

Notice is given that an Ordinary Meeting of Council of the Shire of Christmas Island is to be held at the Council Chambers on Tuesday 22 November 2022 commencing at 7.00pm

David Price Chief Executive Officer

AGENDA

1	Declaration of Opening of				
-	Meeting/Announcement of Visitor	10	Reports of Officers		
	<u> </u>		Chief Executive Officer		
2	Record of Attendance/Apologies/Leave of Absence/Declaration of		10.1.1 Dates for Ordinary Council Meetings 2023 (pg 10-11)		
	Financial/Proximity/Impartiality Interests		10.1.2 Fisheries Funding (pg 12-24)		
	2.1 Attendance 2.2 Leave of Absence	10.2	Director Finance & Administration 10.2.1 Schedule of Accounts – October 2022		
	2.3 Apologies2.4 Declaration of Interests		(pg 25-31) 10.2.2 Financial Statements – October 2022		
3	Response to Previous Public Questions		(pg 32-36)		
	Taken on Notice	10.3	Director Community/Recreation Services & Training		
4	Public Question Time		-		
5	Applications for Leave of Absence	10.4	Director Works, Services & Waste		
6	Petitions/Deputations/Presentations	10.5	Director Planning, Governance & Policy		
7	Confirmation of Minutes of Previous Meetings/Business arising from the Minutes		Elected Members Motions of which Previous Notice has been given		
	 of Previous Meetings 7.1 Minutes of Ordinary Council Meeting held on 25 October 2022 (pg i-vi) 	12	New Business of an Urgent Nature Introduced by Decision of the Meeting		
	7.2 Business Arising from the Minutes of Previous Meetings		Behind Closed Doors		
8	Announcements by Presiding Member Without Discussion	14	Closure of Meeting		
	WILLIOUT DISCUSSION	15	Date of the next Ordinary Meeting		
9	Reports of Committees	<u>13 December 2022</u>			
	9.1 Minutes of Committee Meetings (pg 1-9)				



UNCONFIRMED MINUTES

Ordinary Meeting of the Shire of Christmas Island held at the George Fam Chambers at 7.00pm on Tuesday 25 October 2022

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

2.1 Record of Attendance

Shire President Deputy President Councillors Cr Gordon **THOMSON**Cr Kee Heng **FOO**

Cr Philip **WOO**

Cr Kelvin Kok Bin LEE

Cr Vincent Cheng-Siew **SAW** Cr Morgan Boon Hwa **SOH**

Cr Farzian **ZAINAL**

Cr Azmi **YON**

Cr Hafiz MASLI (7.35pm)

Chief Executive Officer
Director Works, Services & Waste
Director Community/Recreation Services & Training
Director Planning, Governance & Policy/Minute Taker

David PRICE Troy DAVIS Olivier LINES Chris SU

2.2 Leave of Absence

Nil

2.3 Apologies

Director Finance & Administration

Kim CHUA

- 2.4 Declarations of Financial/Impartiality/Proximity Interest
- 2.4.1 Cr SOH makes a Declaration of Impartiality on item 10.1.1

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4 PUBLIC QUESTION TIME

- 4.1 Cr YON reports on residents' outstanding request about the installation of lighting options at the Kampong Padang. A lit Kampong Padang would take children away from the lit areas near the road in the evenings. CEO to talk to Ian Mc KENDRICK about options.
- 4.2 Cr ZAINAL raised a question from a resident on vehicle access to the large gazebo at the Foreshore Padang. Is the intention to stop vehicle access as the dual use bike/footpath is completed? CEO PRICE advises that a chain will be erected at both ends of the Foreshore Padang to prevent vehicle access into the park. The first will be at the CLA Sports Hall end of the soon-to-be-completed dual use bike/footpath and the other end will be at the curve near the Fuel Tanks.

CEO PRICE advises that the ramp at the Gaze Road entry near The SS Islander mural is being reconditioned and will provide all-ability access to the precinct. When the chained fence is put

up at the curve near the Fuel Tanks, it will be about a 20m walk to the large gazebo along the new dual use pathway; residents can park at the chained fence area.

The Management Order SOCI received from the Commonwealth for the site prevents public vehicle access as the IOTA fuel lines run in that area. Furthermore as anticipated, there is an increased in family activity in the precinct as the different stages were completed.

CEO PRICE advised that if residents are planning a get-together at the site and required the future fence chain to be dropped to assist a senior person's access to the park, that could be arranged. Open public vehicle access to the park is not permitted.

- 4.3 Cr ZAINAL raised on behalf of a resident bollards for the Gaze Road parking lots adjacent to the Foreshore Padang. CEO PRICE advised that Shire had spoken to residents involved in the original request and provided that the design of the parking lot meets relevant standards and the implementation of bollards would remove too many bays.
- 4.4 Cr ZAINAL provided some feedback collected on the prizes for the Territory Week Photo Competition. Whilst a popular event and well participated, the junior category prize was considered overly generous compared to the other categories by some residents. Director for Governance Chris SU took this feedback on for next year's planning.
- 4.5 Cr YON passed on resident's positive feedback on new artworks at the Foreshore Padang precinct.
- 5 APPLICATIONS FOR LEAVE OF ABSENCE
- 6 PETITIONS/DEPUTATIONS/PRESENTATIONS
- 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS/BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETINGS
- **7.1 Minutes of Ordinary Council Meeting held on 27 September 2022** Members considered the unconfirmed minutes.

Council Resolution

Moved: Cr FOO Seconded: Cr WOO Res. No: 93/22

That Council adopt the unconfirmed minutes of the 27 September 2022 Council Meeting.

Carried: 8/0

7.2 Business Arising from the Minutes of Previous Meetings

7.2.1 CEO PRICE provided an update to item 4.1 of the 27th September Ordinary Council Meeting; there will be park benches installed in the Kampong Padang.

CEO PRICE provided an update to item 4.2 of the 27th September Ordinary Council Meeting; Shire contacted the operators of the Flying Fish Café and advised that they need to write to the Shire for permissions to use that site. The operators are to return to Shire on this.

CEO PRICE provided an update to item 4.3 of the 27th September Ordinary Council Meeting; the shade sail cloth at the volleyball court at the Foreshore Padang has been repaired and reaffixed to the fence line.

CEO PRICE provided an update to item 4.5 of the 27th September Ordinary Council Meeting; the removal of the Mosque Traffic Island is being scheduled by the Director of Works and Services Troy DAVIS pending weather and other scheduled works.

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

8.1 Shire President Gordon THOMSON advised the Council that he went to Canberra with Town Planning Consultant Herve CALMY prior to the WALGA conference in Perth with the other Councillors from 12th Sept to 16th Sept. The purpose of the trip was to advocate for a Land Ordinance and accompanying Development Authority for Christmas Island which the Shire views as essential follow-up to the Commonwealth's Christmas Island Strategic Assessment (CISA) program.

SOCI has completed their works and contributions to the CISA program having worked positively with Dept. officer Naomi MAXWELL.

The Draft CISA Plan will go to public comment in the new year. SOCI officers had examined the 'Land Use Plan' of the CISA and aligning it with our own statutory planning instruments to give them effect from a municipal governance position.

The SOCI's draft planning instruments and the Draft CISA Plan are now aligned as could be and our Local Planning Strategy and Town Planning Scheme No.3 will reflect these in the near future. SOCI is required to submit our draft LPS3 and TPS3 to the Western Australian Planning Commission (WAPC) to commence the assessment process; statutory public consultations on these will be had on Island following.

As the environmental assessment work is being done by the Dept. of Territories and Dept. of Environment under the CISA, the Shire is turning its attention to the mechanism of actual disposal of land.

The process of disposing of Crown Land has historically been unwieldy in actually releasing land. Former Minister for Territories John MC VEIGH's 2018 efforts did not yield any disposals. Every attempt by the Commonwealth to release land has not met with success; falling short in the process rather than at any actual market presentation. No land has ever been put on the market.

The CISA will assess the environmental and heritage values of sites around Christmas Island to address the costs associated with individual environmental impact assessments that proponents would have to undertake themselves at a cost of possibly millions and certainly hundreds of thousands. The CISA will save these costs for proponents, allowing them to construct or develop with known conditions attached set by the CISA to preserve any recognised environmental or heritage values.

SOCI has proposed the creation of a local *Development Authority* which follows the model in WA and other parts of Australia. Dr. Rachel BACON had agreed in a June 2022 meeting with the Shire in Canberra that a Land Ordinance with a Development Authority overseeing works would need a Cost-Benefit Analysis of the proposal to be sent to Cabinet for their approval.

It is at the Federal Cabinet level that a CI Land Ordinance and funding for a Development Authority would be approved for the Department to execute.

SOCI's position that a Development Authority overseeing development under the legal framework of a Land Ordinance would be the best approach has had to be put consistently to the Department at many levels across many meetings. SOCI and the Department of Territories have worked well in recent stages of the CISA program and the Shire wishes this to continue post CISA as the development of the land actually occurs.

Shire's meeting with the Hon. Marion SCRYMGOUR, Member for Lingiari, during the Canberra visit was very receptive.

The meeting with the Territories Minister Hon. Kristy MCBAIN was unfortunately cut short due to pressing commitments. The Shire put forward its case for the funding of a cost-benefit analysis and our look to Singapore for the future, presenting our *2018 CI-Singapore Strategy* to her office. The Shire also discussed decarbonisation for energy generation and the creation of

solar and wind farms for the future. Shire put forward that the two priorities for the outcome of land disposals was Housing and Industry.

The Shire has long had the view of using disturbed land for this rather than clearing land and we view a Development Authority as being the superior option for this over others.

7.35pm Cr Hafiz MASLI arrives.

A Development Authority would take millions in investment over many years. The Department officers have informed the Shire that there is visibility on any funding for this. Shire acknowledges significant headwinds both foreign and domestic. The Department was positive on the concept of a cost-benefit analysis for a Development Authority from a judicious point of view regarding the use of public monies.

Gordon THOMSON, Herve CALMY, Jadaranka MATIJAS, Sarah VANDENBROEK and Beth DUNCAN had met in the Council's visit to Canberra in June 2022 and Shire was advised that a cost-benefit analysis would be given consideration. The following day Beth DUNCAN advised the Shire CEO that the Department would fund a cost-benefit analysis through the engagement of a consultant.

Shire President Gordon THOMSON reported this as a very positive step forward.

Shire President Gordon THOMSON advised that at the end of the September 2022 meeting with the Minister in Canberra, the Territories Advisor Sarah NEALE requested SOCI's assistance in looking at ways to resolve the freight/flight logistics issues with the Minister's office and Department. The Shire President advised that SOCI would assist the Minister's office in this project.

On 10th October the Shire President and Director of Governance Chris SU met with Territories Office Perth to hear a presentation from Dept. staff on the freight/flight logistics challenges. The Department wanted a 'co-design' approach with residents in the Indian Ocean Territories helping to inform the parameters of the next airline services contract. The Dept. wishes to create the parameters of the new airline services contract as the current contract expires in October 2023 (with a possible 1-2 year extension) with a view that the next airline services contract has had informed input from IOT residents in a meaningful engagement process.

Shire President summarised the Community Consultative Committee's role in addressing this problem by being the consultative mechanism with plans to widely educate residents on the constraints, options, current practices and relevant aviation legislation requirements needed as background. Shire President presented the letter of 20th October 2022 "*Passenger and Air Freight Services to Christmas Island"* from the Shire to the Minister's office.

9 REPORTS OF COMMITTEES

9.1 Minutes of Committee Meetings

Council Resolution

Moved: Cr MASLI Seconded: Cr ZAINAL Res. No: 94/22

That the Confirmed Minutes of the Community Consultative Committee meeting of June 1st 2022 and Fishery Management Committee of June 8th 2022 be adopted.

Carried: 9/0

10 REPORTS OF OFFICERS

Cr Morgan SOH leaves the meeting at 7:49pm

10.1 Chief Executive Officer

10.1.1 Appointment of Acting CEO

Council Resolution

Moved: Cr MASLI Seconded: Cr LEE Res. No: 95/22

That Council appoints the Director Governance, Research, Policy & Grants Chris Su as acting CEO for the period of 31 October 2022 to 16 December 2022 and the Director Finance and Administration Kim Chua as Acting Chief Executive Officer for the period 17 December 2022 to 10 January 2023 and that the applicable higher duties apply.

Carried: 8/0

Cr Morgan SOH returns to the meeting at 7:52pm

10.1.2 Lily Beach Precinct Redevelopment

Council Resolution

Moved: Cr YON Seconded: Cr SAW Res. No: 96/22

The CEO to develop a draft Lily Beach Precinct Redevelopment Master Plan to be circulation for public comment in early 2023, and a final Lily Beach Redevelopment Master Plan to be presented to Council for consideration in the lead up to the development of the 23/24 budget.

Carried: 9/0

10.1.3 Local Government Reform

Council Resolution

Moved: Cr ZAINAL Seconded: Cr YON Res. No: 97/22

That Council decides to follow Reform Election Pathway as outlined in the Hon John Carey MLA correspondence of 20 September 2022, and will make a submission to the Local Government Advisory Board (the Advisory Board) for the allocation of 7 Councillors for the Shire of Christmas Island in the reform proposals and in line with the Full Reform Proposals 4.5 Tiered Limits on the Number of Councillors which provides for local governments with a population of up to 5000 people to decide to have 5,6,or 7 councillors.

Carried: 9/0

10.2 Manager Finance & Administration

10.2.1 Schedule of Accounts – September 2022

Council Resolution

Moved: Cr FOO Seconded: Cr WOO Res. No: 98/22

That Council approves the expenditure as presented in September 2022 Schedule of Accounts

Carried: 9/0

10.2.2 Financial Statements - September 2022

Council Resolution

Moved: Cr MASLI Seconded: Cr SAW Res. No: 99/22

That Council receives the Financial Statements of September 2022 for the Municipal Fund.

Carried: 9/0

- 10.3 Manager Community/Recreation Services & Training
- 10.4 Manager Works, Services & Waste

10.5 Manager Governance, Research, Policy & Grants

10.5.1 Heritage Survey List Creation

Council Resolution

Moved: Cr LEE Seconded: Cr SAW Res. No: 100/22

That Council adopts the following batch of places nominated by the public for the first Christmas Island Heritage Survey in accordance with the Heritage Act (WA)(CI) 2018.

Carried: 9/0

- 11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
- 12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING
- 13 BEHIND CLOSED DOORS
- 14 CLOSURE OF MEETING

The Shire President closed the meeting at 8:12pm

15 DATE OF NEXT MEETING: 22 November 2022



SUBMISSION TO Ordinary Council Meeting 22 November 2022

AGENDA REFERENCE 9.1

SUBJECT Minutes of Committee Meetings

LOCATION/ADDRESS/APPLICANT Nil
FILE REFERENCE 2.4.1
INTEREST DISCLOSURE None
DATE OF REPORT 18/11/2022
AUTHOR Chris Su.

Director Planning, Governance & Policy

SIGNATURE OF AUTHOR SIGNED SIGNATURE OF CEO (Acting) SIGNED

RECOMMENDATION

That the Confirmed Minutes of the Community Consultative Committee meeting of November 16th and Fishery Management Committee of November 17th 2022 be adopted.

BACKGROUND

Both the CCC and FMC have been making considered and wide-spread community consultations in their respective fields in 2022. Both committees are formed of Council and community group / individuals memberships taking a very broad cross section of the Island to provide input into their respective fields.

COMMENT

Confirmed minutes of the CCC and FMC are presented.

Note that the two most recent meetings of these council committees passed on resolutions to bring to the council's attention important developments in their respective fields.

The CCC committee made the first resolution of their major airline service research and feedback project assisting the Commonwealth inform the next airline services contract. Through its community consultations and subsequent lengthy discussions at the most recent meeting, it passed a resolution to request the Commonwealth write into the contract the need to have the airline provide a recovery flight for freight and passenger flights 24 hours after cancellation.

The FMC made a resolution to accept the *Work Plan and Budget* informed by their work with Pew Foundation to put to the Commonwealth a \$419,000 budget proposal for the first year of works for the new Christmas Island Fisheries Ranger portfolio to be set within the Council and requests Council to action this. This \$419,000 sum was budgeted by the CEO.

STATUTORY ENVIRONMENT

There are no statutory environment implications arising from this matter.

POLICY IMPLICATIONS

There are no significant policy implications arising from this matter.

FINANCIAL IMPLICATIONS

There are no significant financial policy implications arising from this matter.

STRATEGIC IMPLICATIONS & MILESTONES

There are no significant strategic implications arising from this matter.

VOTING REQUIREMENTS

A simple majority is required.

ATTACHMENTS

- 9.1.1 Confirmed CCC minutes of November 16th 2022
 9.1.2 Confirmed FMC minutes of November 17th 2022



UNCONFIRMED MINUTES OF EXTRAORDINARY MEETING

Meeting of the Community Consultative Committee (CCC) of the Shire of Christmas Island held at the George Fam Centre at 4.30pm 16th November 2022

- 1 Declaration of Opening of Meeting / Announcement of Visitors
- 1.1 Gordon THOMSON declared the meeting opened at 4.35pm
- 2 Record of Attendance/Apologies/Leave of Absence/Declarations of Financial, Proximity or Impartiality Interest

Attendees:

Community Consultative Committee

Shire President
Council Representative
CI Neighbourhood Centre
Union of Christmas Island Workers
Christmas Island Phosphates
Gordon THOMSON
Hafiz MASLI
Oliver LINES
Kelvin LEE
Joy WICKENDON

Christmas Island Tourism Assoc.

Chinese Literary Association

Mel HAN

Chinese Literary Association Mel **HAN**Committee Member / Minutes Chris **SU**

Apologies

Malay Association Azmi **Yon**

Christian Fellowship Stephanie SAMBELL

Christmas Island Women's Assoc.

Shire CEO

Poon Saan Club

Rosnah PAL

David PRICE

Suzane CHAN

Absent

Islamic Council of CI Farzian ZAINAL

- 3. Confirmation of Previous Minutes
- 3.1 Confirmation of 12th October Meeting

CCC Resolution -

Moved: Kelvin LEE Seconded: David WATCHORN Res. No: CCC

12/22

That the CCC confirm that the minutes of the 12th October Ordinary Meeting is a true and accurate record

Carried 8/0

3.2 Confirmation of 26th October Extraordinary Meeting

CCC Resolution -

Moved: Hafiz MASLI Seconded: Chris SU Res. No: CCC

13/22

That the CCC confirm that the minutes of the 26th October Extraordinary Meeting is a true and accurate record

Carried 8/0

3.3 Action Items

Chris SU reports that National Australia Bank could not take home loan applicants from Christmas Island, even under the new *Regional First Home Buyers Guarantee*.

This follows an earlier confirmation that the other major lender Commonwealth Bank also reported that they could not take home loan applications from CI either under the RFHBG.

As a result, this long awaited Government policy to assist regional first home buyers into the market cannot deliver on Christmas Island, even though CI is specifically listed as a location where regional FHBs can access this program. None of the lenders involved in the program have lending policies that take in 6798 applications.

4. Agenda Business

4.1 CCC requests Council to Progress an Energy Audit

An Energy Audit relates to the current and moreover, future energy needs of a district. Noting that the Council is undertaking its Planning Instruments review and working with the Commonwealth on their 'CI Strategic Assessment' to assist in land-release for new business, residential, agricultural and industrial uses, an Energy Audit would be useful to ascertain what energy provision needs will be needed in the future as these developments begin.

CCC Resolution -

Moved: Oliver LINES Seconded: Kelvin LEE Res. No: CCC

14/21

That the CCC request the Shire of Christmas Island to progress an energy audit to ascertain levels of power needed to deliver on the realisation of new developments planned for in the planning instruments.

Carried 8/0

3.2 Christmas Island Freight and Flight Availability

CCC considered recent Toll Freight plane cancellation on Friday 11th November due to 'illness with crew.' CCC also noted November 7th Virgin IOT Bulletin highlighting the additional 5 freight services planned between November and April.

CCC Resolution -

Moved: Chris SU Seconded: Joy WICKENDON Res. No: CCC

15/21

That the CCC propose the time-limit for Recovery Flights for both Freight and Passenger flights is not more than 24 hours from scheduled arrival time.

Carried 8/0

5. General Business: Nil

6. Closure of Meeting: 6.10pm, next meeting Wednesday 7th Dec

Draft Minutes of Fishery Management Committee 17thNovember Meeting

Date: 4.30pm 17/11/2022

Location: George Fam Council Chambers

1. Declaration of Opening

Secretariat Acting CEO Chris SU opens meeting at 5.00pm

Nominations for Acting Chairperson by Chris SU taken from the floor as Chair Azmi YON is off island.

Mark ROCHFORT sole nominee for Acting Chairperson for the meeting. Mark ROCHFORT accepts the nomination.

2. Record of Attendance / Apologies / Leave of Absence / Declaration of Financial, Proximity or Impartiality Interest

Attendees:

Acting Chairperson Mark ROCHFORT

Committee Members

Kelana ARSHAD

Kelvin **LEE**Sharin **JAMIL**Rosnah **PAL**

Gordon THOMSON (5.05pm)

Minutes Chris SU

Apologies:

Committee Azmi YON

David **PRICE**Brady **COLLETT**

Absent: Michael PRIDE

Guests:

Sea Country Solutions Kendra TRAVAILLE
Pew Foundation Christabel MITCHELL

Fishery Management Committee 2022

- 2.2 Declaration of Interest
- 3. Action Items/Business Arising
- 3.1 Chris SU reported that the infographic posters had been translated and distributed. Local fishing tackle shop has a set oposters up.
- 4. Confirmation of Previous Minutes
- 4.1 Confirmation of the FMC meeting of 18th July 2022

FMC Resolution

Moved: Chris SU Seconded: Mark ROCHFORT

Res. No: FMC 10/22

That the minutes of 18th July 2022 be confirmed as a true and accurate record.

Carried: 6/0

4.2 Confirmation of the FMC Minutes of 22nd August 2022

FMC Resolution

Moved: Chris SU Seconded: Kelvin LEE Res. No: FM

11/22

That the minutes of 22nd August 2022 be confirmed as a true and accurate record.

Carried: 6/0

4.3 Confirmation of the FMC Minutes of 2nd November 2022

FMC Resolution

Moved: Chris SU Seconded: Kelana ARSHAD Res. No: 12/22

That the minutes of 2nd November 2022 be confirmed as a true and accurate record.

Carried: 6/0

5. Agenda Business -

5.1 Work Plan Creation for Fisheries Ranger

Christabell MITCHELL advises that he Commonwelth has agreed to the Fisheries Management Model proposed by the FMC to the Commonwealth over the last year has been accepted as the way forward post-Service Delivery Agreement with DPIRD.

The Fisheries Management Model describes Commonwealth funding the Shire of Christmas Island to employ a Fisheries Ranger with the FMC as the oversight body for the ranger, alongside an independent scientific body. Christabell MITCHELL advised that the Government contacts had been working on this model for a substantial amount of time, with some key contacts championing the concept over administrative hurdles.

Summarised that the Work Plan and Budget had been escalated to the Commonwealth who sought to go towards finalising it.

Kendra TRAVAILLE presented the Work Plans and Budget ppt to the meeting via video conference (see accompanying file *Work Plans and Budget presentation 17.11.22*)

The Work Plan and Budget was for one year worth of funding, following with a 3-5 year funding cycle, mirroring the usual SDA agreements with WA state agencies.

The FMC noted that the Commonwealth often only had annual funding agreements for many of its contracts including CI Tourism Association, CI Neighbourhood Centre and Indian Ocean Group Training Association. The FMC were keen to see a multi-year agreement locked-in after the initial one year work plan and budget was accepted.

The FMC discussed the enforcement methodology proposed in the first work plan. Kendra TRAVAILLE explained the model proposed where it had the AFP take action on an alleged offender <u>only at the referral</u> of the FMC. The Fisheries Ranger would focus on education and research for the first twelve months, with a view to enter the compliance realm following.

The FMC asked for clarification on how the AFP could enforce the fisheries regulations of Christmas Island? Kendra TRAVAILLE responded that they had the powers under the Applied Fisheries Resource Legislation.

Kendra TRAVAILLE presented the planned approach to Science and Monitoring under the Work Plan. The FMC asked if the backlog of data submitted / collected to DPIRD in the SDA era of fisheries regulation service provision would be available to use in this era's regime? Kendra TRAVAILLE said that this would be possible; FMC pleased to acknowledge this, noting that the data had been considered dormant at DPIRD for some time.

Kendra TRAVAILLE explained some neophyte monitoring programs with the Pew Foundation sponsored Cocos Marine Care fisheries ranger at the present on CKI. Dr.

Fishery Management Committee 2022

Prince has been working with Shak Keegan, the CMC's Fishery Officer, to learn a basic fish stock assessment method.

These basic techniques when coupled with the learning of basic bell curve population modelling sequencing, provides the CM a scientifically rigorous sampling program that can broadly describe population health.

The Work Plan – Policy and Management section describes the administrative responsibilities with the funding agreement.

Gordon THOMSON advised that as the recipient of the funding with the responsibility to hire the ranger, the Shire's internal work policies would apply as well as its policy creation methodology which involves public consultation for periods of time before finalisation.

FMC Resolution

Moved: Gordon THOMSON Seconded: Rosnah PAL Res. No: FMC /22

Motion to accept the Work Plan and Budget presented by Kendra TRAVAILLE and Christabel MITCHELL and recommend that Council proceed with the necessary steps to conclude an agreement on the terms of the Work Plan and Budget.

Carried: 7/0

6. General Business

- 6.1 Kelana ARSHAD noted that compensation for commercial fishing licenses under the old WA DPIRD regime were still an unresolved matter. Kendra TRAVAILLE confirmed that commercial fisher licenses were valid to June 30 2023.
 - FMC, Kendra TRAVAILLE and Christabel MITCHELL noted that this item needs to be addressed and finalised. There were two commercial fishing license holders on Christmas Island at present.
- 6.2 The FMC normally records their thanks to Kendra TRAVAILLE for her persistence and efforts at bringing the work together to this point, the agreement of a Work Plan and Budget for the first ever locally designed and managed fishing regime.

Meeting Closed: 6.28pm

Next Meeting: TBA. Chris SU to follow up to see if Deputy Administrator Sarah VANDENBROEK and Assistant Secretary Kim FORBES



SUBMISSION TO Ordinary Council Meeting 22 November 2022

AGENDA REFERENCE 10.1.1

SUBJECT Dates for Ordinary Council Meetings 2023

LOCATION/ADDRESS/APPLICANT George Fam Centre

FILE REFERENCE 2.3.3 INTEREST DISCLOSURE NII

DATE OF REPORT 5 November 2022 AUTHOR David Price CEO

SIGNATURE OF CEO SIGNED

RECOMMENDATION

That Council adopts the following schedule of Ordinary Meetings for 2023 in accordance with section 5.25 (1) (g) of the Local Government Act (CI) 1995 and the Local Government Administration Regulations 1996 commencing at 7.00pm at the George Fam Centre Council Chambers on the fourth Tuesday of each month with the exceptions of:

- 7 February 2023 ordinary meeting due to the long period of no meetings between 8 December 2022 and 7 February 2023.
- The April meeting is scheduled for Wednesday the 26th as the normal Tuesday 25th is the ANZAC Day Holiday
- 13th June 2023 Ordinary Meeting being the 2nd Tuesday due to the ALGA National Conference in Canberra being the following week.
- The December 2023 Ordinary Meeting which is scheduled for the 12th December 2023 being the 2nd Tuesday due to the Christmas close down period in December 2023.

7 February 2023

21 March 2023

26 April 2023

23 May 2023

13 June 2023

25 July 2023

22 August 2023

26 September 2023

24 October 2023

21 November 2023

12 December 2023

BACKGROUND

Council is required to set and publicly advertise (by notice) its annual Ordinary Council Meetings for 2021 in accordance with section 5.25 (1) (g) of the Local Government Act (CI) 1995 and Regulation 12 of the Local Government Administration Regulations 1996.

COMMENT

The above schedule is set at approximately monthly intervals on the fourth Tuesday of each month for 11 months of the year in accordance with Council policy. A

meeting is not set for January 2023 as per Council policy and due to the holiday period. Also the 7 February 2023 Ordinary Meeting has been recommended that will shorten the long break period between the 8 December 2022 and 7 February 2023 meetings.

The schedule listed in the recommendation above is a continuation of monthly meetings with approximately 4 weeks separation and meetings continuing to be held on Tuesday evenings.

STATUTORY ENVIRONMENT

The applicable legislation is the Local Government Act 1995 (WA)(CI) Section 5.25 (1) (g) as follows –

5.25. Regulations about council and committee meetings and committees

- (1) Without limiting the generality of section 9.59, regulations may make provision in relation to
 - (g) the giving of public notice of the date and agenda for council or committee meetings;

and Regulation 12 (1) of the Local Government Administration Regulations 1996 as follows –

12. Public notice of council or committee meetings — s. 5.25(1)(g)

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,

are to be held in the next 12 months.

POLICY IMPLICATIONS

In accordance with Council Policy.

FINANCIAL IMPLICATIONS

There are no significant financial implications arising from this matter.

STRATEGIC IMPLICATIONS & MILESTONES

There are no significant strategic implications arising from this matter.

VOTING REQUIREMENTS

A simple majority is required.

ATTACHMENTS

Nil



SUBMISSION TO Ordinary Council Meeting 22 November 2022

AGENDA REFERENCE 10.1.2

SUBJECT Fisheries Funding

LOCATION/ADDRESS/APPLICANT

FILE REFERENCE

INTEREST DISCLOSURE Nil

DATE OF REPORT 18 November 2022 AUTHOR Chris SU Acting CEO

SIGNATURE OF ACTING CEO SIGNED

RECOMMENDATION

That Council acts upon the recommendation of the Shire's Fisheries Management Committee and engage with the Commonwealth to conclude an agreement on the terms of the *Work Plan and Budget presented to the* Fisheries Management Committee on the Fisheries Ranger establishment.

BACKGROUND

The Shire provided costing for the establishment of a Fisheries Ranger within its structure to Pew Foundation and Sea Country Solutions, the two advocate groups who have been assisting the Shire's FMC in its two year task of addressing fishing regulations on Christmas Island to help inform the proposed *Work Plan and Budget* between the Commonwealth and Shire on Fisheries Rangers establishment.

The FMC were presented at their 17/11/22 meeting the *Work Plan and Budget* for the establishment of a Fisheries Ranger within the Shire structure with a budget \$419,000 to give it effect. This sum was generated from Shire CEO David PRICE as the sum needed for initial year of works.

COMMENT

Should Council pass this resolution, staff will engage with the Commonwealth to develop the contract with work milestones and reportables as per *Work Plan and Budget* (see attachment 10.1.2.1).

The most important of these will be the hiring of a Fisheries Ranger on Christmas Island, the first ever, as an employee of the Shire with a steering committee of the FMC, a scientific partner (yet to be determined) and Council in an overall governance structure.

The Work Plan for the initial year will focus on Education and Outreach over Enforcement. The FMC discussed a great deal on the implementation strategy of the new regime, the first of its kind. A similar Education and Outreach model is being pursued by CKI in their first year of local Fisheries Ranger development as well.

STATUTORY ENVIRONMENT

The applicable legislation that the Work Plan and Budget will work with via a new Fisheries Ranger is the 2022 Christmas Island Fisheries Ordinance.

POLICY IMPLICATIONS

In accordance with Council Policy regarding employment, accounting and auditing of contract agreements.

FINANCIAL IMPLICATIONS

A new contract to the value of \$419,000 will be generated with the Commonwealth. The normal accounting and auditing standards will apply.

STRATEGIC IMPLICATIONS & MILESTONES

This will crystallise the achievement of three years of activity in the fisheries sphere on Christmas Island, moving from the Service Delivery Agreement model to a Co-Creation Model where the Commonwealth and Island jointly address a governance matter together, instead of utilising the expertise of a WA State Agency.

VOTING REQUIREMENTS

A simple majority is required.

ATTACHMENTS

10.1.2.1 – Work Plan and Budget

Christmas Island Fisheries management

Year 1 Planning

FMC Mtg | 17 Nov 2022



Management objectives







Transition to community management





How will it work?

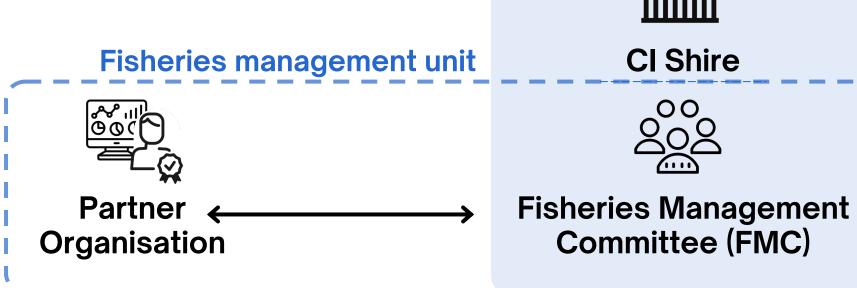


Australian Government

Min for Territories & DITRDCA

FMC and Partner Org. report back to DITRDCA as per agreement

Govt provides funds to **Shire** to deliver fisheries management services



- 1 Shire:
 - Administers funding
 - Employs fisheries ranger
 - Engages partner organisation
- 2 Fisheries management committee:
 - Oversees management activities
 - Liaises with community
 - Decides on policy recommendations
 - Advises Govt via Fisheries Advisory
 Committee

- Partner organisation:
 - Provides technical advice (policy, science, comms)
 - Guides ranger activities
 - Oversees science and monitoring
 - Analyse and report on fisheries data
 - Liaises with government



Fisheries Ranger

- **Community fisheries ranger**:
 - Collects recreational fishing and export data
 - Community and visitor education and outreach
 - Research support

Services provided in first year



Administration and reporting



Community and visitor education and outreach



Compliance and enforcement (w. support from AFP)



Fisheries science and monitoring



Policy and management



Work plan - Administration and reporting

Activities	Who's involved
Manage and administer funding	
Engage technical fisheries partner organisation	
Recruit and employ fisheries ranger	
Undertake necessary ranger training	
Ranger supervision and management	
Review on-going requirements (personnel, activities)	
Annual reporting to DITRDCA	

Goal



Ensure appropriate personnel, systems and policies are in place to effectively deliver fisheries management







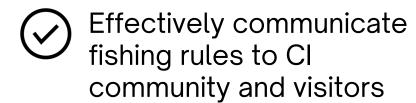




Work plan - Education and outreach

Activities	Who's involved
 Develop and deliver community awareness program: One-on-one engagement (e.g. at boat ramp, airport) Holding public meetings Distributing information materials Sharing updates on social media and in The Islander 	1000 1000 10000 113000
Design and install signage with fishing rules at high traffic areas	

Goals





Promote high levels of voluntary compliance







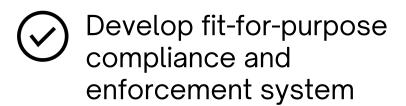


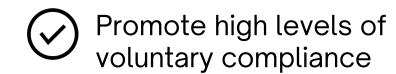


Work plan - Compliance and enforcement

Activities	Who's involved			
Establish working partnership with AFP	AFP C			
Review and confirm on-going compliance and enforcement arrangements	AFP			
Deliver education program regarding fishing rules and their rationale (see previous page)				

Goals











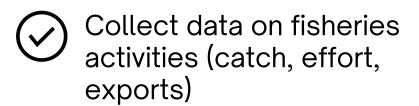


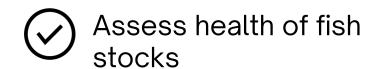


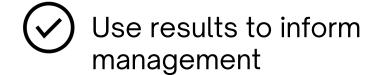
Work plan - Science and monitoring

Activities	Who's involved
Develop and initiate monitoring program to collect data on fishing activities and exports off island	
Collect biological data (length, maturity) for key recreational species to assess stock health (2-yr program)	⊖ + External ⊕ Ca scientist
Develop and implement secure data management system	
Produce regular reports on fisheries activities (e.g. for FMC)	
Develop longer-term science and monitoring plan	

Goals

















Work plan - Policy and management

Activities	Who's involved
Establish system for issuing and managing commercial fishing and aquaculture permits	
Establish process for issuing and managing scientific research permits	
Convene CKI Fisheries Advisory Committee (FAC) meetings	200
Review and recommend changes to fishing rules, to comply with new <i>Aquatic Resource Management Act</i> or based on assessment results or community interests	

Goal



Ensure sustainable governance and management of CI fisheries









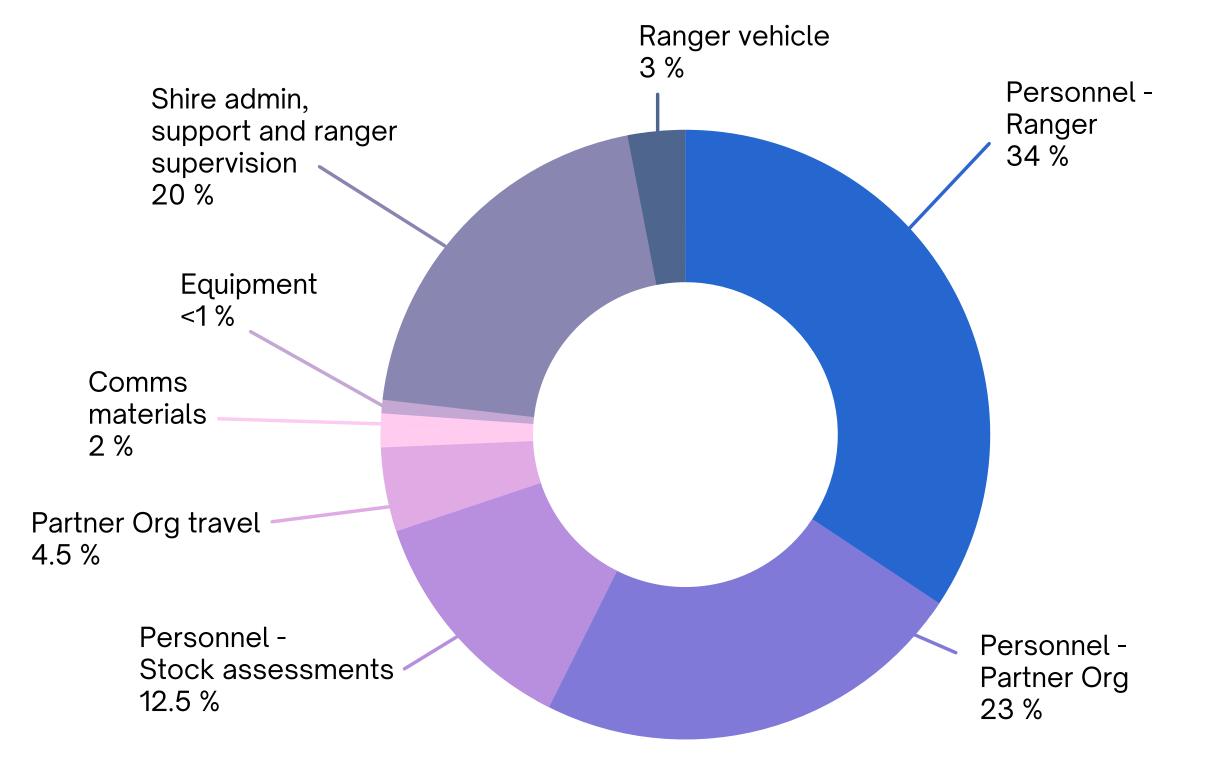


Budget

Total cost: \$ 433,344

FMC in-kind: \$ 14,400

Funding from Govt: \$418,944



Next steps

- FMC Agreement and approval of work plan and budget
- O DITRDCA develop initial draft agreement (for first year)
- FMC/Shire review and execute funding agreement with DITRDCA
- Funds delivered to Shire to administer



SUBMISSION TO Ordinary Council Meeting 22 November 2022

AGENDA REFERENCE 10.2.1

SUBJECT Schedule of Accounts - October 2022

LOCATION/ADDRESS/APPLICANT N/A
FILE REFERENCE 3.1.14
INTEREST DISCLOSURE None

DATE OF REPORT 11 November 2022 AUTHOR Kim Chua, DFA

SIGNATURE OF AUTHOR SIGNED SIGNATURE OF CEO SIGNED

RECOMMENDATION

That Council approves the expenditure as presented in October 2022 Schedule of Accounts

BACKGROUND

The Local Government Act 1995 (WA)(CI) requires Council to maintain a Municipal Fund, a Reserve Fund and a Trust Fund and to manage and report on these accounts in accordance with this Act and Regulations.

Outstanding creditors as at 31 October 2022:

\$ 168,113.35

COMMENT

A schedule of accounts is attached to this report, setting out expenditure from the Municipal and Trust Funds. This report is provided in compliance with the Act and Regulations.

STATUTORY ENVIRONMENT

Section 6.10 of the Local Government Act 1995 (WA)(CI) authorizes payment from Municipal and Trust Funds.

Regulation 12 of the Local Government (Financial Management) Regulations 1996 requires a local government to compile a list of Creditors each month.

Regulation 13 of the Local Government (Financial Management) Regulations 1996 requires that if a Local Government has delegated to the CEO the exercise of its power to make payments from the Municipal Fund or the Trust Fund, the CEO is to compile each month a list of accounts paid since the last payment such list was prepared.

POLICY IMPLICATIONS

There are no significant policy implications arising from this matter. The CEO is to ensure that all expenditure incurred is in accordance with the Annual Budget and any approved variations.

FINANCIAL IMPLICATIONS

The financial implications arising from expenditure from the Municipal, Reserve and Trust funds are reported on a monthly/quarterly basis to Council via Financial and cash flow statements in accordance with the Act and Regulations.

STRATEGIC IMPLICATIONS & MILESTONES

Objective 1 of the Government Environment is to "Provide good governance in line with the requirements of the Local Government Act and the culture of the Island". Objective 4 of the same Environment is to "Effectively manage the resources of the Shire in line with the objectives of the Strategic Plan".

VOTING REQUIREMENTS

A simple majority is required.

ATTACHMENTS

10.2.1.1 Certification of CEO and Chairperson of the Meeting.

10.2.1.2 Schedule of Accounts - October 2022

"Pursuant to s 5.25 (j) of the Local Government Act, and Regulation 14 (2) of the Local Government (Administration) Regulations, this attachment is not available to the public."



SUBMISSION TO Ordinary Council Meeting 22 November 2022

AGENDA REFERENCE 10.2.2

SUBJECT Financial Statements – October 2022

LOCATION/ADDRESS/APPLICANT N/A
FILE REFERENCE 3.1.14
INTEREST DISCLOSURE None

DATE OF REPORT 11 November 2022 AUTHOR Kim Chua; DFA

SIGNATURE OF AUTHOR SIGNED SIGNATURE OF CEO SIGNED

RECOMMENDATION

That Council receives the Financial Statements of October 2022 for the Municipal Fund.

BACKGROUND

The Local Government Act 1995 (WA)(CI) requires the local government to prepare a monthly or a quarterly financial report in accordance with this Act, Financial Regulations and other relevant legislation.

COMMENT

A monthly or a quarterly financial report is attached to this report, setting out expenditure from the Municipal and Trust Funds. This report is provided in compliance with the Act and Regulations. Also included is a status report on Asset Acquisition expenditure for the period.

STATUTORY ENVIRONMENT

Section 6.4 of the Local Government Act 1995 (WA) (CI) requires a local government to prepare a financial report.

Regulation 34 of the Local Government (Financial Management) Regulations 1996 requires a local government to prepare a monthly or a quarterly financial report.

Regulation 35 of the Local Government (Financial Management) Regulations 1996 requires the local government to prepare the quarterly report in the form as set out.

POLICY IMPLICATIONS

There are no significant policy implications arising from this matter. Each Manager and the CEO are to ensure that the expenditure is incurred in accordance with the Annual Budget and or any variations as approved.

FINANCIAL IMPLICATIONS

The financial implications arising from expenditure from the Municipal and Trust funds are reported on a monthly/quarterly basis to Council via Financial and cash flow statements in accordance with the Act and Regulations.

STRATEGIC IMPLICATIONS & MILESTONES

Objective 1 of the Government environment is to "Provide good governance in line with the requirements of the Local Government Act and the culture of the Island". Objective 4 of the same Environment is to "Effectively manage the resources of the Shire in line with the objectives of the Strategic Plan".

VOTING REQUIREMENTS

A simple majority is required.

ATTACHMENTS

10.2.2.1 Financial Statements - Municipal Fund 31 October 2022.

SHIRE OF CHRISTMAS ISLAND

STATEMENT OF FINANCIAL ACTIVITY

FM Reg 34 FM Reg 22 (1) (d)

FOR THE PERIOD 1 October 2022 TO 31 October 2022

FM Reg 22 (1) (a)	Operating Revenues/Sources	NOTE		30-Sep 2022 Y-T-D Actual \$	30-Sep 2022 Y-T-D Budget \$	2022/23 Budget \$	Variances Budget to Actual Y-T-D %	>10% & >\$10,000
	General Purpose Funding	3		5,486,783	4,425,863	8,873,804	23.97%	1,060,920
	Governance	3	1	2,743	2,083	5,000	23.91%	1,060,920
	Law, Order, Public Safety		2 3	2,743	2,063 75	900		1
	Health		-	10,488	9,725	19,450		1
	Welfare		4	657	9,725	10,979		1
			5	4,796	5,333	16,000		1
	Housing Community Amenities	3	6 7	569,196	259,577	778,732	119.28%	309,618
	Recreation and Culture	3		29,015	27,517	165,100	119.20%	309,618
	Transport		8	342,191	711,537	2,134,610		1
	Economic Services		9	10,968	10,827	32,480		1
			10	8,122	3,535	14,140		1
	Other Property and Services		11	6,465,200	5,456,987	12,051,195	18.48%	1
	(Expenses)/(Applications)		L	0,405,200	5,456,967	12,051,195	10.40%	
	General Purpose Funding		40	_	(13,537)	(162,443)		
	Governance		12 13	(469,806)	(410,369)	(984,885)	14.48%	59,437
	Law, Order, Public Safety		•	(46,737)	(81,243)	(243,730)		39,437
	Health		14	(31,634)	(59,793)	(179,379)		1
	Welfare		15	(173,254)	(235,587)	(706,762)		1
	Housing		16	(173,234)	(63,613)	(190,838)		1
	Community Amenities		17	(434,313)	(714,069)	(2,142,207)		1
	Recreation & Culture		18	(559,084)	(880,859)	(2,642,576)		1
	Transport		19	(1,363,597)	(1,595,409)	(4,786,228)		1
	Economic Services		20	(78,930)	(79,599)	(238,797)		1
	Other Property and Services		21	(252,459)	(198,924)	(596,773)		1
	Other Property and Services	4	22			(12,874,618)		-821,394
	Adjustments for Non-Cash (Revenue) and Expenditure	4	-	(3,511,609)	(4,333,002)	(12,074,010)	8.10%	-621,394
	Profit/(Loss) on Asset Disposals		23	0	0	0		
	Leave Accruals		24	0	0	0		
	Movement in accrual interests			0	0	0		
FM Reg 32(d)	Depreciation on Assets		25	0	0	2,208,276		
	Capital Revenue and (Expenditure)		_					
	Purchase Property, Plant & Equipment		26	(178,000)	(34,826)	(538,000)		
	Purchase Infrastructure Assets - Roads	5	27	(1,658,693)	(340,125)	(1,251,210)		
	Proceeds from Disposal of Assets		28	-	-	0		
	Transfers to Reserves (Restricted Assets)		29	-	(1,007,228)	(1,007,228)		
	Transfers from Reserves (Restricted Assets)		30	90,000	400,000	400,000		
	Grants		31	-	-			
٨٥١	Not Current Access Aug. 1 P/Eurd		ſ	1,030,930	1,030,930	1,030,930		
	Net Current Assets Aug. 1 B/Fwd Net Current Assets Year to Date		}	4,089,495	6,414	7,697		
LES	Amount Raised from Rates		}	1,764,050	1,755,778 -	1,755,778		
	Amount Raiseu nom Rates		Ĺ	1,704,000	1,730,776 -	1,755,776		

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

SHIRE OF CHRISTMAS ISLAND

STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 October 2022 TO 31 October 2022

30-Sep	Brought
2022	Forward
Actual	01-Jul
\$	\$

Note 1. NET CURRENT ASSETS

FM Reg 34 (2)(a) Composition of Estimated Net Current Asset Position

CURRENT ASSETS

Cash - Unrestricted	4,179,893	1,005,729
Cash - Restricted	4,818,699	4,585,316
Receivables	417,318	677,304
Inventories	617,117	832,279
Other Financial Assets	27,590	31,610
	10,060,617	7,132,238

LESS: CURRENT LIABILITIES

Payables and Provisions (1,152,423) (1,755,865)

8,908,194 - 5,376,373

 Less: Cash - Reserves - Restricted
 (4,818,699)
 (4,585,316)

 Less: Cash - Restricted/Committed
 0

 NET CURRENT ASSET POSITION
 4,089,495
 791,057

Note 2. CURRENT RATIO

 Current Assets
 10,060,617

 Current Liabilities
 1,152,423

QUICK RATIO

Current Assets - (Restricted Assets + Inventories)

Current Liabilities

10,060,617 - (4,818,699 + 617,117) 4.01 : 1 1,152,423

Ratios greater than one indicates that Council has sufficient current assets to meet its short term current liabilities.

SHIRE OF CHRISTMAS ISLAND

STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 October 2022 TO 31 October 2022

Note 3. VARIANCES

FM Reg 34 (2)(b) Variances greater than 10% and \$ 10,000 were due to:

OPERATING REVENUE

General Purpose24.0%Rates received to date. <70% paid.</th>Comm Amenities119.3%Garbage charges- Profiling of receipts

Note 4. OPERATING EXPNDITURE

Governance 14.5% Back pay processed after month 3

CAPITAL INCOME

Grants No capital purchases or unprocessed Timing differences

CAPITAL EXPENDITURE

Note 5.

Property, Plant & Equipment

Infrastructure Assets Grant funded works, LRCI, CRA and R2R etc.