealth Life Superannuation Mastertrust	Superannuation contributions	\$ 595.47
DD11583.8	29/06/2025	Rest Superannuation	Superannuation contributions	\$ 1,204.65
DD11583.9	29/06/2025	Australian Super	Superannuation contributions	\$ 1,166.77
DD11591.1	27/06/2025	Mastercard	See Attachments	\$ 1,081.48
DD11608.1	27/06/2025	Mastercard	See Attachments	\$ 4,235.13
DD11610.1	27/06/2025	Mastercard	See Attachments	\$ 14,900.96
DD11612.1	30/06/2025	Mastercard	See Attachments	\$ 4,769.65
DD11549.10	01/06/2025	ANZ Smart Choice Super	Superannuation contributions	\$ 645.08

DD11549.11	01/06/2025	Australian Super	Superannuation contributions	\$ 92.75
DD11565.10	15/06/2025	ANZ Smart Choice Super	Superannuation contributions	\$ 645.08
DD11565.11	15/06/2025	Australian Super	Superannuation contributions	\$ 81.54
DD11583.10	29/06/2025	ANZ Smart Choice Super	Superannuation contributions	\$ 586.64
DD11583.11	29/06/2025	Australian Super	Superannuation contributions	\$ 79.20
190625	19/06/2025	CLICKSUPER - CLICKSUPER FEES	Click Super	\$ 27.06
		Total Direct Debit Payment		\$ 101,173.72
		Total Transaction for the Month of June 2025		\$ 1,111,188.86

10.4 INFRASTRUCTURE

10.4.1 INFRASTRUCTURE MONTHLY REPORT

FILE NUMBER:

AUTHOR: Luluilmaknun Sloan, Coordinator Infrastructure

AUTHORISER: Ibrahim Macrae, Acting Chief Executive Officer

DISCLOSURE(S) OF INTEREST: Author - Nil

Authoriser -

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 type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. E.g., adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes and policies. Review when Council reviews decisions made by officers.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When Council determines an application / matter that directly affects a person's right and interest. The judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits / licenses.</i>
<input checked="" type="checkbox"/>	Information	<i>Includes items provides to Council for information purposes only that do not require a decision of Council (i.e. – for noting).</i>

REPORT PURPOSE

The purpose of this report is to update Council on the key activities, progress, and challenges encountered by the Shire's Infrastructure team during the July 2025 reporting period. It provides detailed information on capital works, building and maintenance projects, environmental management initiatives, and civil road works across the islands.

RELEVANT DOCUMENTS

Nil

BACKGROUND

Roads

While we await delivery of more suitable materials, road maintenance efforts continue across the islands, with a focus on patching the most damaged shoulders and potholes. We maintain ongoing consultations with road maintenance experts to support these works. We acknowledge community concerns and frustrations, which are taken seriously; however, we ask for patience as we navigate these challenges with expert guidance and a relatively new maintenance team. Clearing of overgrown and overhanging vegetation along roads is ongoing.

Environment

With continued support from CKI Ports, weekly grounds maintenance and general cleaning on Direction Island have been sustained. Plans to mobilise plant and machinery for a major cleanup of tracks and removal of felled trees are underway. Coordination with Shire Rangers is also in progress to schedule fogging operations soon.

We remain supportive of marine debris clean-ups and monitoring by Tangaroa Blue, as well as Sea Shepherd. We look forward to receiving data from these initiatives. Additionally, we are working with the Tangaroa Blue Foundation's IOT Project Coordinator to source more durable collection bags, as current bags do not withstand the harsh local conditions. Requests from tourists and visitors to replenish bags at island sites continue.

Civil Works

There have been numerous issues and concerns regarding the existing temporary boat ramp at Rumah Baru (Mahoon Road). The ramp is currently unfit for purpose due to tidal sand movements, poor surface conditions, and insufficient size, causing difficulties for users. This facility is a temporary measure pending installation of a permanent, more suitable solution. Recent meetings with engineers and industry experts on future works have been promising.

STRATEGIC IMPLICATIONS

Theme

L Leadership

Goal

L2 To ensure that Shire resources are utilised in a manner that represents the best interest of the whole community

L1 To be involve, respectful and inclusive and to facilitate diveristy and representation within the dcision making process.

Strategy

L2.1 Responsible financial management utilizing resources to meet legislative requirements and community expectations

L1.3 Shire representatives (Councillors and Shire Leadership team) to pro-actively engage, communicate with, and increase visibility within the community.

RISK IMPLICATIONS

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	Projects exceed budget allocation	Moderate	Ensure projects are delivered on time and finances are closely monitored.
Health & Safety	Staff do not comply with WHS requirements	Moderate	Provide adequate training and ensure ongoing monitoring by WHS Representatives.
Reputation	Projects not delivered to required standard	Moderate	Maintain project scheduling and provide regular updates.
Service Interruption	Loss of key personnel for project delivery	Moderate	Ensure staffing levels support delivery; limit number of projects each FY.
Compliance	Non-compliance with regulations and codes	Low	Ensure Supervisors and Managers are well-versed in relevant standards.
Property	Damage to property	Moderate	Promote staff awareness of surroundings to minimise risk of damage.
Environment	Environmental impact	Moderate	Minimise impact wherever possible, with rehabilitation and replanting as needed.

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 REQUIREMENT

Simple Majority

CONCLUSION

The Shire's Infrastructure team has made steady progress during July 2025 despite ongoing challenges related to material supply and resource constraints. Road maintenance and environmental management activities continue with expert guidance and community considerations in mind. Civil works planning for the temporary boat ramp replacement is advancing positively.

Continued collaboration with partners and stakeholders remains critical to successfully delivering these projects while managing risks and community expectations.

OFFICER RECOMMENDATION – ITEM NO 10.4.1

THAT COUNCIL, BY SIMPLE MAJORITY, NOTES AND RECEIVES THE SHIRE'S INFRASTRUCTURE UPDATES FOR THE JULY 2025 REPORTING PERIOD.

RESOLUTION - ITEM NO 10.4.1 OCM/25/009

MOVED: CR A YOUNG

SECONDED: CR A BADLU

THAT COUNCIL, BY SIMPLE MAJORITY, NOTES AND RECEIVES THE SHIRE'S INFRASTRUCTURE UPDATES FOR THE JULY 2025 REPORTING PERIOD.

THE MOTION WAS PUT AND DECLARED CARRIED (4/0)

FOR: BADLU, KNIGHT, MINKOM, YOUNG

AGAINST: NIL

10.5 COMMUNITY DEVELOPMENT

10.5.1 COMMUNITY DEVELOPMENT TEAM - JULY REPORT

FILE NUMBER:

AUTHOR: Nadya Adim, Community Development Coordinator

AUTHORISER: Ibrahim Macrae, Acting Chief Executive Officer

DISCLOSURE(S) OF INTEREST: Author - Nil

Authoriser -

ISLAND: Shire Wide Cocos (Keeling) Islands.

ATTACHMENTS: Nil

AUTHORITY/DISCRETION

Definition

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<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 an update on programs and events coordinated by the Community Development Team during July 2025.

COMMUNITY DEVELOPMENT COORDINATOR/YOUTH AND RECREATION:

School Holiday Program

The Shire supported the delivery of the school holiday program during Anita's leave. Activities included sports, arts and crafts, and cooking, with high levels of participation and enjoyment reported by children across both islands. Feedback was collected to guide planning for future programs.

Daffodil Day (Upcoming Event)

The Indian Ocean Territories Health Service (IOTHS) and Community Resource Centre (CRC) have expressed interest in collaborating with the Shire to coordinate *Daffodil Day* on Friday, 16 August 2025, from 10:30am to 1:00pm at the Home Island Foreshore. The event will include community games and family-friendly activities to raise awareness and funds for cancer research. Daffodil Day is a national Cancer Council initiative symbolised by the daffodil flower, representing hope for a cancer-free future. Funds raised will support research, prevention programs, and services for those affected by cancer.

COMMUNITY DEVELOPMENT OFFICER – CULTURE AND HERITAGE:

Batik Project (Ongoing)

Community members are welcome to continue using the Cyclone Shelter for Batik activities during the officer's leave. New participants must attend with an experienced person. Periodic checks of the youth room will ensure safety and equipment readiness.

MMAPSS Grant – Pulu Cocos Museum (Historic Vessel Management)

A grant was successfully secured through the National Maritime Museum by Tim and Niamh to support the Museum's Historic Vessel Program. The grant will fund new lighting and boat frame construction for "Ready" and "GCR".

Project Milestones (Dates indicative and subject to change):

- 04/07 – Museum lighting to be tested for suitability prior to ordering.
- 11/07 – Boat frame designs to be finalised (led by Tim).
- 18/07 – Materials and fittings to be ordered. Staff to coordinate invoicing and payment.

Jukung Restoration Project (In Progress)

- Restoration continues under the direction of Nek Callum.
- Work on "Ini Lagi" is on hold pending further assessment by Tim.
- Once "Selerang" and "Fashion Baru" are completed, a brief project pause may be needed.

Next Priorities:

- Fabrication of rudders (preferably solid timber such as Oregon).
- Inventory of brass fittings required for each boat.
- Brass keel strips ("Sempi") to be fabricated from existing depot stock.
- Further research to be undertaken on the Rice Store, in consultation with local seniors.

Outdoor Crew Assistance

- Materials for the Chula Shed doors have arrived. Bulka has been briefed on the task. Tim is available for clarification if required.

STRATEGIC IMPLICATIONS

Theme

- C Cultural
- S Social

Goal

- C1 To support the community to improve understanding and celebration of the Cocos Malay history and culture.
- S3 To provide access to services, support and activities for young people.
- S4 To support and encourage community events that bring us together.

Strategy

- C1.1 Working with Museum WA, develop local capacity for heritage conservation via an Emerging Curator Program. Seek financial and in-kind support to provide ongoing training and support for local curators.
- C1.2 Working with Museum WA, support and encourage local heritage projects such as oral histories, photographic collections, publications and Jukong restorations.
- C1.3 Preserve the cultural and heritage significance of Pulu Gangsa
- S3.1 Provide a range of coordinated activities specifically aimed at youth e.g. holiday program, youth week
- S3.2 Identify agencies (Government, NFP etc). with existing community youth programs and advocate and support suitable programs to consider local implementation
- S4.1 Support major festive events e.g. New Years Eve, Hari Raya, Christmas, Act of Self-Determination Day
- S4.2 Support and advocate for existing events (including sport / community group activities) that encourage inter-island participation. Annual community event supporting integration and inter-island participation include – Australia Day, Act of Self Determination Day, RU Ok Day.

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 REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION – ITEM NO 10.5.1

THAT COUNCIL, BY SIMPLE MAJORITY, NOTES AND RECEIVE THE SHIRE'S COMMUNITY DEVELOPMENT COORDINATOR'S MONTHLY UPDATE FOR JULY 2025.

RESOLUTION - ITEM NO 10.5.1 OCM/25/010

MOVED: CR A BADLU

SECONDED: CR A YOUNG

THAT COUNCIL, BY SIMPLE MAJORITY, NOTES AND RECEIVE THE SHIRE'S COMMUNITY DEVELOPMENT COORDINATOR'S MONTHLY UPDATE FOR JULY 2025.

THE MOTION WAS PUT AND DECLARED CARRIED (4/0)

FOR: BADLU, KNIGHT, MINKOM, YOUNG

AGAINST: NIL

11 MINUTES TO BE RECEIVED

Nil

**12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS
NOTICE HAS BEEN GIVEN**

Nil

13 MOTIONS WITHOUT NOTICE WITH LEAVE OF COUNCIL

Nil

14 MATTERS BEHIND CLOSED DOORS

Nil

15 MATTERS RELATING TO THE LAND TRUSTS



The Australian Government transferred ownership of portions of land on the Cocos (Keeling) Islands, under two separate deeds, to the Territory's local government being the Cocos (Keeling) Islands Council. On 1 July 1992, the Territories Law Reform Act came into effect by which the Commonwealth Government applied Western Australian laws to the Cocos (Keeling) Islands. The Local Government (Transition) Ordinance 1992 established the Shire of the Cocos (Keeling) Islands by absorbing the Cocos (Keeling) Islands Council. By this arrangement, the body corporate called the Shire of Cocos (Keeling) Islands became the Trustee for both Land Trusts. Decisions relating to the Trust are made by Council as the decision-making arm of the body corporate.

The 1979 Deed: The 1979 Trust Deed applies to all of the land above the high-water mark on Home Island, except Lot 13, Lot 14 and Pulu Gangsa (Cemetery Island). The Deed states that the land is to be held 'upon trust for the benefit, advancement and wellbeing of the community formed by the Kampong residents.' No other terms were expressed in the Deed. 'Kampong residents' were described in the 1979 Trust Deed as 'the residents from time to time of the Kampong area'.

The 1984 Deed: The 1984 Trust Deed applies to all parcels of land situated and being above high-water mark within the Cocos (Keeling) Islands, including North Keeling Island, but not including parcels of land as described in the First Schedule of the 1984 Trust Deed. This transferred land was to be held by the Council (and later, by its successor, the Shire) 'upon trust for the benefit, advancement and wellbeing of the Cocos (Keeling) Islander's resident in the Territory on land owned by the Council.'

15.1 TRUSTS ADMINISTRATION

Nil

15.2 TRUSTS LEASES

Nil

15.3 TRUSTS FINANCE

Nil

16 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

16.1 16.1 - PROPOSED GLOBAL NAVIGATION SATELLITE SYSTEM REFERENCE STATION LOT 22-207 SYDNEY HIGHWAY WEST ISLAND

FILE NUMBER:

AUTHOR: Ibrahim Macrae, Acting Chief Executive Officer

AUTHORISER: Ibrahim Macrae, Acting Chief Executive Officer

DISCLOSURE(S) OF INTEREST: Author - Nil

Authoriser -

ISLAND:

ATTACHMENTS: 16.1 - DA-Signed-LockheedMartin-Southpan-Proj-CKI

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 checked="" 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

For Council to consider an application for development approval from Lockheed Martin Australia to construct a Global Navigation Satellite System at the Civil Aviation Transmitter Site, Lots 202/207 Sydney Highway, West Island.

Owner of the site is Commonwealth Department Infrastructure, Transport, Regional Development, Communications, Sport and the Arts.

RELEVANT DOCUMENTS

Available for viewing at the meeting

Planning Assessment Report and plans.

BACKGROUND

This Planning Assessment Report has been prepared by MasterPlan in support of a planning application (PA) made by Lockheed Martin Australia (LMA) seeking development approval for the development of a Global Navigation Satellite System Reference Station (GRS) on West Island in the Cocos (Keeling) Islands (attachment document).

The Site has historically been used for a range of transmitter and communication equipment, which was likely established following World War 2. The site is generally referred to as the Civil Aviation Authority Transmitter Site and includes a range of used and disused transmitter and radar facilities.

The proposed GRS on West Island is a critical component of the GRS network upgrades. The function of the West Island GRS is to contribute to a wide distribution of other GRS sites across the network to deliver the necessary principal input data to the Corrections Processing Facility (CPF). The area of land proposed to be developed is located on the west side of Sydney Highway, in the cleared area of land currently occupied by the Civil Aviation Authority Transmitter Site, Border Force Radar and NBD Facility and will be developed under agreement with the Commonwealth.

The Site is in the Special Use Zone 2 West Island Transmitter Site Zone of the Shire of Cocos (Keeling) Islands Local Planning Scheme No.1 (LPS 1) where the proposed development of Telecommunications Infrastructure is not included within the list of permitted uses in the zone. The proposed development must therefore be considered by Council as an extension of a non-conforming use under Clause 3.7 of the LPS 1 triggering the need for a planning application to be made.

The Development Footprint of the proposed development has two components:

- The GRS Compound being the area of the proposed GRS that is enclosed by a fenced perimeter. The GRS Compound is approximately 360m² in area and is located centrally along the southern boundary of the site, approximately 30 metres north of the southern boundary and 80 metres south of the Civil Aviation Authority Transmitter Site.
- The GRS Compound Access, being the land that will be used to provide access to the GRS Compound from the road network. The GRS Compound Access is approximately 150 metres in length and provides access to the GRS Compound from an existing driveway connecting to the Sydney Highway.

The Site Plan (Existing) provided in the Appendix D (MasterPlan) depicts the features, vegetation cover, land parcel boundaries, road parcels, and easements of the Site around the proposed Development Footprint.

Proposed Leasing Arrangements

GA will enter into a formal Memorandum of Understanding for Site Sharing with the Commonwealth of Australia (represented by the Department of Infrastructure, Transport, Regional Development, Communication and the Arts).

Road Access

The Site can be accessed from the existing (gated) access from Sydney Highway. Local access is all weather. The access gate is locked and provides a layer of security to the Site.

Fencing

There is an existing (low) wire mesh fence around the perimeter of the Site. The proposed development will incorporate the installation of a perimeter fence around the GRS Compound

Utilities and Services

The Site is connected to electricity and communications infrastructure including a fibre network. GRS Compound is not currently connected to services.

COMMENTS

The applicant has addressed matters relating to the non-conforming use and the issues around groundwater and footings. The applicant has also communicated with shire staff in addressing issues as they arose. The officer recommendation is to support the application.

POLICY AND LEGISLATION IMPLICATIONS

Definitions

The land use is defined as “Telecommunications Infrastructure”. This is by virtue of the Planning and Development (Local Planning Schemes) Regulations 2015 (Part 6 – Terms referred to in the Scheme. Division 1 – General definitions used in Scheme, which means: Telecommunications infrastructure means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure related to the network.

The Site is in the Special Use Zone, identified within Schedule 2 as ‘Site 2 – Location 201V West Island (Transmitter Site)’, as shown on the Zoning Map.

Schedule 2 of the Planning Scheme identifies the permitted uses within the Special Use Zone. The following uses are permitted uses with Special Use Zone – Site 2:

- Industry – Light
- Industry – Service
- Warehouse
- Office
- Residential.

Therefore, the proposed development of Communications antennae (Commercial is not a permitted use in the Special Use Zone), Site 2.

Section 3.5.2 of the Planning Scheme provides: A person must not use any land, or any structure or buildings on land, in a special use zone except for the purpose set out against that land in Schedule 2 and subject to compliance with any conditions set out in Schedule 2 with respect to that land.

Proposed Global Navigation Satellite System Reference Station.

The shire has advised in preliminary communications that the transmitter site was either designated or had transmission infrastructure onsite at the time of the special use zoning. Because there was no definition in the Scheme for this land use at that time, it could not have been included in the special uses. The Shire did, however, nominate that the current or proposed use of that land was for such infrastructure, based on the wording (Transmitter Site). It was concluded that the Site has a historical and current land use as a transmitter site. Within the Special Use Zone, Clause 3.5.2 states that an application can only be made for the purposes set out in the schedule. The use of Telecommunications Infrastructure is not included in the list of permitted uses set out in Schedule 2 for Site 2 and is therefore prohibited and may only be approved as an extension to a non-conforming use under Clause 3.7 of the Local Planning Scheme. The existing use of the Site is for various telecommunication uses, which are identified as non-conforming uses under LPS1.

The development of the GRS Facility is considered to be an extension to a non-conforming use, which may be permitted by Council in line with Clause 3.7 of the Local Planning Scheme, being:

Clause 3.7 EXTENSION OF NON-CONFORMING USE A person shall not alter or extend a non-conforming use or erect, alter or extend a building used in conjunction with a non-conforming use without first having applied for and obtained the development approval of the local government under the Scheme and unless in conformity with any other provisions and requirements contained in the Scheme. All applications for development approval under this clause will be subject to notice under clause 64 of the deemed provisions and local government shall have special regard to the impact of the proposed erection, alteration or extension of the building on the preservation of the amenity of the locality. AMD 2 GG 28/04/17.

The continuing use of the land for uses not listed in the schedule to the Special Use zone is established by virtue of the existing telecommunications and radar equipment, which is similar to the proposed development. The proposed development can therefore be considered for approval by the Council as an extension to a non-conforming use.

FINANCIAL IMPLICATIONS

The item has no financial implications.

STRATEGIC IMPLICATIONS

Shire of Cocos (Keeling) Islands Strategic Community Plan 2016 – 2026: Outcome 3.2 Future development is sympathetic to the Islands environment 3.2.1 Maintain and develop infrastructure in-line with community needs and the Islands environment.

RISK IMPLICATIONS

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Compliance	Building permit not obtained prior to construction	Low (1)	Advice note added to planning approval
Environment	Potential intrusion of footings into fresh water table.	Moderate (9)	Condition of approval requiring the permit holder prepare a water resource impact statement.

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 REQUIREMENT

Simple Majority

CONCLUSION

The applicant has provided a comprehensive report that addresses the planning issues around this development application.

The officer supports the proposal subject to conditions being imposed on the applicant.

OFFICER RECOMMENDATION – ITEM 16.1

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO THE SHIRE OF COCOS (KEELING) ISLANDS LOCAL PLANNING SCHEME NO.1, RESOLVES TO GRANT AN EXTENSION TO A NON-CONFORMING USE AND DEVELOPMENT APPROVAL FOR A GLOBAL NAVIGATION SATELLITE SYSTEM AT THE CIVIL AVIATION TRANSMITTER SITE, LOTS 202/207 SYDNEY HIGHWAY, WEST ISLAND SUBJECT TO THE FOLLOWING CONDITIONS AND ADVICE NOTES:

1. DEVELOPMENT MUST BE CARRIED OUT ONLY IN ACCORDANCE WITH THE DETAILS OF THE APPLICATION AS APPROVED HEREIN AND ANY APPROVED PLAN.
2. ANY ADDITIONAL DEVELOPMENT WHICH IS NOT IN ACCORDANCE WITH THE APPLICATION THE SUBJECT OF THIS APPROVAL OR ANY CONDITION OF APPROVAL WILL REQUIRE THE FURTHER APPROVAL OF THE SHIRE OF COCOS (KEELING) ISLANDS.
3. THAT THE PERMIT HOLDER PREPARE A WATER RESOURCE IMPACT STATEMENT, TO BE ENDORSED BY THE SHIRE TO DEMONSTRATE THAT THERE IS NO UNACCEPTABLE RISK FROM THE PROPOSED CONSTRUCTION ON THE QUALITY OR QUANTITY OF GROUNDWATER RESOURCES.
4. THAT THE PERMIT HOLDER PREPARE A CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP), TO BE ENDORSED BY THE SHIRE WHICH MUST BE IMPLEMENTED FOR ALL STAGES OF THE PROPOSED CONSTRUCTION.

ADVICE NOTES:

- A. THIS IS A DEVELOPMENT APPROVAL OF THE SHIRE OF COCOS (KEELING) ISLANDS UNDER ITS LOCAL PLANNING SCHEME NO.1. IT IS NOT AN APPROVAL TO COMMENCE OR CARRY OUT DEVELOPMENT UNDER ANY OTHER LAW. IT IS THE RESPONSIBILITY OF THE APPLICANT/LANDOWNER TO OBTAIN ANY OTHER NECESSARY APPROVALS, CONSENTS, PERMITS AND LICENSES REQUIRED UNDER ANY OTHER LAW, AND TO COMMENCE AND CARRY OUT DEVELOPMENT IN ACCORDANCE WITH ALL RELEVANT LAWS.
- B. SHOULD THE APPLICANT BE AGGRIEVED BY THE DECISION (IN PART OR WHOLE) THERE IS A RIGHT PURSUANT TO THE PLANNING AND DEVELOPMENT ACT 2005 TO HAVE THE DECISION REVIEWED BY THE STATE ADMINISTRATIVE TRIBUNAL. SUCH AN APPLICATION MUST BE

LODGED WITHIN TWENTY-EIGHT (28) DAYS FROM THE DATE OF THE DECISION.

THE STATE ADMINISTRATIVE TRIBUNAL
GPO BOX U1991
PERTH WA 6845”

RESOLUTION OCM/25/011**MOVED: CR A YOUNG****SECONDED: CR A BADLU**

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO THE SHIRE OF COCOS (KEELING) ISLANDS LOCAL PLANNING SCHEME NO.1, RESOLVES TO GRANT AN EXTENSION TO A NON-CONFORMING USE AND DEVELOPMENT APPROVAL FOR A GLOBAL NAVIGATION SATELLITE SYSTEM AT THE CIVIL AVIATION TRANSMITTER SITE, LOTS 202/207 SYDNEY HIGHWAY, WEST ISLAND SUBJECT TO THE FOLLOWING CONDITIONS AND ADVICE NOTES:

- 1. DEVELOPMENT MUST BE CARRIED OUT ONLY IN ACCORDANCE WITH THE DETAILS OF THE APPLICATION AS APPROVED HEREIN AND ANY APPROVED PLAN.**
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THE STATE ADMINISTRATIVE TRIBUNAL
GPO BOX U1991
PERTH WA 6845”

THE MOTION WAS PUT AND DECLARED CARRIED (4/0)



17 DECISIONS MADE WHILE MEETING WAS CLOSED TO THE PUBLIC

The Presiding member declared the meeting closed at 5:00pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2025

as a true record of proceedings.

PRESIDING MEMBER