

Shire of Cocos (Keeling) Islands

MINUTES

**Special Council Meeting
10 September 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

As this was the first meeting of the newly elected Council, the Acting Chief Executive Officer declared the meeting open at 4:03 PM and presided over the proceedings until the election of the President was completed.

2 ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Elected Councillors

Councillor Azah Badlu

Councillor Mohammad Isa Minkom

Councillor Osman Sloan

Councillor-elect Levi John Fowler

Councillor-elect Ayesha Jeannette Young

Councillor-elect Tony Lacy

Councillor-elect Signa Knight

Officers

Ibrahim Macrae, Acting Chief Executive Officer

Amallia Alim, Governance Administration Officer

Guests

Mr Haji Adam Anthoney, Justice of the Peace

Public Gallery

2

Apologies

Nil

3 PUBLIC QUESTION TIME

Please Note: Section 7(4)(b) of the *Local Government (Administration) Regulations 1996* states that a Council at a Special Meeting is not required to answer a question that does not relate to the purpose of the meeting. It is requested that only questions that relate to items on the agenda be asked.

4 REPRT OF THE RETURNING OFFICER – LOCAL GOVERNMENT ELECTION 2025

The report received from the Returning Officer for the 2025 Local Government Election was read aloud by the Acting Chief Executive Officer.

5 SWEARING IN OF NEWLY ELECTED COUNCILLORS

IN ACCORDANCE WITH SECTION 2.29 OF THE *LOCAL GOVERNMENT ACT 1995 (WA)(CKI)*, A PERSON ELECTED AS A COUNCILLOR IS TO MAKE A DECLARATION IN THE PRESCRIBED FORM BEFORE ACTING IN THE OFFICE.

ALL COUNCILLORS MAKING SUCH DECLARATION HAVE BEEN PROVIDED WITH A COPY OF THE RELEVANT FORMS.

DECLARATIONS REQUIRED ARE TO BE MADE BEFORE AN AUTHORISED PERSON. IN ACCORDANCE WITH REGULATION 13(5) OF THE *LOCAL GOVERNMENT (CONSTITUTION) REGULATIONS 1998* AN AUTHORISED PERSON MEANS A PERSON BEFORE WHOM A STATUTORY DECLARATION CAN BE MADE UNDER *THE OATHS, AFFIDAVITS AND STATUTORY DECLARATIONS ACT 2005*.

MR HAJI ADAM ANTHONY JP HAS BEEN INVITED TO ASSIST IN THE SWEARING IN CEREMONY. NEWLY ELECTED COUNCILLORS WAS CALLED IN THE FOLLOWING ORDER:

CR LEVI JOHN FOWLER TOOK THE DECLARATION AND WAS DECLARED INTO OFFICE AS A COUNCILLOR FOR A FOUR-YEAR TERM (EXPIRING OCTOBER 2029).

CR AYESHA JEANNETTE YOUNG TOOK THE DECLARATION AND WAS DECLARED INTO OFFICE AS A COUNCILLOR FOR A FOUR-YEAR TERM (EXPIRING OCTOBER 2029).

CR ANTHONY KEVIN LACY TOOK THE DECLARATION AND WAS DECLARED INTO OFFICE AS A COUNCILLOR FOR A FOUR-YEAR TERM (EXPIRING OCTOBER 2029).

CR SIGNA KNIGHT TOOK THE DECLARATION AND WAS DECLARED INTO OFFICE AS A COUNCILLOR FOR A FOUR-YEAR TERM (EXPIRING OCTOBER 2029).

6 DECLARATIONS OF INTEREST BY MEMBERS AND SHIRE OFFICERS

Nil

7 ELECTION OF PRESIDENT

REPORT INFORMATION

Date: 8 September 2025
Location: Cocos (Keeling) Islands
Applicant: Shire of Cocos (Keeling) Islands
File Ref:
Disclosure of Interest: Nil
Reporting Officer: Acting Chief Executive Officer
Island: Shire Wide
Attachments: 7.1 Nomination Form Shire President

AUTHORITY / DISCRETION

DEFINITION

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

REPORT PURPOSE

The purpose of this report is to provide the mechanism for Council to elect a Shire President.

RELEVANT DOCUMENTS

Available for viewing at the meeting
Nil

BACKGROUND

The election of the Shire President is the first matter to be addressed at the first meeting following an election. The election will be conducted by the Chief Executive Officer in accordance with the

procedure outlined in the *Local Government Act 1995 (WA) (CKI)*. Nominations may be submitted in writing to the Acting CEO before the meeting, during the meeting, or before the close of nominations.

COMMENT

Nominations submitted by a Councillor require the nominee's confirmation of willingness to accept the nomination before being accepted by the Acting CEO. If multiple nominations are received, Councillors will vote by secret ballot. Each nominee will have a maximum of five minutes to address Council, speaking in alphabetical order.

The Acting CEO will preside until the election and swearing-in of the Shire President, who will then preside over the remainder of the meeting.

POLICY AND LEGISLATIVE IMPLICATIONS

Schedule 2.3 of the *Local Government Act 1995 (WA) (CKI)* governs the procedures for electing Presidents and Deputy Presidents.

Under Section 2.29(2), an elected Mayor, President, Deputy Mayor, or Deputy President must make a prescribed declaration before assuming office.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

STRATEGIC IMPLICATIONS

Shire of Cocos (Keeling) Islands Strategic Community Plan 2022 -2032

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

RISK IMPLICATIONS

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial/Fraud	Misuse of funds or improper payment related to election	Low	No direct financial transactions associated with election; all expenses follow standard Council procedures.
Reputation	Perceived lack of transparency or fairness	Medium	Conduct election openly, with secret ballot if more than one nominee; ensure nominees have equal opportunity to speak.
Compliance	Procedural error in nomination or voting process	Medium	CEO to follow Local Government Act 1995 (WA) (CKI) procedures; Returning Officer and scrutineer present.

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)

Should the matter go to the ballot, the Acting Chief Executive Officer is to be the Returning Officer and Governance Administration Officer is to be the scrutineer.

CONCLUSION

The election of the Shire President is a statutory requirement under **the Local Government Act 1995 (WA) (CKI)**. Following the prescribed procedures ensures the process is fair, transparent, and compliant, allowing the newly elected Shire President to assume their role and preside over Council meetings.

Should the matter go to the ballot, the Acting Chief Executive Officer to be the Returning Officer.

1. THE ACTING CHIEF EXECUTIVE OFFICER ANNOUNCED THE FOLLOWING CANDIDATES FOR THE POSITION OF SHIRE PRESIDENT.

CR T LACY NOMINATED CR MOHD I MINKOM. CR LACY ACCEPTED

2. THE ACTING CHIEF EXECUTIVE OFFICER ASKED IF THERE WERE FURTHER NOMINATIONS FROM THE FLOOR AND THERE WERE NONE. THEREFORE, THE ACTING CHIEF EXECUTIVE OFFICER CLOSED NOMINATIONS.
3. THE ACTING CHIEF EXECUTIVE OFFICER ANNOUNCED THAT CR MOHD I MINKOM WAS ELECTED BY COUNCIL TO BE SHIRE PRESIDENT FOR THE ENSUING TWO-YEARS.

8 DECLARATION OF OFFICE BY NEWLY ELECTED PRESIDENT

THE SHIRE PRESIDENT-ELECT MADE A DECLARATION BEFORE A JP IN THE PRESCRIBED FORM BEFORE TAKING OFFICE.

9 ELECTION OF DEPUTY PRESIDENT

REPORT INFORMATION

DATE: 23 OCTOBER 2023
LOCATION: COCOS (KEELING) ISLANDS
APPLICANT: SHIRE OF COCOS (KEELING) ISLANDS
FILE REF:
DISCLOSURE OF INTEREST: NIL
REPORTING OFFICER: CHIEF EXECUTIVE OFFICER
ISLAND: SHIRE WIDE
ATTACHMENTS: NOMINATION FORMS

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 ITEM IS TO PROVIDE MECHANISM FOR COUNCIL TO ELECT A DEPUTY SHIRE PRESIDENT.

RELEVANT DOCUMENTS

AVAILABLE FOR VIEWING AT THE MEETING
NIL

BACKGROUND

THE ELECTION IS TO BE CONDUCTED IN ACCORDANCE WITH THE PROCEDURE DESCRIBED BY THE *LOCAL GOVERNMENT ACT 1995 (WA) (CKI)*. NOMINATIONS FOR POSITIONS ARE TO BE GIVEN TO THE CEO IN WRITING BEFORE THE MEETING, DURING THE MEETING OR BEFORE THE CLOSE OF NOMINATIONS.

COMMENT

IF A COUNCILLOR IS NOMINATED BY ANOTHER COUNCILLOR, THE CEO CAN ONLY ACCEPT THE NOMINATION IF THE NOMINEE CONFIRMS THAT HE OR SHE IS WILLING TO ACCEPT THE NOMINATION. WHERE THERE IS MORE THAN ONE NOMINEE FOR THIS POSITION, COUNCILLORS ARE TO CAST THEIR VOTES BY SECRET BALLOT. EACH NOMINEE WILL BE INVITED, IN ALPHABETICAL ORDER, TO SPEAK FOR A MAXIMUM OF FIVE MINUTES.

POLICY AND LEGISLATIVE IMPLICATIONS

THE *LOCAL GOVERNMENT ACT 1995 (WA) (CKI)* (SCHEDULE 2.3) STIPULATES THE PROCEDURES FOR THE ELECTION OF PRESIDENTS AND DEPUTY PRESIDENTS. UNDER SECTION 2.29(2) OF THE *LOCAL GOVERNMENT ACT 1995 (WA) (CKI)* A PERSON ELECTED BY THE COUNCIL AS MAYOR, PRESIDENT, DEPUTY MAYOR OR DEPUTY PRESIDENT HAS TO MAKE A DECLARATION IN THE PRESCRIBED FORM BEFORE ACTING IN THE OFFICE.

FINANCIAL IMPLICATIONS

THERE ARE NO FINANCIAL IMPLICATIONS ASSOCIATED WITH THIS REPORT.

STRATEGIC IMPLICATIONS

SHIRE OF COCOS (KEELING) ISLANDS STRATEGIC COMMUNITY PLAN 2022 -2032
OBJECTIVE L1: TO BE INVOLVED, RESPECTFUL AND INCLUSIVE AND TO FACILITATE DIVERSITY AND REPRESENTATION WITHIN THE DECISION-MAKING PROCESS.

RISK IMPLICATIONS

THERE ARE NO RISK IMPLICATIONS ASSOCIATED WITH THIS REPORT.

SHOULD THE MATTER GO TO THE BALLOT, THE ACTING CHIEF EXECUTIVE OFFICER TO BE THE RETURNING OFFICER.

1. **THE ACTING CHIEF EXECUTIVE OFFICER ANNOUNCED THE FOLLOWING CANDIDATES FOR THE POSITION OF DEPUTY SHIRE PRESIDENT.**

**CR S KNIGHT NOMINATED CR T LACY. CR T LACY ACCEPTED
CR A YOUNG NOMINATED HERSELF FOR THE POSITION**

2. **THE ACTING CHIEF EXECUTIVE OFFICER ASKED IF THERE WERE FURTHER NOMINATIONS FROM THE FLOOR AND THERE WERE NONE. THEREFORE, THE ACTING CHIEF EXECUTIVE OFFICER CLOSED NOMINATIONS.**
3. **IN ACCORDANCE WITH SCHEDULE 2.3 OF *THE LOCAL GOVERNMENT ACT 1995*, BALLOT PAPERS WERE PREPARED.**
4. **A BALLOT BOX WERE MADE AVAILABLE TO COUNCILLORS. THE ACTING CHIEF EXECUTIVE OFFICER CONDUCTED A SECRET BALLOT AND THE RESULTS WERE AS FOLLOWS;**

CANDIDATES	NUMBER OF VOTES RECEIVED
TONY LACY	2
AYESHA YOUNG	5

5. THE ACTING CHIEF EXECUTIVE OFFICER ANNOUNCED THAT CR A YOUNG WAS ELECTED BY THE COUNCIL AS DEPUTY SHIRE PRESIDENT FOR THE ENSUING TWO-YEARS.

10 DECLARATION OF OFFICEBY NEWLY ELECTED DEPUTY PRESIDENT

THE DEPUTY PRESIDENT-ELECT MADE A DECLARATION BEFORE A JP IN THE PRESCRIBED FORM BEFORE TAKING OFFICE.

THE PRESIDING MEMBER ASSUMED THE ROLE OF CHAIR.

11 SEATING ARRANGEMENTS FOR COUNCILLORS

REPORT INFORMATION

DATE: 23 OCTOBER 2023
 LOCATION: COCOS (KEELING) ISLANDS
 APPLICANT: SHIRE OF COCOS (KEELING) ISLANDS
 FILE REF:
 DISCLOSURE OF INTEREST: NIL
 REPORTING OFFICER: CHIEF EXECUTIVE OFFICER
 ISLAND: SHIRE WIDE
 ATTACHMENTS: NIL

AUTHORITY / DISCRETION

DEFINITION

<input type="checkbox"/>	ADVOCACY	WHEN COUNCIL ADVOCATES ON ITS OWN BEHALF OR ON BEHALF OF ITS COMMUNITY TO ANOTHER LEVEL OF GOVERNMENT/BODY/AGENCY.
<input checked="" type="checkbox"/>	EXECUTIVE	THE SUBSTANTIAL DIRECTION SETTING AND OVERSIGHT ROLE OF THE COUNCIL. E.G. ADOPTING PLANS AND REPORTS, ACCEPTING TENDERS, DIRECTING OPERATIONS, SETTING AND AMENDING BUDGETS.
<input type="checkbox"/>	LEGISLATIVE	INCLUDES ADOPTING LOCAL LAWS, TOWN PLANNING SCHEMES AND POLICIES. REVIEW WHEN COUNCIL REVIEWS DECISIONS MADE BY OFFICERS.
<input type="checkbox"/>	QUASI-JUDICIAL	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,

		<i>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 ITEM IS TO DETERMINE THE SEATING ARRANGEMENT FOR THE NEXT TWO-YEAR PERIOD COMMENCING TODAY.

RELEVANT DOCUMENTS

AVAILABLE FOR VIEWING AT THE MEETING

NIL

COMMENT

THAT COUNCIL ADOPTS THE FOLLOWING METHODOLOGY FOR DETERMINING SEATING POSITIONS IN THE COUNCIL CHAMBER.

- THE DEPUTY PRESIDENT IS TO BE SEATED AT FRONT LEFT-HAND SIDE OF COUNCIL CHAMBER.
- ALL OTHER SEATED POSITIONS TO BE FILLED IN ALPHABETICAL ORDER, FROM THE FRONT LEFT-HAND SIDE.

POLICY AND LEGISLATIVE IMPLICATIONS

SHIRE OF COCOS (KEELING) ISLANDS MEETING PROCEDURES LOCAL LAW 2019 STATES THE FOLLOWING:

7.1 MEMBERS TO BE IN THEIR PROPER PLACES

(1) AT COUNCIL MEETINGS, MEMBERS SHALL BE SEATED IN THE ORDER AS DETERMINED BY COUNCIL FOLLOWING EACH ORDINARY ELECTION, OR UNTIL SUCH TIME AS THERE IS A CALL BY A MAJORITY OF MEMBERS FOR A RE-ALLOTMENT OF POSITIONS.

(2) EACH MEMBER IS TO OCCUPY HIS OR HER ALLOTTED POSITION AT EACH COUNCIL MEETING.

FINANCIAL IMPLICATIONS

THERE ARE NO FINANCIAL IMPLICATIONS ASSOCIATED WITH THIS REPORT.

STRATEGIC IMPLICATIONS

SHIRE OF COCOS (KEELING) ISLANDS STRATEGIC COMMUNITY PLAN 2022 -2032

OBJECTIVE L1: TO BE INVOLVED, RESPECTFUL AND INCLUSIVE AND TO FACILITATE DIVERSITY AND REPRESENTATION WITHIN THE DECISION-MAKING PROCESS.

RISK IMPLICATIONS

THERE ARE NO RISK IMPLICATIONS ASSOCIATED WITH THIS REPORT.

RECOMMENDATION

THAT COUNCIL NOTES THE FOLLOWING METHODOLOGY FOR DETERMINING SEATING POSITIONS IN THE COUNCIL CHAMBERS;

- DEPUTY PRESIDENT TO BE SEATED AT FRONT LEFT-HAND SIDE OF COUNCIL CHAMBERS;
- ALL OTHER ELECTED MEMBERS SEATED POSITIONS TO BE FILLED BY SURENAME ALPHABETICAL ORDER, FROM THE FRONT LEFT-HAND SIDE.

12 CLOSURE

THE PRESIDING MEMBER DECLARED THE MEETING CLOSED AT 4:30PM.

THESE MINUTES WERE CONFIRMED AT A MEETING ON

SIGNED THIS DAY OF 2023

AS A TRUE RECORD OF PROCEEDINGS.

PRESIDING MEMBER