



CONFIRMED MINUTES

Ordinary Meeting held on 23 June 2020



**SHIRE OF CHRISTMAS ISLAND
MEETING MINUTES CERTIFICATION**

**Minutes of the Ordinary meeting of the Shire of Christmas Island Council held at
7.00pm on Tuesday 23 June 2020**

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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 June 2020

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

- 1.1 The Shire President declared the meeting open at 7.07 pm.

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 Hafiz **MASLI**

Cr Morgan Boon Hwa **SOH**

Cr Farzian **ZAINAL**

Cr Azmi **YON**

Cr Vincent Cheng-Siew **SAW**

Chief Executive Officer

Manager Finance and Admin

Manager Research, Policy, Governance & Grants/Minute Taker

Manager Community/Recreation Services

Manager Works, Services & Waste

David **PRICE**

So Hon **GAN**

Chris **SU**

Olivier **LINES**

Graeme **HEDDITCH**

2.2 Leave of Absence

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 Cr Azmi YON raised a query from a community member on the safety procedures for maritime interactions between stevedoring workers and visiting ships at berth. CEO PRICE recalled information shared at an Emergency Management Committee Executive meeting where procedures were explained to minimise contact between crew on visiting ships and island stevedoring workers. The Harbour Master also has procedures in place that have been discussed at the EMC for on water management of interactions.

- 4.2 Cr Azmi YON raised feedback from residents in Flying Fish Cove on the presence of a newly arrived assistance dog being walked through the Cove area under the supervision of persons who are not for whom the dog was brought on island to assist. Whilst residents are sympathetic to the needs for that person to be with and have an assistance dog, residents observed that dog faeces were not picked up by the party walking the dog through the Cove in addition to the observation that the person for whom the dog was brought on island for did not seem to be present.

Cr Farzian ZAINAL concurred that she had similar feedback from residents in the area. Discussion around the quite close quarters and denser living numbers in Flying Fish Cove and

the need for clarity on conditions of service on the utilisation of the dog. Resolved to raise with the administering body on the conditions applying to the assistance dog and feedback from residents reported to Council.

- 4.3 Cr Vincent SAW raised that residents expressed concerns to him about the lifting of quarantine restrictions on June 30th as advised by the Territory Controller in a public notice on June 17th. Cr THOMSON briefed the Council on the position reached by a Community Consultative Committee meeting that took place earlier that day and invited the issue to be raised and discussed in part 12, New Business.
- 4.4 Cr Farzian ZAINAL passed on some positive feedback from Settlement residents on the clean-up and hard waste pick up program the Shire conducted this month.
- 4.5 Cr Fazrian ZAINAL raised a question about the Territory Day Park Trail and any Shire plans to rebuild the trail. Cr ZAINAL informed the meeting that a conversation with IOTA Alan HUDSON had him put forward to Cr ZAINAL that the Territory Day Park Trail was Shire's responsibility.

Cr THOMSON and CEO PRICE explained the history of the Trail; that it was built by the Shire using a grant from the Commonwealth on Commonwealth land. The agreement was that Shire was to maintain the trail site, but not be responsible for a capital rebuild; the damage it undertook from weather and fallen trees constitutes a need for a capital rebuild. The asset is not on the asset register for Shire. CEO PRICE said Council's interest is not in walking away from the trail site, but to reach an agreement with the Department and progressing it together with them. Cr THOMSON expressed that the Department officers should not liaise with Councillors on operational matters as that was the role of the Council CEO.

CEO PRICE advised Council that he was scheduled to meet IOTA Director Jadaranka MATIJAS to discuss this and other business that day, however she is currently in Perth.

CEO PRICE will advise the Council on the outcomes of the discussion with IOTA Director Jadaranka MATIJAS.

- 4.6 Cr Farzian ZAINAL asked a question of ownership of Isabel Beach. Cr THOMSON advised that it was a Commonwealth beach. Council noted a report of metal debris on the beach too sizeable for volunteer pick up.

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 26 May 2020

Members considered the unconfirmed minutes.

Council Resolution

Moved: Cr YON

Seconded: Cr SAW

Res. No:

53/20

That Council adopt the unconfirmed minutes of the 26 May 2020 Council Meeting.

Carried: 9/0

7.2 Business Arising from the Minutes of Previous Meetings

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

9 REPORTS OF COMMITTEES

9.1 Minutes of Community Consultative Committee Meetings

Council Resolution

Moved: Cr MASLI

Seconded: Cr WOO

Res. No: 54/20

That the Confirmed Minutes of the Community Consultative Committee Meeting of 6th May 2020, the CCC COVID 19 Questions to Dr.R.LEE of IOTHS, Dr. LEE's response and translations of response in Chinese and Malay be received.

Carried: 9/0

10 REPORTS OF OFFICERS

10.1 Chief Executive Officer

10.1.1 CEO Delegated Authority-Finance

Council Resolution

Moved: Cr FOO

Seconded: Cr YON

Res. No: 55/20

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:

- 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: 9/0 – Absolute Majority**

10.1.2 Christmas Island Catholic Church – Grant Variation

Council Resolution

Moved: Cr YON **Seconded: Cr MASLI** **Res. No: 56/20**

That Council approves the request from the Christmas Island Catholic Church to utilize the grant of \$1,500 to celebrate another feast of the Church which is Pentecost Sunday or Trinity Sunday.

Carried: 9/0

10.1.3 Updated Strategic Directions Draft 4

Council Resolution

Moved: Cr YON **Seconded: Cr FOO** **Res. No: 57/20**

Council approves the 2 March 2020 SOCI Updated Strategic Directions Draft 4 (the Report) to be:

- a) Advertise for 24 days for public comments and submissions through Public Notice.
- b) Formally issued for comments for 24 days to the on-Island representatives of the IOT Administration, Watercorp, IOTPA, National Parks, the Islamic Council, the Chinese Literary Association, the IOGTA and the UCIW.
- c) Formally issued for comments for 24 days to the on and off Island representatives of PRL and CIP.

Carried: 9/0

10.1.4 Settlement Foreshore Recreation Reserve

Council Resolution

Moved: Cr ZAINAL **Seconded: Cr SAW** **Res. No: 58/20**

Council endorses the following:

- a) The Settlement Cinema Masterplan Self-Assessment Report 1-06-20. (The Self-Assessment) made in accordance with the requirements of the Significant Impact Guidelines 1.2 Environment Protection and Biodiversity Conservation (EPBC) Act 1999 and, in light of the report’s findings, resolves not to submit a formal referral to the Department of Agriculture, Water and the Environment under Part 7 of the EPBC Act 1999.
- b) Endorses the Settlement Cinema Masterplan June 2020 (The Masterplan) as the basis to

initiate the construction process and progressively deliver the facilities, recreation amenities and actions expressed in the Masterplan.

- c) The CEO to finalise with the IOTA for the transition of the management of Lots 600 and 601 to the Shire of Christmas Island through a Management Order.

Carried: 9/0

10.2 Manager Finance & Administration

10.2.1 Schedule of Accounts - May 2020

Council Resolution

Moved: Cr LEE

Seconded: Cr YON

Res. No: 59/20

That Council approves the expenditure as presented in May 2020 Schedule of Accounts

Carried: 9/0

10.2.2 Financial Statements - May 2020

Council Resolution

Moved: Cr FOO

Seconded: Cr LEE

Res. No: 60/20

That Council receives the Financial Statements of May 2020 for the Municipal Fund.

Carried: 9/0

10.2.3 Assets Write Off 2019/20

Council Resolution

Moved: Cr FOO

Seconded: Cr SOH

Res. No: 61/20

Council approves to write off the assets of 2019/20 as set out in the attachment to this report.

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 JSC Electoral Matters Inquiry on the Commonwealth Electoral Amendment (Ensuring Fair Representation of the NT) bill 2020

Council Resolution

Moved: Cr SAW

Seconded: Cr WOO

Res. No: 62/20

That the Shire make a submission to the JSC Electoral Matters Inquiry on the Commonwealth Electoral Amendment (Ensuring Fair Representation of the NT) bill 2020 by the July 10th deadline supporting the retention of two lower house seats for the Northern Territory.

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

Council Resolution

Moved: Cr SAW

Seconded: Cr SOH

Res. No: 63/20

That the Council receive as new business of an urgent nature the matter of the Community Consultative Committee's resolution on the Territory Controller's announcement of 17 June regarding

lifting of the 14 day quarantine requirement for people travelling to Christmas Island from 30 June.

Carried: 9/0

12.1 Council Endorses CCC 24/6 Position

Council Resolution

Moved: Cr LEE

Seconded: Cr YON

Res. No: 64/20

Council receives and endorses the resolution of the Community Consultative Committee meeting of 24 June objecting to the decision of the Christmas Island Emergency Management Committee to end the 14 day quarantine requirement for people travelling to Christmas Island from 30 June.

Council resolves to inform the Administrator and the Territory Controller that the Council and the Community Consultative Committee object to the decision of the Emergency Management Committee to end the 14 day quarantine requirement for people travelling to Christmas Island from 30 June.

Further Council supports the proposal of the Community Consultative Committee to maintain the 14 day quarantine requirement for people travelling to Christmas Island, until the Western Australian Government ends the 14 day quarantine requirement for people travelling from Christmas Island to Western Australia.

Carried: 9/0

13 BEHIND CLOSED DOORS

14 CLOSURE OF MEETING

The Shire President closed the meeting at 8.17pm

15 DATE OF NEXT MEETING: 28 July 2020