



CONFIRMED MINUTES

Ordinary Meeting held on 23 May 2023



**SHIRE OF CHRISTMAS ISLAND
MEETING MINUTES CERTIFICATION**

Minutes of the Ordinary meeting of the Shire of Christmas Island Council held at the George Fam Chambers at 7.00pm on Tuesday 23 May 2023

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CONFIRMED MINUTES

Ordinary Meeting of the Shire of Christmas Island held at the George Fam Chambers at 7.00pm on Tuesday 23 May 2023

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

1.1 The Shire President declared the meeting open at 7.00pm.

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE/DECLARATIONS OF FINANCIAL INTEREST

1.2 Record of Attendance

Shire President

Deputy President

Councillors

Cr Gordon **THOMSON**

Cr Kee Heng **FOO**

Cr Philip **WOO**

Cr Kelvin Kok Bin **LEE**

Cr Hafiz **MASLI**

Cr Morgan Boon Hwa **SOH**

Cr Azmi **YON**

Chief Executive Officer

Director Research, Policy, Governance & Grants/Minute Taker

Director Community/Recreation Services & Training

Director Works, Services & Waste

Assistant Director of Finance & Corporate Services

Fisheries Ranger

David **PRICE**

Chris **SU**

Olivier **LINES**

Troy **DAVIS**

Wei **HO**

Shahrin **JAMIL**

2.2 **Leave of Absence**

Councillors

Cr Farzian **ZAINAL**

Cr Vincent Cheng-Siew **SAW**

2.3 **Apologies**

2.4 **Declarations of Financial/Impartiality/Proximity Interest**

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4 PUBLIC QUESTION TIME

4.1 Shire President THOMSON passed on residents' concerns about the Patient Assisted Travel (PATs) scheme. CI residents are being flown to their appointments on the mainland through CKI where prior the practice was to wait until a Friday to fly to Perth direct and Tuesday to fly to the Island direct.

Reportedly this flight itinerary is cheaper for IOTHS to offer. The PATS scheme offers a \$60/day for commercial hotel accommodation, and \$20/day for private accommodation for PATs patients travelling.

It was noted that the WA PATs scheme has a higher \$100/day for commercial hotel accommodation and a \$20/day for private accommodation rates.

Shire President THOMSON informed the meeting he would write to IOTHS about the return of direct flights at residents' request and invite the IOTHS send a representative to the next Community Consultative Committee meeting to inform the members on what changes might be able to apply.

Shire President THOMSON also noted the Administrator Newsletter update about the IOT budget.

5 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Cr Zainal

Council Resolution

Moved: Cr LEE

Seconded: Cr YON

Res. No: 26/23

Cr Farzian ZAINAL (19/05/2023 to 30/05/2023) submitted a Leave of Absence application to the CEO.

Carried: 7/0

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

- 6.1 RSM Auditors Larry TAN, Shaun TATLOW, Francis BATISTA made a presentation on the annual Audit Plan in person. Senior RSM Partner Amit KABRA and WA Office of the Auditor General Tim SANYA attended via video conference.

Senior RSM Audit Partner Amit KABRA introduced Tim SANYA as the WA OAG officer overseeing the annual audit from the OAG this year.

Amit KABRA presents the Audit Plan and speaks through the document on-screen. Councillors have hard copies; apart from the usual financial statements, the RSM team will look at the *Roads To Recovery* (R2R) and *Local Roads and Community Infrastructure Program* (LRCIP) grant program auditing as well. Both of these grant programs require an external auditor to review the records before they can be finalised with the respective funding bodies.

Amit KABRA noted that there was nothing substantial in terms of operational changes to the Shire in the last financial year and that the last exit interview for the previous financial year was quite recent.

Amit KABRA informed the meeting that a new financial template released by the WA Department of Local Government in the last fortnight might be updated pending OAG comments on the document by June 2023. Summarised that there were no fundamental changes of note and that the review of the financial statements will be done accordingly.

The key risk for this size organisation was management override of procedures.

RSM is scheduled to return to Christmas Island mid-October 2023 and will aim to complete the audit in early November 2023. The WA OAG will be able to sign-off on the audit by the end of November 2023, which would be in the normal timeline.

CEO David PRICE informed the meeting that the Shire anticipates being to meet those timelines as well. Advised that the Director of Finance Kevin WILSON will be on island in October to meet the RSM audit team.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS/BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETINGS

7.1 Minutes of Ordinary Council Meeting held on 23 May 2023

Members considered the unconfirmed minutes.

Council Resolution

Moved: Azmi YON

Seconded: Vincent SAW

Res. No: 27/23

That Council adopt the unconfirmed minutes of the 26 April 2023 Council Meeting.

Carried: 7/0

7.2 Business Arising from the Minutes of Previous Meetings

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

- 8.1 Shire President Gordon THOMSON informed the meeting that the Federal Budget papers recorded a significant drop of \$38m in the IOT budget from \$140m to \$102m.
- 8.2 The Commonwealth Government has established the *National Reconstruction Fund* which might provide a possible avenue for island development. The island's immediate goals are to diversify the economy into the previously identified fields of agricultural and tourism.
- 8.3 In February the Minister for the Environment Tanya PLIBERSEK announced the recipients of the \$3m in grant funding for the new Indian Ocean Territories Marine Parks. The Shire received a grant for its *Lily Beach Precinct Upgrade* project. A range of other projects were funded including improvements for red crab crossing access, mural about marine life, a documentary about the lives of IOT residents and their relationship with the water with the bulk of the grant allocations being made to universities and scientific bodies researching various marine initiatives across the Cocos (Keeling) Islands and Christmas Island.
- 8.4 The Shire President reports that he has joined the Indian Ocean Territories Regional Development Organisation – Christmas Island Business Association's Joint Committee on air freight shipping. He noted the next meeting was scheduled in June when he will be in Canberra with the Shire delegation for the Australian Local Government Association conference.
- 8.5 Shire President Gordon THOMSON reports that the Minister announced on Thursday 11th May that Cr Farzian ZAINAL will be the next Administrator of the Indian Ocean Territories.

9 REPORTS OF COMMITTEES

10 REPORTS OF OFFICERS

10.1 Chief Executive Officer

10.1.1 Appointment of Acting CEO

Council Resolution

Moved: Cr MASLI

Seconded: Cr YON

Res. No: 28/23

That Council appoints the Director Works, Services & Waste Troy Davis as the acting CEO for the period 12 June to 20 June 2023 and the Director Governance, Research, Policy & Grants Chris Su as acting CEO for the period of 21 June to 1 August 2023, and that the applicable higher duties apply.

Carried: 7/0

10.1.2 Delegated Authority

Council Resolution

Moved: Cr LEE

Seconded: Cr WOO

Res. No: 29/23

In accordance with Section 5.42 (1) and 5.44 of the Local Government Act 1995 (WA)(CI) Council delegates the following authority to the Chief Executive Officer for the financial year 23/24.

- To make payments on behalf of Council in accordance with Council Signatory/Authorization of EFT Procedure
- To sign cheques on behalf of council for an amount not exceeding \$100,000 s6.10 (d);
- To incur expenditure and to issue official orders not exceeding \$100,000 for non-capital expenditure s6.10 (d);
- To decide free of charge use of community facilities in accordance with CS2 – Use of Community Facilities Policy of Council;
- Power of entrance, etc. in relation to road works;
- To write off debts or rates incorrectly raised & other bad debts up to \$200;
- To approve budget variations/new budget items not exceeding \$100,000;
- To obtain reassessment of the value of ratable property in the event of property improvement or property subdivision;
- To invest money held by council not required for immediate use s6.14;
- To arrange appropriate insurance in respect of all council properties;
- To negotiate terms and conditions of property leases;
- To negotiate terms and conditions and enter into lease agreements on Shire Houses where the weekly rent does not exceed \$600 per week;
- To dispose of property with no book value;
- To reimburse to an owner or occupier where property is damaged through the performance of a function of the local government to the maximum amount of \$2,000;
- To give notice to an occupier and or owner requiring them to do something in relation to land specified in Schedule 3.1 – Powers Under Notices to Owners or Occupiers of Land of the Local Government Act (WA) (CI) 1995
- To arrange for works to be carried out where the owner or occupier does not carry out required action in relation to land, and to recover the costs as a debt;
- To issue certificates of the local government pursuant to section 23 of the Strata Titles Act 1985 (WA)(CI).
- To change leases for the cost of insurance cover in respect to leased properties;
- As the principal Accounting Officer of Council, to prepare the annual financial reports;
- To affix the common seal of the Shire of Christmas Island as required; and
- In relation to recurrent expenditure, to pay amounts above the \$100,000 limit for:
 - o Wages and salaries
 - o Pay As You Earn taxation
 - o Fringe Benefits taxation
 - o insurance premiums
 - o Electricity charges
 - o Lease payments
 - o MRWA projects
 - o Superannuation
- To contract works or capital projects that have been previously approved by a resolution of Council
- Within the provisions of Section 3.50 (1) (1a) (2) (4) (8) of the Local Government Act 1995 (WA) (CI) to:
 - 1) To close any thoroughfare that the SOCI manages for the passage of vehicles, wholly or partially, for a period not exceeding four (4) weeks;
 - 2) To close any thoroughfare that the SOCI manages for the passage of vehicles, wholly or partially, for a period exceeding four (4) weeks

Carried: 7/0
Absolute Majority

10.1.3 Fees & Charges 2023-24

Council Resolution

Moved: Cr LEE **Seconded: Cr FOO** **Res. No: 30/23**

1. Council adopts the rates, fees and charges for financial year 2023/24 as listed in the attachment.
2. All rates, fees and charges to apply from 1 July 2023.
3. The Internal rate will apply to any work carried out for the Commonwealth within the Road Funding/Contract Agreement.

Carried: 7/0
Absolute Majority

10.1.4 WALGA Conference

Council Resolution

Moved: Cr MASLI **Seconded: Cr WOO** **Res. No: 31/23**

That Council –

1. nominate the following elected members Cr THOMSON, Cr SOH, Cr MASLI, Cr YON, Cr FOO, Cr WOO and Cr SAW to attend the 2023 Annual West Australian Local Government Association (WALGA) conference to be held at the Crown Perth from 17 to 19 September 2023 inclusive, and
2. nominate two elected members Cr MASLI and Cr WOO as voting delegates and two elected members Cr FOO and Cr YON as proxy delegates to register for the forthcoming 2023 conference.

Carried: 7/0

10.1.5 Settlement Sports Hall Refurbishment Sustainability Hub – Design Concept

Council Resolution

Moved: Cr YON **Seconded: Cr FOO** **Res. No: 32/23**

1. Council receives and endorses Settlement Sports Hall Refurbishment Sustainability Hub – Design Concept.
2. The CEO to develop a funding submission in line with the projected costing for the funding opportunities together with supporting correspondence.
3. The CEO to seek the Minister’s approval for an amendment of the current Management Order to facilitate the consequent change of use of the Settlement Sports Hall.

Carried: 7/0

10.2 Director Finance & Administration

10.2.1 Schedule of Accounts – April 2023

Council Resolution

Moved: Cr WOO **Seconded: Cr LEE** **Res. No: 33/23**

That Council approves the expenditure as presented in April 2023 Schedule of Accounts

Carried: 7/0

10.2.2 Financial Statements – April 2023

Council Resolution

Moved: Cr MASLI **Seconded: Cr SOH** **Res. No: 34/23**

That Council receives the Financial Statements of April 2023 for the Municipal Fund.

Carried: 7/0

10.3 Director Community/Recreation Services & Training

10.4 Director Works, Services & Waste

10.4.1 Lily Beach Precinct Upgrade Program

Council Resolution

Moved: Cr YON

Seconded: Cr LEE

Res. No: 35/23

That Council approves the budget amendment of \$110,000 to commence the redevelopment of the Lily Beach Precinct.

Carried: 7/0

10.5 Director Governance, Research, Policy & Grants

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

12.1 Introduction of New Business

Council Resolution

Moved: Cr YON

Seconded: Cr MASLI

Res. No: 36/23

That a new matter of urgent business be introduced to the Council Meeting.

Carried: 7/0

12.2 Resignation of Cr Farzian ZAINAL

Council Resolution

Moved: Cr YON

Seconded: Cr LEE

Res. No: 37/23

Council accepts the resignation of Councillor Zainal and congratulates her on her appointment as the Administrator for the IOTs and thanks her for her contribution to Council during her term in office.

The CEO is directed to seek the approval of the Western Australian Electoral Commissioner within the provisions of the Local Government Act 1995 S4.17 for the vacant Councillor's position to remain vacant until the Ordinary Council elections scheduled for 21st October 2023.

Carried: 7/0

Absolute Majority

13 BEHIND CLOSED DOORS

14 CLOSURE OF MEETING

The Shire President closed the meeting at 8.08 pm

15 DATE OF NEXT MEETING: 27 June 2023