

Shire of Cocos (Keeling) Islands

Shire of Cocos (Keeling) Islands

Minutes

Ordinary Meeting of Council

Wednesday 26 March 2025, 1:00pm

Council Chambers, Shire Administration Building

Lot 256 Jalan Bunga Melati, Home Island

Disclaimer

Members of the public should note that in any discussion regarding any planning or other application that any statement or intimation of approval made by any member or officer of the Shire during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire. No action should be taken on any item discussed at a Council meeting prior to written advice on the resolution of the Council being received. Any plans or documents contained in this document may be subject to copyright law provisions (Copyright Act 1968, as amended) and the express permission of the copyright owner(s) should be sought prior to the reproduction.

OUR VALUES

Service

Provide the best service we can.

We serve the community and each other.

Accountability

We take responsibility for our own actions.

We do what we say we will do.

Mistakes are an opportunity to learn.

Support

We support our team and our community.

Look for opportunities to help each other.

Respect

We respect and value others.

Our interactions are always respectful towards others.

Integrity

We will be honest and transparent with all our dealings.

Maintain confidentiality.

Trust each other.

Achievement

Being proactive and enabling the outcomes.

Be creative and think outside the square.

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
1	OPENING/ANNOUNCEMENTS OF VISITORS	6
2	ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)	6
3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	6
4	PUBLIC QUESTION TIME	6
5	LEAVE OF ABSENCE	7
5.1	LEAVE OF ABSENCE (PREVIOUSLY APPROVED)	7
5.2	APPLICATION FOR LEAVE OF ABSENCE	7
6	PETITIONS/DEPUTATIONS/PRESENTATIONS	8
7	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	8
7.1	ORDINARY COUNCIL MEETING HELD ON 26 FEBRUARY 2025	8
8	ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS	8
9	DECLARATION OF INTERESTS	8
10	REPORT FROM COMMITTEES AND OFFICERS	8
REPORTS OF OFFICERS		
10.1	CHIEF EXECUTIVE OFFICER	8
10.1.1	PROPOSED INSTALLATION OF SEA CONTAINERS (3) WITH ADJOINING ROOVES AT LOT NO PART 24 (LOT ON PLAN P018500 100) SYDNEY HIGHWAY, LIGHT INDUSTRY AREA, WEST ISLAND	9
10.1.2	COMMUNITY DEVELOPMENT REPORT MARCH 2025	15
10.2	MANAGER FINANCE AND CORPORATE SERVICES	21
10.2.1	MONTHLY FINANCIAL REPORT – FEBRUARY 2025	21
10.2.2	MID YEAR BUDGET REVIEW 2024/2025	25
10.2.3	SCHEDULE OF ACCOUNTS PAID FOR THE PERIOD JANUARY 2025	30
10.3	MANAGER INFRASTRUCTURE	33
NIL		33
11	MINUTES TO BE RECEIVED	33
NIL		33
12	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	33
13	MOTIONS WITHOUT NOTICE WITH LEAVE OF COUNCIL	33
14	MATTERS BEHIND CLOSED DOORS	33
14.1	CONFIDENTIAL - FISHERIES SERVICES IN THE COCOS (KEELING) ISLANDS	34
15	MATTERS RELATING TO THE LAND TRUSTS	35

15.1	TRUSTS ADMINISTRATION	37
NIL		37
15.2	TRUSTS LEASES	37
15.2.1	CONFIDENTIAL - APPLICATION TO LEASE PART LOT 18 HOME ISLAND RETAIL CENTRE TENANCY 8	37
15.2.2	CONFIDENTIAL - PART LOT 18 HOME ISLAND RETAIL CENTRE TENANCY 9 LAUNDROMAT	39
15.3	TRUSTS FINANCE	41
NIL		41
16	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING (LATE ITEM)	41
NIL		41
17	CLOSURE	41

1. OPENING/ANNOUNCEMENTS OF VISITORS

The Presiding member declared the meeting open at 1:18pm and welcomed Councillors and Officers.

2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

President: Cr A Minkom

Deputy President: Cr I Minkom

Councillors: Cr Badlu
Cr Lacy – via Teams Meeting
Cr Sloan
Cr Young -via Team Meeting (left meeting at 1:38pm)

Officers: David Tombs, Manager Finance and Corporate Services
Ibrahim Macrae, Manager Governance Risk and Planning
Luluilmaknun Sloan, Infrastructure Coordinator
Nadya Adim, Community Development Coordinator
Amallia Alim, Governance Administration Officer

Guests: Nil

Public: Nil

Apologies: Frank Mills

Approved Leave of Absence: Cr Knight

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

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

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

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

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

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

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

5. LEAVE OF ABSENCE

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

5.1 LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Councillor	Date of Leave	Approved by Council
Cr Knight	11 February 2025 – 9 May 2025	18 December 2025
Cr Young	11 March 2025 – 28 March 2025	26 February 2025

5.2 APPLICATION FOR LEAVE OF ABSENCE

Cr Badlu formally requested a leave of absence for the period from 28 March 2025 to 1 May 2025.

COUNCIL RESOLUTION – ITEM 5.2

MOVED CR I MINKOM

SECONDED CR SLOAN

THAT COUNCIL APPROVES CR BADLU'S LEAVE REQUEST FOR THE PERIOD FROM 28 MARCH 2025 TO 1 MAY 2025.

THE MOTION WAS PUT AND DECLARED CARRIED (6/0)

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

AGAINST: NIL

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING(S)

7.1 Ordinary Council Meeting held on 26 February 2025 - Attachment 7.1

OFFICER RECOMMENDATION – ITEM NO 7.1

THAT COUNCIL BY SIMPLE MAJORITY, PURSUANT TO SECTIONS 5.22(2) AND 3.18 OF THE *LOCAL GOVERNMENT ACT 1995 (WA)(CKI)*, RESOLVES THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 26 FEBRUARY 2025 AS PRESENTED IN ATTACHMENT 7.1 BE CONFIRMED AS A TRUE AND CORRECT RECORD OF PROCEEDINGS.

COUNCIL RESOLUTION – ITEM NO 7.1

MOVED CR BADLU

SECONDED CR I MINKOM

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

THE MOTION WAS PUT AND DECLARED CARRIED (6/0)

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

8. ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS

Nil

9. DECLARATION OF INTERESTS

Councillors are to complete a Disclosure of Interest Form for each item they are required to disclose an interest in. The Form should be given to the Presiding Member before the meeting commences. After the meeting, the Form is to be provided to the Governance and Risk Coordinator for inclusion in the Disclosures Register.

Name	Item No.	Interest	Nature
Cr Minkom	14.1	Financial	Committee member of CMC.
Cr I Minkom	14.1	Financial	Committee member of CMC.

10. REPORT FROM COMMITTEES AND OFFICERS

10.1 CHIEF EXECUTIVE OFFICER

10.1.1 PROPOSED INSTALLATION OF SEA CONTAINERS (3) WITH ADJOINING ROOVES AT LOT NO PART 24 (LOT ON PLAN P018500 100) SYDNEY HIGHWAY, LIGHT INDUSTRY AREA, WEST ISLAND

Report Information

Date: 20 March 2025
 Location: Lot No Part 24 (Lot on Plan P018500 100) Sydney Highway, Light Industry Area, West Island
 Applicant: The Rammed Earth Company
 File Ref:
 Reporting Officer: Chief Executive Officer
 Island: West Island
 Attachments: 10.1.1.1 - LIA Container Plan
 10.1.1.2 - Shed container Roof
 10.1.1.3 - Site Screenshot

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

To consider an application for works approval from The Rammed Earth Company to construct three sea containers with adjoining rooves at Lot No Part 24 (Lot on Plan P018500 100), Sydney Highway, Light Industry Area, West Island.

Relevant Documents

Available for viewing at the meeting
Plans in attachments.

Background

The applicant proposes to construct three sea containers with adjoining rooves, as detailed in the attached plans.

Comment

The proposed development is in proximity to the airport runway.

Local Planning Scheme Considerations

CLAUSE 4.9 - DEVELOPMENT IN VICINITY OF THE AIRPORT

The local government may apply special building height limitations to ensure development alongside the runway remains below a theoretical line inclined at a gradient of 1:7. No measured setback has been provided on the site plan. However, the site appears to meet the setback requirement. A condition of approval will require the applicant to confirm compliance.

CLAUSE 4.13 - BUILDING HEIGHT RESTRICTION

The maximum height permitted for residential dwellings near the airport is 9 metres. The highest roof point for this development is 4.8 metres, which meets the requirement.

Policy and Legislative Implications

The property is located in an Industrial Zone under the Shire of Cocos (Keeling) Islands Local Planning Scheme No.1.

Industrial Zone Objectives (Clause 3.2.3)

- To allow industrial uses that do not generate nuisances detrimental to the community, environment, or public health.
- To promote well-maintained buildings that address the street and are set in landscaped surrounds.

Standard	Comment
(a) Building Quality and Design - Buildings shall be well maintained and demonstrate attractive and practical designs, including: (i) facades which address streets/public spaces including windows and front doors which are visible from streets/public spaces; (ii) the incorporation of a variation of quality building materials; and (iii) incorporate water sensitive urban design best management practices.	Meets criteria
(b) Building Height, Setbacks and Site Coverage - Buildings, including ancillary buildings, shall: (i) be limited to a maximum height of two storeys; (ii) not cover an aggregate area of more than 75% of any lot; and (iii) be	Meets criteria

setback 9.0 metres from the front boundary and 5.0 metres from one side boundary.	
c) Access and Landscaping- (i) Provision for vehicle access, car parking, loading and unloading and turning areas shall be provided to the local government’s satisfaction. (ii) All buildings shall be set in well maintained, attractive garden surrounds which complement the existing vegetation and the environmental and climatic conditions of the Islands. (iii) The front building setback area shall be used for no purpose other than vehicular and pedestrian circulation, parking and landscaping.	Site is well screened from road.
(d) Environmental Considerations - (i) All buildings shall be set in well maintained, attractive garden no use or development of land within the Industrial zone shall cause, in the opinion of the local government, nuisance or annoyance by way of noise or other emissions beyond the site on which it is conducted. Shire of Cocos (Keeling) Islands LPS 1 Page No. 20 (ii) All wastewater to be disposed in a manner that does not contaminate ground water. (iii) The local government will not support proposals for new industrial development unless wastewater can be treated and disposed of in a manner that does not pose a risk to groundwater sources.	Meets criteria
(e) Storage - All areas used for outdoor storage must, as far as practicable, be screened from adjoining development and streets and roofed/covered to the satisfaction of the local government	Meets criteria

Zoning Table Considerations

Land Use “Industry General “is listed as “D” means that the use is not permitted unless the local government has exercised its discretion by granting development approval;

The Scheme defines a “Industry General” as – “*means an industry other than an extractive, hazardous, light, noxious, rural or service industry;*”

Local Planning Policies

Nil

Financial Implications

The item has no financial implications.

Strategic Implications

None identified.

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

Risk Matrix

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

Voting Requirements

Simple majority.

Conclusion

The officer supports the proposal, subject to conditions.

OFFICER RECOMMENDATION – ITEM NO 10.1.1

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO THE SHIRE OF COCOS (KEELING) ISLANDS LOCAL PLANNING SCHEME NO.1, RESOLVES TO GRANT WORKS APPROVAL TO THE RAMMED EARTH COMPANY FOR WORKS COMPRISING SEA CONTAINERS WITH ADJOINING ROOVES BETWEEN, AT LOT NO PART 24 (LOT ON PLAN P018500 100) SYDNEY HIGHWAY, LIGHT INDUSTRY AREA, WEST ISLAND SUBJECT TO THE FOLLOWING CONDITIONS AND ADVICE NOTES:

1. DEVELOPMENT MAY BE CARRIED OUT ONLY IN ACCORDANCE WITH THE DETAILS OF THE APPLICATION AS APPROVED HEREIN AND ANY APPROVED PLAN.
2. PROPOSED WORKS SETBACK ADJOINING THE AIRFIELD SUCH THAT ALONGSIDE THE RUNWAY CAN BE CONTAINED BENEATH A THEORETICAL LINE COMMENCING AT THE EDGE OF THE AIRFIELD AND INCLINING UPWARDS AT A GRADIENT OF 1:7; APPLICANT IS TO DEMONSTRATE THAT THE SETBACK MEETS THE CRITERIA.
3. 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.

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 (INCL. BUILDING PERMITS), LEASES, AND LICENSES REQUIRED UNDER ANY OTHER LAW, AND TO COMMENCE AND CARRY OUT DEVELOPMENT IN ACCORDANCE WITH ALL RELEVANT LAWS.

- B. IF THE DEVELOPMENT THE SUBJECT OF THIS APPROVAL IS NOT SUBSTANTIALLY COMMENCED WITHIN A PERIOD OF TWO (2) YEARS, THE APPROVAL SHALL LAPSE AND BE OF NO FURTHER EFFECT.
- C. WHERE AN APPROVAL HAS SO LAPSED, NO DEVELOPMENT SHALL BE CARRIED OUT WITHOUT THE FURTHER APPROVAL OF THE LOCAL GOVERNMENT HAVING FIRST BEEN SOUGHT AND OBTAINED.
- D. 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.
- E. THIS APPROVAL RELATES TO THE FOLLOWING PLANS SUBMITTED; SITE PLAN; PLAN S1 & PLAN A1

COUNCIL RESOLUTION – ITEM NO 10.1.1

MOVED CR LACY

SECONDED CR I MINKOM

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO THE SHIRE OF COCOS (KEELING) ISLANDS LOCAL PLANNING SCHEME NO.1, RESOLVES TO GRANT WORKS APPROVAL TO THE RAMMED EARTH COMPANY FOR WORKS COMPRISING SEA CONTAINERS WITH ADJOINING ROOVES BETWEEN, AT LOT NO PART 24 (LOT ON PLAN P018500 100) SYDNEY HIGHWAY, LIGHT INDUSTRY AREA, WEST ISLAND SUBJECT TO THE FOLLOWING CONDITIONS AND ADVICE NOTES:

- 1. DEVELOPMENT MAY BE CARRIED OUT ONLY IN ACCORDANCE WITH THE DETAILS OF THE APPLICATION AS APPROVED HEREIN AND ANY APPROVED PLAN.**
- 2. PROPOSED WORKS SETBACK ADJOINING THE AIRFIELD SUCH THAT ALONGSIDE THE RUNWAY CAN BE CONTAINED BENEATH A THEORETICAL LINE COMMENCING AT THE EDGE OF THE AIRFIELD AND INCLINING UPWARDS AT A GRADIENT OF 1:7; APPLICANT IS TO DEMONSTRATE THAT THE SETBACK MEETS THE CRITERIA.**
- 3. 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.**

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 (INCL. BUILDING PERMITS), LEASES, AND LICENSES REQUIRED UNDER ANY OTHER LAW, AND TO COMMENCE AND CARRY OUT DEVELOPMENT IN ACCORDANCE WITH ALL RELEVANT LAWS.**

- B. IF THE DEVELOPMENT THE SUBJECT OF THIS APPROVAL IS NOT SUBSTANTIALLY COMMENCED WITHIN A PERIOD OF TWO (2) YEARS, THE APPROVAL SHALL LAPSE AND BE OF NO FURTHER EFFECT.**
- C. WHERE AN APPROVAL HAS SO LAPSED, NO DEVELOPMENT SHALL BE CARRIED OUT WITHOUT THE FURTHER APPROVAL OF THE LOCAL GOVERNMENT HAVING FIRST BEEN SOUGHT AND OBTAINED.**
- D. 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.**
- E. THIS APPROVAL RELATES TO THE FOLLOWING PLANS SUBMITTED; SITE PLAN; PLAN S1 & PLAN A1**

THE MOTION WAS PUT AND DECLARED CARRIED (6/0)

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

AGAINST: NIL

10.1.2 COMMUNITY DEVELOPMENT REPORT MARCH 2025

Report Information

Date: 17th March 2025
 Location: Cocos Keeling Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest:
 Reporting Officer: Community Development Coordinator
 Island: Cocos (Keeling) Islands
 Attachments: 10.1.2.1 - Chula Shed Door Install
 10.1.2.2 - Hat Design
 10.1.2.3 - New Museum Banner
 10.1.2.4 - Meet Baxter Hutchinson

Authority / Discretion

Definition

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

Report Purpose

To provide Council with updates on programs and events within the Community Development Team for March 2025.

Community Development Coordinator Update

Hari Raya Celebrations 2025

The Community Hari Raya celebrations on Home Island will take place on Friday, 4 April, at the Home Island Foreshore under the Community Marquee (blue and yellow), starting at 6:40 PM. The event will feature:

- Malay dance performances by local children,
- A communal "bring a plate" dinner,
- Live music by a local band, and
- A fireworks display (TBC) to conclude the night.

With support from PKPK, this is expected to be another successful event. The Cocos Islands Youth Council will assist with setup.

As this event falls on a freighter week, an additional ferry service will not be required. However, we will inform the Marine Office/COOP to ensure they are aware in case of any ferry cancellations.

Act of Self-Determination Day – 41st Anniversary

The ASDD event will take place on Sunday, 6 April 2025, at the Home Island Foreshore, featuring cultural and family-friendly activities, including:

- Jukong Racing organized by the Jukong Sailing Club (times TBC, tide-dependent),
- The launch of the 40th Anniversary Book, available for purchase at \$30.00 each,
- Various cultural stalls, including:
 - Basket weaving with Wak Udin,
 - Timber crafts display by Nek Nina (TBC),
 - Traditional Scottish dance by the SUKA DUKA Seniors Group,
 - Coconut showcase by PKPK, featuring coconut-based products (coconut milk, oil, candy, husking demonstrations, etc.), and
 - The usual Market Day food stalls.

Additionally, Niamh will coordinate the Museum and Jukong Restoration Open Day, which will include:

- Q&A sessions with Nek Callum and Nek Ainul,
- Scavenger hunts for children and parents, and
- Jukong rigging demonstrations by Nek Su.

As this event falls on a Sunday, a special ferry service will be requested. (Marine Office, CKI Ports, and COOP were contacted on 18/03/2025.)

Student Education Grant – Resident Further Education

- 1x Resident Further Education Application was received and approved by CEO Frank Mills on Monday, 17 March 2025.

Library Services Officer – Ramadan Opening Hours (Temporary)

West Island Library

- Non-Freighter Week: Tuesday, 3:30 PM – 5:30 PM
- Freighter Week: Tuesday, 3:30 PM – 5:30 PM
- Friday, 3:30 PM – 5:30 PM & 6:00 PM – 8:00 PM

Home Island Library

- Monday: 3:45 PM – 5:45 PM
- Thursday: 3:00 PM – 5:00 PM

Community Development – Culture and Heritage updates

Projects

- Jukong restoration Project/Chula Shed
- Beach Clean Up with Tangaroa Blue
- Museum
- Batik Revival Project
- Home Island Signage
- Personal Leave

Jukong Restoration Project/Chula Shed

- Bulka and his team are making substantial progress on the Chula Shed doors.
- Tim Eastwood is arranging to send up all required items to enable sliding doors to be installed. Attached are a number of images of the infrastructure teams work to put up the doors. (Attachment 10.1.2.1)
- Nek Ainul went to see Makmoom at the WA Museum’s storage space in Welshpool. The Museum staff were grateful for the opportunity to meet him and discuss any questions that they had about Makmoom, the Jukong at the WA Museum.
 - Nek Callum is still recovering at home currently.

Beach Clean Up with Tangaroa Blue

- On March 10th, Niamh attended a beach clean-up on Home Island as a Shire representative. The clean-up was with Tangaroa Blue, hosted by Emma Washer.
- There may be some opportunities over the coming weeks for locals to get involved with counting types of debris and recording with Tangaroa Blue.

Museum

- With the help of the Shire’s carpentry team, Tim Eastwood and David O’Sullivan put lots of work into the Museum during their trip to Cocos from 21st -28th February.
- We are looking into producing some merchandise to raise some revenue for the Pulu Cocos Museum. To offer something different to existing merchandise providers on the Island, we are looking at designs for some caps with an embroidered logo to ensure they are a quality product, built to last. (Attachment 10.1.2.2)
- To further the longevity of the items in the Museum, Niamh is sending an application in collaboration with the WA Museum to the Maritime Museums of Australia Project Support Scheme (MMAPSS). If successful, the grant will allow frames to be built for GCR and Ready to allow them to be mobilised and properly supported. We will also replace the lighting with a new track system which will have less detrimental effects on the items in the long term than the current Fluro lights which are extremely high UV.

Batik Revival Project

- All materials and tools for the workshops are with TCS who are preparing an invoice for ordering. We are conscious of times so we may need to look at alternatives such as locals mentioning items, to get materials here in time for the first workshop on April 30th.
- Over 60% of workshops are full now, hoping that we will be able to have 100% attendance. We intend to put out a post outlining what is still available so that we can fill the remaining places. We are hoping to greater attendance from Home Island in these remaining places, so please spread the word!
- The school have committed to running school workshops with Jacky throughout her visit and have shown great support for the project through in-kind financial support, and by allowing workshops to be run during school hours.
- Niamh has been in contact with IOGTA to hopefully have the job seekers join in on the workshops. The workshops will offer a skill building opportunity for all those who take part.

Home Island Signage

- Niamh is working with Mel and CKITA to devise a plan for Home Island Signage at the Jetty for visitors.
- It will include a map and a variety of information to help visitors in orientating themselves on home island.
- This will be a proprietary system, like what is situated behind the memorial on Home Island. [Picture]

Personal Leave

- Niamh will be on leave from 08/07 until 26/08/2025
- At the beginning and end of this time Niamh will be working remotely to complete the grant acquittal for the Batik Revival Project before its due date.

Youth & Recreation Officer Update

Ramadan After-School Activities

Anita organized weekend activities for children during Ramadan, including:

- Origami ketupat & lantern making (10 attendees)
- Making stuffed dates (4 attendees)
- Eid card-making (12 attendees)

The aim was to provide quiet, engaging activities to keep children occupied during Ramadan.

Playgroup

- The Playgroup Room/Centre reopened on 10 March, providing a space for children and mothers to connect.
- Sessions are held every Monday from 8:30 AM – 10:00 AM at the Cyclone Shelter.

Sports Visit

- Football West coach Baxter Hutchinson will visit Cocos from 28 March – 4 April, conducting school workshops and community programs on both West and Home Island.
- Rugby coach Gethin Thomas will visit in May (13–16 TBC) for a 3-day community training session, including a Touch Rugby game between West and Home Island (TBC).
- Anita will be on leave from 1 July – 1 August. Nadya will oversee the School Holiday & After-School Programs during this time.

Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	Budget allocations may be exceeded.	Moderate (6)	Monitor variances and report them to Council for corrective action.
Reputation	Monthly financial statements are open to public scrutiny.	Low (3)	Ensure all expenditures are justifiable.
Compliance	Report to be presented to Council within two months to comply with legislation.	Low (3)	Processes in place to ensure compliance.
Fraud	Risk of report manipulation.	Low (3)	Interim and end-of-year audits.

Risk Matrix

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

Voting Requirements

Simple majority.

OFFICER RECOMMENDATION – ITEM NO 10.1.2

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

COUNCIL RESOLUTION – ITEM NO 10.1.2

MOVED CR YOUNG

SECONDED CR I MINKOM

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

THE MOTION WAS PUT AND DECLARED CARRIED (6/0)

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

AGAINST: NIL

10.2 MANAGER FINANCE AND CORPORATE SERVICES

10.2.1 MONTHLY FINANCIAL REPORT – FEBRUARY 2025

Report Information

Date: 10 March 2025
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest:
 Reporting Officer: Manager Finance & Corporate Services
 Island: Shire Wide
 Attachments: 10.2.1.1 - Monthly Financial Report – February 2025
 10.2.1.2 – CONFIDENTIAL – Note 12 Additional Information Council

Authority / Discretion

Definition

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

Report Purpose

The purpose of this report is to provide a monthly financial report for February 2025, which includes rating, investment, reserve, debtor, and general financial information to Elected Members in accordance with Section 6.4 of the *Local Government Act 1995 (WA) (CKI)*.

Relevant Documents

Available for viewing at the meeting.

Nil

Background

The reporting of monthly financial information is a requirement under section 6.4 of the *Local Government Act 1995 (WA) (CKI)*, and Regulation 34 of the *Local Government (Financial Management) Regulations 1996* and provides oversight of the Shire's finances to Council.

Comment

The period of review is the 8 months ended 28 February 2025. The current closing municipal surplus for this period is \$1.8m compared to a budget position of \$0.6m.

Note: the year-to-date income was reduced in February for Top Level Domain (TLD) income that was received this financial year that was also recorded as income in the 2023/24 financial year at the Auditor's request. The related budget will also be recommended to be reduced in the Mid-Year Budget Review.

Income for the year to date is:

- Operating Revenues: \$5.4m
- Capital grants: \$0.1m
- Total: \$5.5m

The budget for the same period was \$10.4m, resulting in a budget variance of \$4.9m. The main causes of this were the accounting treatment of the TLD noted above and the deferral of the second tranche of the Federal Assistance Grant (\$2.5m) which is only due once the 2023/24 Annual Report has been registered. Due to the complex/technical accounting matter relating to the TLD revenue, the finalisation of June 2024 audit was deferred, causing a delay in the Annual Report being registered. This amount was invoiced in March 2025.

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

Type	Actual	Budget	Variance
	\$m	\$m	\$m
Operating Expenditure			
Excluding Depreciation	4.51	5.59	1.08
Depreciation	0.93	1.00	0.07
Total	5.44	6.59	1.15
Capital Expenditure	0.20	1.26	1.06

Details of all material variances against the current budget are provided in the notes to the Monthly Financial Report contained within Attachment 10.2.1.1.

Policy and Legislative Implications

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* requires all Local Governments to prepare each month a Statement of Financial Activity reporting on the revenue and expenditure for the month.

Financial Management Regulation 34 also requires this statement to be accompanied by:

- a. An explanation of the composition of the net current assets, less committal assets and restricted assets;
- b. An explanation of material variances; and
- c. Such supporting information that is relevant to the Local Government

Strategic Implications

Nil

Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	That budget allocations are significantly exceeded.	Moderate (6)	Variances are monitored and highlighted to Council on a monthly basis for corrective action.
Reputation	The monthly financial statements are open to public scrutiny.	Low (3)	Procedures in place to ensure all expenditure is justifiable.
Compliance	The report is to be presented to Council within two months in order to comply with relevant legislation.	Low (3)	There are processes in place to ensure compliance with legislation.
Fraud	That the report is manipulated.	Low (3)	Interim and end of year audits.

Risk Matrix

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

Voting Requirements

Simple majority.

Conclusion

That the Monthly Financial Report for the period ending 28 February, including explanations of material variances, be received.

OFFICER RECOMMENDATION – ITEM NO 10.2.1

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO THE *LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996*:

1. RECEIVES THE MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 28 FEBRUARY 2025, AS CONTAINED IN ATTACHMENT 10.2.1.1; AND
2. ACCEPTS THE EXPLANATIONS FOR MATERIAL VARIANCES FOR THE PERIOD ENDING 28 FEBRUARY 2025, AS CONTAINED IN ATTACHMENT 10.2.1.2.

COUNCIL RESOLUTION – ITEM NO 10.2.1

MOVED CR SLOAN

SECONDED CR LACY

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO THE *LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996*:

1. RECEIVES THE MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 28 FEBRUARY 2025, AS CONTAINED IN ATTACHMENT 10.2.1.1; AND
2. ACCEPTS THE EXPLANATIONS FOR MATERIAL VARIANCES FOR THE PERIOD ENDING 28 FEBRUARY 2025, AS CONTAINED IN ATTACHMENT 10.2.1.2.

THE MOTION WAS PUT AND DECLARED CARRIED (6/0)

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

AGAINST: NIL

10.2.2 MID YEAR BUDGET REVIEW 2024/2025

Report Information

Date: 28 February 2024
 Location: Not Applicable
 Applicant: Not Applicable
 File Ref:
 Disclosure of Interest:
 Reporting Officer: Manager Finance & Corporate Services
 Island: Shire Wide
 Attachments: 10.2.2.1 - 2024-25 Budget Review Shire of Cocos (Keeling) Islands

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 consider the Shire's financial position as of 31 December 2024 and performance for the period July 2024 to 31 December 2024 compared to the current annual budget and estimated amounts for the full financial year.

Relevant Documents

Available for viewing at the meeting.

Nil

Background

The Budget Review is a statutory review that is undertaken in accordance with the *Local Government Act 1995 (WA) (CKI)* and Regulation 33 of the *Local Government (Financial*

Management) Regulations 1996. The purpose of this review is to identify significant variations from the Annual Budget and to recommend any amendments that may be necessary.

Changes to the Annual Budget are required during the year as circumstances change from when the Annual Budget was adopted by Council at the beginning of the financial year. Consideration of the status of various projects and programs was undertaken to ensure any anticipated variances were captured within the review document where possible. Amendments to the Annual Budget will ensure that tight fiscal control is maintained over the Shire's finances.

Council has generally adopted a 10% or \$20,000 (whichever is the greater) threshold for material variances for management reporting, as is used in the statements of financial activity and the annual budget review. However, a lower amount has applied to certain projects associated with Community Grants.

Comment

The Budget Review for 2024/25 includes several budget variations, the most significant related to:

- part of the 2024/25 Financial Assistance Grant being prepaid in 2023/24 (but included in the original budget for 2024/25)
- the accounting treatment associated with income received as part of the Top-Level Domain (TLD) arrangement
- deferral of expenditure associated with the TLD arrangement

Note that none of these adjustments have any impact on the Shire's (long term) net assets position.

A summary of the variances and subsequent budget variations is included in the attached report.

Recommendation:

That Council adopt the Budget variations as itemised in this Budget Review Report.

Policy and Legislative Implications

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* requires that;

- (1) *Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.*
- (2A) *The review of an annual budget for a financial year must –*
 - (a) *Consider the local government's financial performance in the period beginning on the 1 July and ending no earlier than 31 December in that financial year; and*
 - (b) *Consider the local government's financial position as at the date of the review; and*
 - (c) *Review the outcomes for the end of that financial year that are forecast in the budget.*

(d) Include the following –

- i. The annual budget adopted by the local government;
- ii. an update of each of the estimates included in the annual budget;
- iii. the actual amounts of expenditure, revenue and income as at the date of the review
- iv. adjacent to each item in the annual budget adopted by the local government that states an amount, the estimated end of year amount for the item.

(2) The review of an annual budget for a financial year must be submitted to the council on or before 31 March in that financial year.

(3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

**Absolute majority required*

(4) Within 14 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

Financial Implications

The financial implications related to the review are outlined in this report.

Based on the review and the recommended allocation of the surplus, there is projected to be a balanced budget with zero budget surplus at 30 June 2025.

Strategic Implications:

Nil

Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	Changes do not reflect current position of Council.	Low (1)	Ensure that existing policies and processes are implemented and are compliant with relevant legislation and that there are sufficient funds to meet estimated expenditure for the remainder of the year.
Reputation	The Budget Review report is open to public scrutiny.	Low (3)	Procedures in place to ensure all expenditure is justifiable.
Compliance	That budget review is not completed in accordance with the Local Government Act.	Low (1)	The budget review is included in the Compliance Calendar to ensure it is completed in a timely manner. An industry template is used to ensure the format complies with requirements.

Voting Requirements

Absolute majority.

OFFICER'S RECOMMENDATION – ITEM NO 10.2.2

THAT COUNCIL, BY ABSOLUTE MAJORITY,

1. PURSUANT TO REGULATION 33A OF THE *LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996 (WA)(CKI)*, RECEIVES THE 2024/25 BUDGET REVIEW REPORT AS PER ATTACHMENT 10.2.2.1.
2. PURSUANT TO PART 6 DIVISION 4 s6.8(1) OF THE *LOCAL GOVERNMENT ACT 1995 (WA)(CKI)* ADOPTS THE FOLLOWING BUDGET AMENDMENTS TO THE 2024/25 ADOPTED BUDGET:

a	OPERATING REVENUE	OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS	DECREASE	(\$679,500)
b	OPERATING REVENUE	FEES AND CHARGES	INCREASE	\$350,000
c	OPERATING REVENUE	OTHER REVENUE	DECREASE	(\$1,000,000)
d	OPERATING EXPENDITURE	EMPLOYEE COSTS	INCREASE	\$20,000
e	OPERATING EXPENDITURE	MATERIALS AND CONTRACTS	NET RESULT IS NIL	
f	CAPITAL EXPENDITURE	PROPERTY, PLANT AND EQUIPMENT	INCREASE	\$43,000
g		TRANSFER TO/FROM RESERVE ACCOUNTS	DECREASE	(\$1,410,988)

COUNCIL RESOLUTION – ITEM NO 10.2.2

MOVED CR LACY

SECONDED CR I MINKOM

THAT COUNCIL, BY ABSOLUTE MAJORITY:

1. PURSUANT TO REGULATION 33A OF THE *LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996 (WA)(CKI)*, RECEIVES THE 2024/25 BUDGET REVIEW REPORT AS PER ATTACHMENT 10.2.2.1.
2. PURSUANT TO PART 6 DIVISION 4 s6.8(1) OF THE *LOCAL GOVERNMENT ACT 1995 (WA)(CKI)* ADOPTS THE FOLLOWING BUDGET AMENDMENTS TO THE 2024/25 ADOPTED BUDGET:

a	OPERATING REVENUE	OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS	DECREASE	(\$679,500)
b	OPERATING REVENUE	FEES AND CHARGES	INCREASE	\$350,000
c	OPERATING REVENUE	OTHER REVENUE	DECREASE	(\$1,000,000)
d	OPERATING EXPENDITURE	EMPLOYEE COSTS	INCREASE	\$20,000
e	OPERATING EXPENDITURE	MATERIALS AND CONTRACTS	NET RESULT IS NIL	
f	CAPITAL EXPENDITURE	PROPERTY, PLANT AND EQUIPMENT	INCREASE	\$43,000
g		TRANSFER TO/FROM RESERVE ACCOUNTS	DECREASE	(\$1,410,988)

THE MOTION WAS PUT AND DECLARED CARRIED (6/0)

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

10.2.3 SCHEDULE OF ACCOUNTS PAID FOR THE PERIOD JANUARY 2025

Report Information

Date: 3 February 2025
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref: Nil
 Disclosure of Interest: Nil
 Reporting Officer: Senior Finance Officer
 Island: Shire Wide
 Attachments: 10.2.3.1 - Schedule of Accounts Paid January 2025

Authority / Discretion

Definition

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

Report Purpose

The purpose of this report is to present to Council a list of accounts paid under delegated authority for the period January 2025, as required by the *Local Government (Financial Management) Regulations 1996*.

Relevant Documents

Available for viewing at the meeting.

Nil

Background

Council has delegated, to the Chief Executive Officer, the exercise of its power to make payments from the Shire's Municipal and Trust funds. In accordance with Regulation 13 of the

Local Government (Financial Management) Regulations 1996 a list of accounts paid is to be provided to Council, where such delegation is made.

Comment

The following table summarises the payments for the period by payment type, with further details of the accounts paid contained within Attachment 10.2.3.1.

Payment Type	Amount (\$)
EFT Payments #11245 - #11298	\$270,679.50
Direct Debit Payment	\$72,577.07
Cheque Payment 11763 -11764	\$7,021.65
Total Payments	\$350,278.22

Contained within Attachment 10.2.3.1 is a detailed transaction listing of payments, including credit card expenditure and fuel card expenditure as per the Summary table above. Report for February will be presented next month.

Policy and Legislative Implications

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

Strategic Implications

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

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

Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	That budget allocations are significantly exceeded.	Moderate (6)	Variances are monitored and highlighted to Council monthly for corrective action.
Reputation	The accounts paid report is open to public scrutiny.	Low (3)	Procedures in place to ensure all expenditure is justifiable.
Compliance	The report is to be presented to Council in order to comply with relevant legislation.	Low (3)	There are processes in place to ensure compliance with legislation.
Fraud	That the report is manipulated.	Low (3)	Interim and end of year audits along with sequence checks.

Risk Matrix

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

Voting Requirements

Simple majority.

Conclusion

It is recommended that Council receives the reports provided for the period January 2025

OFFICER RECOMMENDATION – ITEM NO 10.2.3

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO REGULATION 13(1) OF THE *LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996*

1. RECEIVES THE REPORT FROM THE CHIEF EXECUTIVE OFFICER ON THE EXERCISE OF DELEGATED AUTHORITY IN RELATION TO PAYMENTS MADE FROM MUNICIPAL OR TRUST FUNDS FOR THE PERIOD JANUARY 2025 TOTALLING \$350,278.22 AS CONTAINED IN ATTACHMENT 10.2.3.1.
2. RECEIVES THE DETAILED TRANSACTION LISTING OF CREDIT CARD AND FUEL CARD EXPENDITURE FOR THE PERIOD JANUARY 2025, AS CONTAINED IN ATTACHMENT 10.2.3.1.

COUNCIL RESOLUTION – ITEM NO 10.2.3

MOVED CR I MINKOM

SECONDED CR LACY

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 JANUARY 2025 TOTALLING \$350,278.22 AS CONTAINED IN ATTACHMENT 10.2.3.1.
2. RECEIVES THE DETAILED TRANSACTION LISTING OF CREDIT CARD AND FUEL CARD EXPENDITURE FOR THE PERIOD JANUARY 2025, AS CONTAINED IN ATTACHMENT 10.2.3.1.

THE MOTION WAS PUT AND DECLARED CARRIED (6/0)

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

10.3 MANAGER INFRASTRUCTURE

Nil

11. MINUTES TO BE RECEIVED

Nil

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

Nil

13. MOTIONS WITHOUT NOTICE WITH LEAVE OF COUNCIL

Nil

14. MATTERS BEHIND CLOSED DOOR

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

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

PROCEDURAL MOTION

MOVED CR I MINKOM

SECONDED CR SLOAN

THAT COUNCIL BY SIMPLE MAJORITY, RESOLVES TO MOVE BEHIND CLOSED DOORS AT 1:33PM IN ACCORDANCE WITH SECTION 5.23(2) OF THE LOCAL GOVERNMENT ACT 1995 AND SECTION 5.2(1) OF THE SHIRE OF COCOS (KEELING) ISLANDS MEETING PROCEDURES LOCAL LAW 2019 THAT THE FOLLOWING REPORTS ARE CONFIDENTIAL.

THE MOTION WAS PUT AND DECLARED CARRIED (6/0)

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

PROCEDURAL MOTION

MOVED CR BADLU

SECONDED CR I MINKOM

THAT COUNCIL, BY SIMPLE MAJORITY, RESOLVES TO MOVE FROM BEHIND CLOSED DOORS THE TIME BEING AT 1:49PM.

THE MOTION WAS PUT AND DECLARED CARRIED (5/0)

**FOR: BADLU, LACY, MINKOM, MINKOM, SLOAN
AGAINST: NIL**

14.1 CONFIDENTIAL - FISHERIES SERVICES IN THE COCOS (KEELING) ISLANDS

Report Information

Date: 17 March 2025
 Location: Cocos (Keeling) Islands
 Applicant: Chief Executive Officer
 File Ref:
 Disclosure of Interest:
 Reporting Officer: Chief Executive Officer
 Island: Cocos (Keeling) Islands
 Attachments: Confidential (Circulated under separate cover)

Authority / Discretion

Definition

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

This report is confidential under Section 5.23 (2) of the Local Government Act 1995 and is circulated under a separate cover.

2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following–

- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and*
- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and*
- (e) a matter that if disclosed, would reveal –*
 - (i) a trade secret; or*
 - (ii) information that has a commercial value to a person; or*
 - (iii) information about the business, professional, commercial or financial affairs of a person,*

OFFICER RECOMMENDATION – ITEM NO 14.1

AS PER CONFIDENTIAL ITEM.

COUNCIL RESOLUTION – ITEM NO 14.1

MOVED CR BADLU

SECONDED CR I MINKOM

THAT COUNCIL, SIMPLE MAJORITY, ENDORSE THE FINAL SIGNED CONTRACT IN RELATION TO FISHERIES SERVICES IN THE COCOS (KEELING) ISLANDS FROM 14 MARCH 2025 TO 30 JUNE 2027, PLUS 2 X 1 YEAR EXTENSION OPTIONS AS PER ATTACHMENT NO 14.1.1.

THE MOTION WAS PUT AND DECLARED CARRIED (6/0)

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

15. MATTERS RELATING TO THE LAND TRUSTS



MATTERS RELATING TO THE LAND TRUST 1979 AND LAND TRUST 1984

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

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

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

15.1 TRUSTS ADMINISTRATION

Nil

15.2 TRUSTS LEASES

15.2.1 CONFIDENTIAL - APPLICATION TO LEASE PART LOT 18 HOME ISLAND RETAIL CENTRE TENANCY 8

Report Information

Date: 19 February 2025
 Location: Part Lot 18 Home Island Retail Centre – Tenancy 8
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest:
 Reporting Officer: Leasing & Policy Development Officer
 Island: Home Island
 Attachments: Confidential (Circulated under separate cover)

Authority / Discretion

Definition

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

This report is confidential under Section 5.23 (2) of the Local Government Act 1995 and is circulated under a separate cover.

2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following–

(f) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and

- (g) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
(h) a matter that if disclosed, would reveal —

- (i) a trade secret; or
(ii) information that has a commercial value to a person; or
(iii) information about the business, professional, commercial or financial affairs of a person,

OFFICER RECOMMENDATION – ITEM NO 15.2.1

AS PER THE CONFIDENTIAL ITEM.

COUNCIL RESOLUTION – ITEM NO 15.2.1

MOVED CR I MINKOM

SECONDED CR YOUNG

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

1. TO GIVE LOCAL PUBLIC NOTICE OF ITS INTENT TO LEASE PART LOT 18, HOME ISLAND RETAIL CENTRE – TENANCY 8, TO MRS. NOORZULAIKHA JADA, AND INVITE PUBLIC SUBMISSIONS.
2. TO APPROVE THE LEASE UNDER THE FOLLOWING CONDITIONS:
 - A. LEASE FEE SET AT \$2,250.00 PER ANNUM, BASED ON INDEPENDENT VALUATION, WITH ANNUAL CPI ADJUSTMENTS AND A ONE-OFF LEASE PREPARATION FEE OF \$260.
 - B. LEASE TERM OF THREE (3) YEARS, WITH A TWO (2) YEAR EXTENSION OPTION.
 - C. LESSEE RESPONSIBLE FOR ALL MAINTENANCE AS PER LEASE CONDITIONS.
3. TO DESIGNATE THE PREMISES FOR USE AS A RETAIL SPACE.
4. TO AUTHORISE THE CHIEF EXECUTIVE OFFICER TO EXECUTE THE LEASE, USING THE SHIRE'S NEW COMMERCIAL LEASE TEMPLATE, IF NO OBJECTIONS ARE RECEIVED DURING THE PUBLIC NOTICE PERIOD.
5. THAT IF OBJECTIONS ARISE, PRESENT ALL PUBLIC SUBMISSIONS AT THE FIRST ORDINARY COUNCIL MEETING AFTER THE PUBLIC SUBMISSION PERIOD ENDS.
6. TO CONDUCT REGULAR INSPECTIONS OF THE COMMERCIAL TENANCY.
7. TO TERMINATE THE LEASE PROCESS AND RE-ADVERTISE FOR NEW EOI'S IF THE APPLICANT FAILS TO SETTLE OUTSTANDING DEBTS WITHIN SIX (6) MONTHS OR DOES NOT ESTABLISH A PAYMENT PLAN BEFORE FINALISING THE LEASE.
8. TO AUTHORISE THE CHIEF EXECUTIVE OFFICER AND SHIRE PRESIDENT TO SIGN AND AFFIX THE SHIRE OF COCOS (KEELING) ISLANDS COMMON SEAL TO THE LEASE AGREEMENT.

THE MOTION WAS PUT AND DECLARED CARRIED (6/0)

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

15.2.2 CONFIDENTIAL - PART LOT 18 HOME ISLAND RETAIL CENTRE TENANCY 9 LAUNDROMAT

Report Information

Date: 10 April 2025
 Location: Cocos (Keeling) Islands
 Applicant: Shire of Cocos (Keeling) Islands
 File Ref:
 Disclosure of Interest:
 Reporting Officer: Leasing & Policy Development Officer
 Island: Home Island
 Attachments: Confidential – circulated under separate cover

Authority / Discretion

Definition

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

This report is confidential under Section 5.23 (2) of the Local Government Act 1995 and is circulated under a separate cover.

2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following–

- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and*
- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and*
- (e) a matter that if disclosed, would reveal –*

- (i) a trade secret; or*
- (ii) information that has a commercial value to a person; or*

