



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 27 September 2022 commencing at 7.00pm**

David Price
Chief Executive Officer

AGENDA

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- 15 Date of the next Ordinary Meeting**
25 October 2022



UNCONFIRMED MINUTES

Ordinary Meeting of the Shire of Christmas Island held at the George Fam Chambers at 7.00pm on Tuesday 23 August 2022

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

- 1.1 The Shire President declared the meeting open at 7.00pm.
- 1.2 The Shire President Gordon THOMSON welcomed heritage consultant Helene BARTLESON to the meeting.

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 Vincent Cheng-Siew **SAW**

Chief Executive Officer
Director Finance and Admin
Director Community/Recreation Services
Acting Director Works, Services & Waste
Director of Planning, Governance and Policy /Minute Taker

David **PRICE**
Kim **CHUA**
Olivier **LINES**
Ian **DODDS**
Chris **SU**

2.2 Leave of Absence

2.3 Apologies

Cr Azmi **YON**

2.4 Declarations of Financial/Impartiality/Proximity Interest

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4 PUBLIC QUESTION TIME

- 4.1 Tanya CROSS of Eco-Crab Industries, Flying Fish Cove resident and a 6RCI volunteer requested an update as to any Waste Management plans for Christmas Island?

CEO David PRICE advised that the Shire, Commonwealth and WA Dept. of Environmental and Water Regulation have been working on a whole of Indian Ocean Territories strategy for waste management. GHD had been commissioned by the Commonwealth to develop the strategy to develop a way forward for managing the waste on CKI and CI. A first draft has been passed to Shire for comment; anticipate a second draft by possibly end of September. A joint agency

workshop is planned to finalise a version for public comment. It is expected the Commonwealth will put it out for public comment following.

Shire is looking at staffing and roles required to operationalise the new strategy. It is also looking at whole-of-life management of assets that agencies bring on island; plastics are a focus. The Shire will notify the community when public consultation begins.

- 4.2 Tanya CROSS asked what are the plastic laws in effect on Christmas Island at the present?

Shire President THOMSON advised that the 2018 Plastic Bag laws were in effect. CEO David PRICE advised that in line with reducing the plastic used on Island, the Shire, Commonwealth and WA Dept. of Water and Environmental Regulation were releasing steel water bottles soon to help promote re-using a permanent container for drinking.

- 4.3 Tanya CROSS asked if there was a plan for a new landfill site?

CEO PRICE advised that it was in discussions in the IOT Waste Management Strategy that GHD were drafting.

- 4.4 Cr FOO Kee Heng raised a question from a member of the public; the WA Government has an initiative where 20 RAT tests were made available to all WA households, and says that Christmas Island was left out. Cr ZAINAL informed the meeting that she had been successful in registering on the WA Health website for delivery of RATs tests to her Christmas Island address early on in the campaign. Shire President THOMSON advised that the Commonwealth has no plans to assist local residents with RAT tests and that the Shire will write to the Commonwealth to mirror what is happening in WA.

- 4.5 Cr Kelvin LEE raised a complaint from a resident on a build-up of discarded air conditioners in a carpark near the yellow temple on Murray road, Poon Saan.

CEO PRICE said he will request the Shire Ranger to investigate.

- 4.6 Cr ZAINAL asked on behalf of a resident the disrepair of the bird's nest play swing at Poon Saan Park. Whilst the swing could still function, it was not functioning at full capability.

Manager for Recreation Services Oliver LINES informed the meeting that repairs were underway, waiting on parts.

- 4.7 Cr ZAINAL requested that Shire inform the Commonwealth that a power switch in the Commonwealth's gazebo at Flying Fish Cove opposite the marine building.

- 4.8 Cr ZAINAL passed on some positive feedback from residents on the Foreshore Padang development. Asked when the lights would be installed at the long red gazebo?

CEO PRICE informed the meeting that the electrician had commenced installation and will finalise by the next day. Updated that the new electric BBQ stations will also be installed in the coming week, with lights at the CLA end of the foreshore in the coming month. The water play amenity area is also set to be finalised in the coming month.

- 4.9 Cr SOH advised that residents wished to raise to Council a query about the number of mainland registered vehicles on Christmas Island and the applicability of their compulsory third party insurances in the territory.

Manager for Governance Chris SU advised that he had made contact with the AFP on this matter and was awaiting a response.

5 APPLICATIONS FOR LEAVE OF ABSENCE

Leave of Absence – Cr YON

Council Resolution

Moved: Cr MASLI

Seconded: Cr LEE

Res. No: 68/22

That the leave of absence application submitted by Cr Azmi YON (19/8/2022 to 30/8/2022) be approved.

Carried: 8/0

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 July 2022

Members considered the unconfirmed minutes.

Council Resolution

Moved: Cr FOO

Seconded: Cr WOO

Res. No: 69/22

That Council adopt the unconfirmed minutes of the 26 July 2022 Council Meeting.

Carried: 8/0

7.2 Business Arising from the Minutes of Previous Meetings

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

- 8.1 Shire President THOMSON briefed the Council on the Fishery Management Committee's meeting with Dept. of Environment IOT Marine Park officers Michael MISSO and Allyn WHITE and Christabel MITCHELL from Pew Foundation and Kendra TRAVAILLE from Sea Country Solutions on Monday 22nd August.

The IOT Marine Park officers provided the Draft Terms of Reference for the Interim Christmas Island Marine Park Community Reference Group; it is a two year sunset committee whose charter will be to provide input into the design of the statutory 10 Year Management Plan for the CI Marine Park. This Plan will then be put out for public comment; following this it will be given to the Minister for Environment for adoption.

The IOT Marine Park officers informed the FMC that their aim is to formulate this interim committee by November 2022 in time for their next visit to the Island.

Shire President THOMSON passed around a draft resolution to be discussed in Urgent Business regarding the establishing of the Interim Christmas Island Marine Park Community Reference Group.

- 8.2 Shire President THOMSON advises that the Christmas Island Strategic Plan and Local Planning Strategy is working well together in tandem; the end is close for both of them. The Department of Infrastructure is looking to conclude the draft plan for community consultation. Upon completion of the community consultation, it will go to the Minister for the Environment and the Minister for Territories for sign-off. The CISA is for 30 years, and our Local Planning Strategy and it must be in sympathy with each other. CISA work had been hampered during the pandemic period, but has now resumed.

9 REPORTS OF COMMITTEES

10 REPORTS OF OFFICERS

10.1 Chief Executive Officer

10.1.1 Revised Organisational Chart 2022

Council Resolution

Moved: Cr SAW

Seconded: Cr MASLI

Res. No: 70/22

Council endorses the new 2022 Organisational Chart.

Carried: 8/0

10.2 Manager Finance & Administration

10.2.1 Schedule of Accounts – July 2022

Council Resolution

Moved: Cr FOO

Seconded: Cr LEE

Res. No: 71/22

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

Carried: 8/0

10.2.2 Financial Statements - July 2022

Council Resolution

Moved: Cr MASLI

Seconded: Cr SAW

Res. No: 72/22

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

Carried: 8/0

10.3 Manager Community/Recreation Services & Training

10.4 Manager Works, Services & Waste

10.4.1 T04/2022 – Tender Sale of Items, Plant & Equipment

Council Resolution

Moved: Cr LEE

Seconded: Cr ZAINAL

Res. No: 73/22

That Council accepts the following tenders for the Sale of Items, Plant and Equipment at the tendered price submitted.

NAME	WESTMIX PLATE COMPACTOR	WACKER PLATE COMPACTOR	TRAILER P60423	HYDRAULIC PRESS NF 0401	TRENCH PROFILER (2009)
Nigel Hayes	\$500	\$300			
Andrew Klomp			\$500	\$100	
William Dunn		\$300			\$3500
Drumsite Electrical			\$715		

Note: As the same tender price was provided for the Wacker Plate Compactor, a draw was done by the CEO from an enclosed bin and was awarded to Nigel Hayes.

Carried: 8/0

10.5 Manager Governance, Research, Policy & Grants

10.5.1 Policy Manual Review – HR, Land Administration

Council Resolution

Moved: Cr SAW

Seconded: Cr LEE

Res. No: 74/22

That Council adopts the following reviewed policies and documents –

- Shire of Christmas Island Code of Conduct for Council Members, Committee Members and Candidates
- Shire of Christmas Island Code of Conduct Council Members, Committee Members and Candidates Breach Complaint Form
- Code of Conduct for Employees
- Code of Conduct, Council Members, Committee Members and Candidates Complaints Management Policy
- Land Administration 1 – Crown Land Management

Carried: 8/0

10.5.2 CI Singapore Strategy program

Council Resolution

Moved: Cr MASLI

Seconded: Cr SAW

Res. No: 75/22

That Council receives the report from the Manager of Governance on Shire actions to support the Christmas Island Singapore Strategy to date.

Carried: 8/0

7.50pm – Cr **WOO** exits meeting

10.5.3 8 Coconut Grove proposal

Council Resolution

Moved: Cr LEE

Seconded: Cr FOO

Res. No: 76/22

That the Council accept the proposal from the owners of 8 Coconut Grove Settlement to have short-stay accommodation permission granted at their servants quarters at the rear of the residential home.

Carried: 7/0

7.56pm – Cr **WOO** returns to meeting

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 That new business be admitted

Council Resolution

Moved: Cr MASLI

Seconded: Cr ZAINAL

Res. No: 77/22

That new business pertaining to the Christmas Island Marine Park be admitted

Carried: 8/0

12.2 Resolution on Christmas Island Marine Park

Council Resolution

Moved: Cr LEE

Seconded: Cr FOO

Res. No: 78/22

That Council resolves advise the Honourable Tanya Plibersek MP, Minister for the Environment and the Honourable Kristy McBain MP, Minister for Territories, of the continuing commitment of the Shire of Christmas Island to work with the Commonwealth's agencies responsible for developing and implementing the Christmas Island Marine Park Management Plan.

The Council is pleased with the co-design process undertaken with Parks Australia that led to the declaration of the Christmas Island Marine Park in March 2022, and will continue to collaborate with Parks Australia and the broader Christmas Island community in the development of the Marine Park

Management Plan.

Council reaffirms its full support for the marine park zoning as described in the Environment Protection and Biodiversity Conservation (Indian Ocean Territories Marine Parks) Proclamation 2022, which was developed through extensive community consultation.

The Council welcomes the opportunity to nominate up to three members of the Christmas Island Fisheries Management Committee to participate in the Christmas Island Marine Park Management Plan Committee.

The Christmas Island community is eager to see the finalisation of this Marine Park Management Plan as soon as is practicable and Council encourages Parks Australia to undertake the consultation and development process to completion in a timely manner.

Carried: 8/0

13 BEHIND CLOSED DOORS

Council Resolution

Moved: Cr LEE

Seconded: Cr FOO

Res. No: 79/22

The meeting be closed to members of the public in accordance with section 5.23(2) of the Local Government Act 1995 for council to discuss matter of a confidential nature.

Carried: 8/0

13.1 CEO Performance Appraisal

Council Resolution

Moved: Cr LEE

Seconded: Cr WOO

Res. No: 80/22

That Council –

1. Commence the performance review of the CEO, in accordance with Clause 4 of the Contract of Employment between the Shire of Christmas Island and the CEO, to be completed prior to the Ordinary Council Meeting scheduled for 27 September 2022.
2. That the Shire President write to the CEO formally advising of such in accordance with Clause 4 of the Contract of Employment between the Shire of Christmas Island and the CEO and;
3. That the CEO provides approved performance review documentation to Council in accordance with the procedure detailed in Clause 4 of the Contract of Employment between the Shire of Christmas Island and the CEO.
4. A CEO interview committee consisting of CRs Thomson, FOO and WOO be established to review the CEO's performance review documentation once the CEO has returned it to the President. The review committee is to report to the Ordinary Meeting of Council on 27 September 2022 on the outcome of the CEO's review including any recommendations for the consideration of Council.

Carried: 8/0

Council Resolution

Moved: Cr SOH

Seconded: Cr MASLI

Res. No: 81/22

The meeting be reopened to members of the public.

Carried: 8/0

14 CLOSURE OF MEETING

The Shire President closed the meeting at 8.40pm

15 DATE OF NEXT MEETING: 27 September 2022



SHIRE OF CHRISTMAS ISLAND

SUBMISSION TO	Ordinary Council Meeting 27 September 2022
AGENDA REFERENCE	10.1.1
SUBJECT	Budget adjustment 2022/23
LOCATION/ADDRESS/APPLICANT	N/A
FILE REFERENCE	3.1.2
INTEREST DISCLOSURE	Nil
DATE OF REPORT	16 September 2022
AUTHOR	David Price CEO
SIGNATURE OF CEO	SIGNED

RECOMMENDATION

That the Budget Adjustment for the 22/23 budget be approved.

BACKGROUND

Council adopted its annual budget in July 2022.

Recent termite inspection of 30 Sea View Drive revealed termite activity and damage within area of the Lounge and kitchen walls and ceilings

The flooring and kitchen of 30 Sea View Drive also needs to be replaced as the kitchen is the original kitchen since construction and is now showing over 25 years of wear and tear and the flooring is lifting in many areas.

Quotations to carry out that work have been sought, and require a budget adjustment from the Building reserves as the 22/23 budget did not make a budget allocation for the work

This work is planned to be carried out while that house is vacant during November and December.

The Budget adjustment is now presented to Council for approval

COMMENT

The budget adjustment proposed is set out in the attached Budget Adjustment Report.

STATUTORY ENVIRONMENT

The Local Government Act 1995 (WA) (CI) and Financial Management Regulations (WA) (CI) 2007 apply.

POLICY IMPLICATIONS

There are no direct policy implications from this report. The intention is to bring all budget variations to Council as required.

FINANCIAL IMPLICATIONS

This would reduce the Building Reserve by the amount identified in the Budget Adjustment Report and allocate to GL 900030 Repairs to 30 Sea View Drive. This

adjustment retain a high surplus in 22/23 between the transfers to reserves against transfers from reserves

STRATEGIC IMPLICATIONS & MILESTONES

The governance strategy to “Continue to enhance Council’s local laws, policies and management processes” applies.

CONSULTATION

Nil

VOTING REQUIREMENTS

Absolute majority is required.

ATTACHMENTS

10.1.1.1 Attachment - Budget Adjustment Report

Shire of Christmas Island
BUDGET ADJUSTMENT REPORT 2022/23

Attachment 10.1.1.1

GL Account Code	Description	Council Resolution	Classification	No Change -(Non Cash Items) Adjust.	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
	<u>Budget Adoption</u>		Opening Surplus(Deficit)	\$	\$	\$	\$ 1,030,930
900030	30 Seaview Drive	27/09/2022	Capital Expenditure			(90,000)	940,930
111800	Transfer from Cash Reserve - Buildings	27/09/2022	Capital Income		90,000		1,030,930
Total				0	90,000	(90,000)	



SHIRE OF CHRISTMAS ISLAND

SUBMISSION TO	Ordinary Council Meeting 27 September 2022
AGENDA REFERENCE	10.1.2
SUBJECT	Extension of Development Application (Detached Ancillary Dwelling)
ADDRESS	Lot 143 (No.6) Triadic Crescent, Christmas Island.
APPLICANT	Paul and Glendolyn Maberly Christmas Island WA 6798
FILE REFERENCE	6.2.01/18
INTEREST DISCLOSURE	Nil
DATE OF REPORT	14 September 2022
AUTHOR	David Price
SIGNATURE OF CEO	SIGNED

RECOMMENDATION

The request for an extension on the Development Application approved 24 July 2018 to 27 September 2024 be approved with the following conditions

1. Unless otherwise permitted under other conditions of this approval, all development shall be in accordance with the approved development plans (attached) that form part of this development approval.
2. This development approval will expire if the approved development is not substantially commenced within two (2) years of the date of issue of this approval, or, within any extended period of time for which the Shire of Christmas Island has granted prior written consent.
3. All stormwater shall be retained and disposed of on-site to the satisfaction of the Chief Executive Officer of the Shire of Christmas Island prior to the occupation of the grouped dwelling. Plans demonstrating how this can be achieved, including the location and size of soak-wells, shall be submitted for approval prior to the issue of a building permit.
4. Details of materials, colours and finishes for the proposed grouped dwelling shall be submitted for approval by the Chief Executive Officer of the Shire of Christmas Island prior to the issue of a building permit.
5. The applicant shall submit a geotechnical report verifying that the proposed grouped dwelling would comply with WAPC's SPP 2.6 – State Coastal Planning in regard to site stability.
6. The subject development shall be connected to reticulated water and sewer services.
7. The proposed crossover from Triadic Crescent and car parking bay(s) for the proposed grouped dwelling shall be upgraded and drained to an appropriate standard to the satisfaction of the local government, prior

to the occupation of the grouped dwelling and compliant with Australian Standard 2890.1-2004.

8. This approval effectively supersedes previous planning approval issued for an unattached ancillary dwelling at this location.

Advice Notes:

- i) This is development approval only. The applicant/owner is advised that it is their responsibility to obtain a building permit prior to construction commencing.
- ii) The applicant is advised that the site is located in an area defined 'Vulnerable Coastal Area –This lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years.' (Western Australian Planning Commission)
- iii) The applicant is advised that the application has also been assessed with regard to the proposed subdivision of the site into four lots. In the even the subdivision proceeds the ancillary dwelling would automatically convert to the definition/classification of a single dwelling under the R-Codes.
- iv) The Shire of Christmas Island advises that where a development approval contains conditions which are required to be fulfilled prior to the commencement of site works, to commence development prior to fulfilling these conditions is contrary to this approval and therefore unauthorised development.
- v) The landowner is reminded of their responsibilities under the Environmental Protection and Biodiversity Act 1999, as the subject site is located with a heritage precinct entered on the Commonwealth Heritage List.

BACKGROUND

The site slopes down sharply (5m over the extent of the lot) to Triadic Crescent and is adjacent to the foreshore reserve.

As outlined in the statutory environment section of this report (below), the subject site is zoned 'Residential R20 under the Scheme and has an area of 2512m².

It should be noted that on 26 September 2017 the WAPC granted conditional approval for a four lot subdivision of this site, WAPC 155416 refers. However, the conditions of approval for this subdivision have not been completed and the creation of the new lots with titles is still to be realised. Nevertheless the assessment of the proposal, and the revised plans submitted at the Shire's request take into account both the current and future lot configuration from a statutory planning perspective.

COMMENT

Due to the topography of the site and the risk of erosion and adverse impacts on the road as a result of earthworks and introducing more impermeable surfaces are the subject of separate assessment under the

At the same time The Local Planning Strategy clearly promotes infill consolidation in this area but with a caveat in that there are obvious risks associated with development in all coastal areas due to climate change. The Local Planning Strategy notes this factor for this particular portion of Christmas Island and seeks to minimise development that is at geotechnical risk from wave erosion.

Both the risks identified in the Strategy and the WAPC's SPP 2.6 – State Coastal Planning acknowledges that development should not be located as to increase the risk of exposure to coastal processes.

STATUTORY ENVIRONMENT

The following documents are relevant in the assessment of this development application for a single storey detached additional dwelling:

1. Local Planning Scheme No. 2
2. Local Planning Strategy
3. Christmas Island; National Heritage Listed Locations
4. Residential Design Codes
5. WAPC's SPP 2.6 – State Coastal Planning

Local Planning Scheme No. 2

The subject site is zoned 'Residential' under LPS No. 2 and allocated an 'R20' density coding. The objective of the Residential zone is:

"To provide for a range of housing densities and dwelling types to meet the diverse needs and climatic conditions associated with Christmas Island."

Furthermore Clause 5.2.3 states:

"Unless otherwise provided for in the Scheme, the development of land for any of the residential purposes dealt with by the Residential Planning Codes is to conform to the provisions of those Codes."

There is no special application provision of the R-Codes contained in LPS No. 2. However, LPS No.2 does contain no provisions or are there any other provisions that would affect this proposal and therefore the R-Codes are the principle document for assessing its compliance.

Policy Implications

Nil.

Financial Implications

Nil.

Strategic Implications and Milestones

Nil.

Voting requirements

Simple majority

Attachments

10.1.2.1 - Letter Requesting an extension

10.1.2.2 - Site Plans

Local Planning Strategy (2015)

The Strategy identifies a critical shortage of housing on the island and therefore recommends amongst other things, the consolidation of urban development within the existing settlement areas where there existing urban infrastructure provision.

The Local Planning Strategy identifies the land with the 'Settlement' precinct as providing the following opportunity residential development:

"There is existing plans for some larger residential lots to be subdivided within the precinct. These lots have a higher density (R20) than the general density of R10. Given the attributes of the precinct, the density of residential development should be increased. A modest increase would enhance the residential capacity and take advantage of existing services and amenities, whilst still maintaining the precinct's residential character and feel."

The Local Planning Strategy (GHD 2015) supports the further subdivision of land from a strategic perspective within the Settlement precinct of Christmas Island to address the identified housing shortage within the Shire.

In addition to residential development, the Local Planning Strategy also addresses climate change and in particular the identified risk associated with increased wave action and increased sea levels and surges undermining Terrace Cliffs, which abuts the subject site. Although the Local Planning Strategy therefore recommends that new development should be minimised where there is a geotechnical risk on the ocean side of Gaze Road. The subject site is located on the ocean side of Gaze Road; however, the proposed ancillary dwelling will be located further from the coast than existing development on the lot. At the same time the WAPC approval for the subdivision of Lot 143 into four lots means that the WAPC is satisfied that in development on the site is desirable into the foreseeable future.

Christmas Island Heritage Review and DCPs and Development Guidelines:

Lot 143 falls within heritage precinct identified in the Godden Mackay Logan report (1998) as 'Settlement' The 'Settlement' precinct forms part of the National Heritage List locations for Christmas island.

Part 7 of LPS 2 makes reference to the Commonwealth Heritage List, of which 'Settlement Residential Precinct' is included, however, it need should also be adopted as part of the Shire's Heritage List in accordance with Clause 7.2.2 9 (c).

In regards to this current application, the Development Control Policies (DCP's) outlined in the Godden Mackay Logan Vol 2 (1998) have been used. For the 'Settlement Residential Precinct' the DCP's B1.2 Management Policy states at point 6 & 7 in regard to protecting the built form and character of this locality state:

- *The original form, scale and detail of heritage buildings should be retained and enhanced, where possible. New development shall respect the low scale and modest character of the Settlement Residential precinct. Generally development should be no higher than one storey.*

and;

- *Infill development shall respond to and not obscure the natural topography, man-made landform, historic townscape structure and/or the established form and pattern of Settlement Residential Precinct, in accordance with the Guidelines contained in this DCP.*

It is assessed that the proposed ancillary dwelling, due to its modest scale at 49m², its single storey design and the lightweight building materials proposed would not overwhelm or negatively impact on the adjoining original house (located over 6-metres clear) or on this precinct. Furthermore, the application is considered to be compliant with the National Heritage Review and Development Guidelines for this precinct.

Residential Design Codes

Primary Street Setback.

Under table 1 of the R-Codes the required street setback is 6-metres. Although this ancillary dwelling is located on Lot 143 which addresses Triadic Crescent, should the approved subdivision be finalised, Coconut Grove will be the primary street frontage for what would become a single dwelling.

The plans indicate a 2.5-metre setback from the Coconut Grove street alignment. It is worth keeping in mind that at least three adjoining properties are also able to develop additional or ancillary dwellings with primary frontage to Coconut Grove.

It is assessed that the more intimate streetscape created by a reduced primary street setback may be more appropriate than 6-metres in this location both given the short length of Coconut Grove within this street block and the narrow 7.6-metre frontage available to Lot 143 Triadic Crescent.

Setbacks

In term of setbacks from the existing boundaries of Lot 143 (and the new boundaries proposed in the current subdivision proposal) the proposed ancillary dwelling would comply.

Site Works

For the most part the proposed finished floor level of the ancillary dwelling is not more than 500mm above natural ground level. However, the verandah element is set on stumps and would be 800mm above natural ground level (NGL). This minor variation can be supported due to the modest scale of the development and the fact it is a low impact means of dealing with the slope of the site. Provided that any potential loss of privacy can be addressed this aspect of the proposal can be supported.

Visual Privacy

Under the Deemed-to-comply provisions of Clause 5.4.1 of the R-Codes, active habitable spaces, such as a deck in this instance, when 500mm above NGL, should be setback 7.5- metres from a common boundary or alternatively adequate screening should be provided.

The proposed deck is located 2.5 metres from the rear of the adjoining northern neighbour. The plans submitted and the aerial data reviewed indicate that the house on the adjoining lot is located several metres away from the subject site and the main areas being overlooked would include a driveway and outbuilding. However, this affected property at No.4 Triadic Crescent is currently owned by the proponents and therefore they have effective control in matters of visual privacy.

WAPC's SPP 2.6 – State Coastal Planning

The provisions of this policy dealing with the provision of *'...coastal hazard risk management and adaptation planning measures'* and that *'...development should be located on the least vulnerable portion of the development site (where infill is proposed).'*

This policy has been addressed with specific conditions under subdivision application WAPC 155416 which specifically references the provisions of SPP 2.6. and the need for a geo technical report to address site suitability and stability has been included as recommended condition of approval for this development.

In regard to the proposed ancillary dwelling it is a relatively minor lightweight structure and being located on stumps has no impact on the topography of the site.

Conclusion

The proposed ancillary dwelling will contribute to both the housing stock and choice available on Christmas Island identified in the Local Planning Strategy.

It has also been assessed that the proposed development would not be detrimental to the heritage values identified for the 'Settlement Residential Precinct'.

Given the context and constraints the application can be supported subject to conditions relating to visual privacy, and the geo technical issues associated with development adjacent to the coastline of Christmas Island.

Paul Maberly
PO Box 617
CHRISTMAS ISLAND WA 6798

9 September 2022

The CEO
Mr David Price
Shire of Christmas Island
PO Box
CHRISTMAS ISLAND WA 6798

Dear David

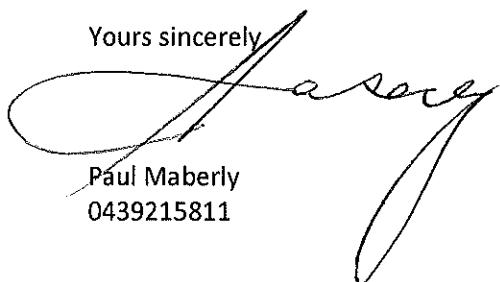
REQUEST FOR EXTENSION ON PLANNING APPROVAL PA02/2020

I am writing to you to request a 6 month extension to PA02/2022 following our meeting earlier this week. I was unable to proceed with this application due to the overall disruption caused by the Covid19 situation and difficulties trying to source qualified and available labour on CI over the last 18 months.

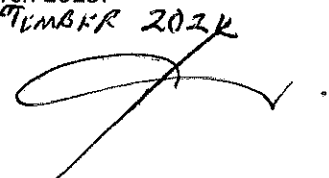
As you observed, Christmas Island has seen a boom in construction and building maintenance during 2021 and 2022. Small private jobs such as ours could not attract suitable labour because of the number of lucrative projects offered by the Commonwealth during this period. There was a similar increase in building activity in WA also during this period.

This resulted in having to delay this project due to circumstances beyond our control. We are now in a position to recommence planning and pre building activity with a view to finalise the build by early 2023. I would appreciate Council's approval to extend this application until ~~27 March 2023~~ **SEPTEMBER 2024**.

Yours sincerely



Paul Maberly
0439215811



PROJECT:
LOT 143 COCONUT GROVE
CHRISTMAS ISLAND

Dwg No	Title
A.0.0	COVER PAGE
A.0.1	GENERAL SPECIFICATION
A.1.0	LOCATION PLAN
A.1.1	SITE PLAN
A.2.0	PROPOSED FLOOR PLAN
A.3.0	ELEVATIONS
A.4.0	SECTION



LOCAL IMAGES
SCALE 1:500

STAGE	REV.	DESCRIPTION	DATE	CKD	<div>All dimensions on plan, new & existing, to be checked on site prior to commencement of work or placing of orders. Any discrepancies on drawings to be reported to Designer immediately. Designer accepts no responsibility for expenses or costs incurred due to failure to comply with items above. All work to comply with BCA, Australian Standards and Local Government Authorities and to good building practice. Use figured dimensions in preference to scaled dimensions. All materials, fixtures, fittings and building components to be supplied and installed in accordance with manufacturer's specifications & details. All work to be carried out by qualified building tradesmen and under the supervision of a qualified Building Supervisor.</div>	<div><div>DesignSYNERGY</div><div>PO Box 388 Midland 6936 T: 08 9255 2258 M: 0439 111 969 M: 0407 255 221 admin@designsynergy.com.au www.designsynergy.com.au VITRUVIAN ELEMENT PTY LTD t/f Morris Family Trust abn 703 562 861 24</div></div>	PAUL MABERLY LOT 143 COCONUT GROVE CHRISTMAS ISLAND COVER PAGE			
BP	1	ISSUE TO CLIENT FOR REVIEW	30/05/18	GM			DESIGN SYNERGY JOB N° 8060518			
	2	DWELLING REORIENTATION	07/06/18	GM			DESIGNED DS	CHECKED DS	DWG N°	REV
	3	SITE NOTES ADDED PHOTO IMAGES ADDED	24/06/18	GM			SHEET SIZE A3	DATE 24/06/18	A.0.0	13

GENERAL SPECIFICATION

note refer to Green House construction drawings and material list as first priority ,not all clauses maybe relevant to this project

1. 0 GENERAL

- 1.1 ALL DIMENSIONS ON PLAN, NEW & EXISTING, TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF WORK OR PLACING OF ORDERS.
- 1.2 ANY DISCREPANCIES ON DRAWINGS TO BE REPORTED TO DESIGNER IMMEDIATELY. DESIGNER ACCEPTS NO RESPONSIBILITY FOR EXPENSES OR COSTS INCURRED DUE TO FAILURE TO COMPLY WITH ITEMS ABOVE.
- 1.3 ALL WORK TO COMPLY WITH BCA/NCC, AUSTRALIAN STANDARDS AND LOCAL GOVERNMENT AUTHORITIES AND TO GOOD BUILDING PRACTICE.
- 1.4 USE FIGURED DIMENSIONS IN PREFERENCE TO SCALED DIMENSIONS.
- 1.5 ALL MATERIALS, FIXTURES, FITTINGS AND BUILDING COMPONENTS TO BE SUPPLIED AND INSTALLED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS & DETAILS.
- 1.6 ALL WORK TO BE CARRIED OUT BY QUALIFIED BUILDING TRADESMEN AND UNDER THE SUPERVISION OF A QUALIFIED BUILDING SUPERVISOR.
- 1.7 PROGRESSIVELY CLEAN UP AFTER THE COMPLETION OF RESPECTIVE WORKS.

2. 0 EARTHWORKS

- 2.1 UNLESS OTHERWISE STATED, REMOVE TOPSOIL TO A MINIMUM DEPTH OF 200mm INCLUDING ALL ROOTS, AND OTHER MATTER, AND REQUIRED BY THE SOIL CONDITION AND/OR THE BUILDER, PROVIDE SUITABLE CLEAN FILLING SAND AND COMPACT IN LAYERS NOT GREATER THAN 300mm TO REDUCE LEVELS AS SHOWN.
- 2.2 COMPACT SAND FILLING AND SANDY SUB GRADES UNDER FOOTINGS AND SLAB TO OBTAIN MIN. SEVEN (7) BLOWS PER 300mm ON A STANDARDS PERTH SAND PENETROMETER TEST (AS PER AS 1289 F3.3)
- 2.3 DO NOT EXCAVATE SERVICES TRENCHES WITHIN AN ANGEL OF 45 DEGREES DOWN FROM BOTTOM EDGE OF FOOTING.
- 2.4 ALL RETAINING WALLS TO BE TREATED WITH "BITKOTE" WATERPROOFING AGENT.

3. 6 TERMITE PROTECTION

PROVIDE ANTI-TERMITE TREATMENT UNDER THE BUILDING AREAS IN ACCORDANCE WITH AS 2057, AS 3660.1 AND APPENDIX D, FOR RETICULATED SYSTEMS. BUILDER SHALL PROVIDE "DURSBAN" (HAND SPRAYED ORGANO-PHOSPHATE) OR SIMILAR APPROVED ANTI-TERMITE TREATMENT IN ACCORDANCE WITH RELEVANT AUSTRALIAN STANDARD CODES.

4.0 BRICKWORK

- 4.1 BRICK WORK SHALL COMPLY WITH :
AS 3700 MASONRY CODE
AS 4773 MASONRY CODE
- 4.2 BRICK GAUGE 7 STANDARD COURSES = 600mm.
- 4.3 ALL BRICKS SHOULD HAVE MIN. COMPRESSIVE STRENGTH OF 20MPa AND AS FOLLOWS:
EXTERNAL FACE WORK: 230x110x76mm
EXTERNAL RENDER: 305x162x90mm MAXIBRICK OR VERTICORE
WINDOW HEADS: SOLID FACEBRICK COURSE
INTERNAL WALLS: 305x162x90mm MAXIBRICK OR VERTICORE WITH BED JOINT AND PERPENDS FILLED
305x76x90mm LONGREACH OR JUMBO FOR COURSE ADJUSTMENT
- 4.4 MORTAR: 1:1:6 CEMENT:LIME:SAND MORTAR (FACE BRICK) COLOR TO MATCH EXISTING AS SELECTED
- 4.5 TIES SHALL BE 3.5mm DIAMETER GALVANIZED WIRE KINKED FOR AND BUILT IN EVERY 5TH COURSE AT APPROXIMATELY 900mm CENTRES, WITH ADDITIONAL TIES AT THE RATE OF 1 TIE/300mm HEIGHT OF OPENINGS AND VERTICAL CONTROL JOINTS AND WITHIN 150mm OF THE OPENINGS. BUILD TIES INTO EACH LEAF AT LEAST 50mm. VERTICAL CONTROL JOINTS SHALL BE 12mm WIDE FILLED AT COMPLETION WITH 'COMPRIBAND' CONTINUOUS FILLER STRIP.
- 4.6 KEEP CAVITIES CLEAR OF MORTAR. PROVIDE CAVITY BOARDS. TEMPORARILY MORTAR (FACE BRICK) COLOR TO MATCH EXISTING AS SELECTED OMIT BRICKS TO PERMIT RAKING OUT OF CAVITY BOTTOMS.
MORTAR: 1:1:6 CEMENT:LIME:SAND
- 4.7 FORM WEEP HOLES EVERY FOURTH PERPEND ABOVE FLASHINGS AND CAVITY FILL. KEEP CLEAR OF MORTAR. DO NOT LOCATE WEEPHOLES CLOSER THAN 500mm TO JOINTS IN DAMP PROOF COURSES OR FLASHINGS.
- 4.8 PROVIDE DAMP PROOF COURSES (DPC) IN THE BOTTOM 3 COURSES OF BRICK WORK AND SLAB AND/OR FOOTINGS. DPC ADDITIVE SHALL BE CLEAR IN ALL FACEWORK
- 4.9 SETOUT BRICKWORK ACCURATELY, PLUMB, LEVEL AND PROPERLY BONDED. RISING WORK TO BE RAKED BACK, JAMBS, REVEALS, CORNERS, PERPENDS, ETC. TO BE TRUE, PLUMB, AND IN LINE WITH PERPENDS TRUE TO LINE. SETOUT DOOR FRAMES NEAR PERPENDICULAR WALL WITH A MARGIN OF 12mm OR GREATER THAN 50mm.

- 4.10 MOISTEN ALL EXTRUDED BRICKS BEFORE LAYING.
- 4.11 PROVIDE 12mm PLASTERING MARGIN BETWEEN WINDOW FRAME AND INTERNAL BRICKWORK TO BE PLASTERED.
- 4.12 WHERE NECESSARY REINFORCE BELOW AND OVER OPENINGS WITH GALVANISED WOVEN WIRE FABRIC 75mm WIDE IN CENTRE OF EACH LEAF LOCATED IN 2 COURSES BELOW SILL AND IN THE 2 COURSES ABOVE AN OPENING EXTENDING A MINIMUM OF 600mm BEYOND THE OPENING.4.13 BUILD IN ALCOR/PGI FLASHINGS AS FOLLOWS:
-WHEREVER SHOWN ON DRAWINGS.
-CAVITY WALLS BUILT OF SLAB ON GROUND (WHERE NOT PARGED.)
-OVER LINTELS TO EXPOSED OPENINGS:
FULL WIDTH OF OUTER LEAF CONTINUOUS ACROSS CAVITY 50mm INTO INNER LEAF 2c ABOVE.
-OVER ROOF:
FULL WIDTH OF EXTERNAL LEAF, STEPPED TO ROOF SLOPE TURNED DOWN MIN. 50mm OVER BASE FLASHING. TURN UP IN CAVITY SLOPING INWARDS AND BUILT INTO INNER LEAF 1c ABOVE.
-DOOR / WINDOW STILES:
FULL HEIGHT 150mm WIDE FIXED TO FRAMES INTERLEAVED WITH SILL AND HEAD FLASHING AT EACH END.
-STRUCTURE OR SERVICES WITHIN 30mm OF OUTER BRICK LEAF IN CAVITY:
VERTICAL FLASHINGS CONTINUOUS 1c BELOW FL TO ABOVE STRUCTURE OR FRAME. NOMINAL 300mm WIDE. FOR HORIZONTAL STRUCTURES / SERVICES:
CONTINUOUS FLASHING BUILT IN AS FOR OVER LINTELS.
-AT CAVITY WALLS WITH GLASS BLOCK 300mm WIDE FIXED TO GLASS BLOCK FRAME AND TURNED AWAY IN CAVITY FROM INNER LEAVE.

4.14	LINTELS		
	MAX SPAN (MM)	LINTEL SIZE (VERT x HT x TH)	BEARING EACH END (MM)
	900	75x10	150
	1200	75x75x8	150
	1500	90x90x8	150
	1800	100x75x8	230
	2100	125x75x8	230
	2400	125x75x10	230
	2500	100x100x8	230
	3000	150x90x10	230

5.0 CARPENTRY

- 5.1 ROOF AND CEILING FRAMING SHOULD COMPLY WITH AS 1684 LIGHT TIMBER FRAMING CODE. DRAW STRAP FIRMLY OVER WALL PLATES AND SECURELY FIX TO TOP OF PLATE BY 2x30mm GALV. CLOUDS/STRAP.
- 5.2 REFER TO AS 1684 FOR ROOF FRAMING SIZES UNLESS SPECIFIED ON DRAWINGS.
- 5.3 SUPPLY AND FIX ALL BULKHEADS & FALSE CEILINGS AS SHOWN ON THE DRAWINGS.

6.0 METALWORK

- 6.1 ELECTRIC AND GAS METER BOXES AS SHOWN IN DRAWINGS
- 6.2 WINDOW FRAMES SHALL BE RESIDENTIAL OR COMMERCIAL SECTION WITH POWDERCOAT FINISH AS SELECTED BY OWNER. ALLOW FOR FLYSCREENS TO ALL WINDOWS. REFER TO ADDENDUM. ANGLED WINDOW UNITS SHALL BE FACTORY MADE AND FIXED AND DELIVERED ON SITE AS COMPLETE UNIT.

7.0 ROOFING

- 7.1 SELECTED ROOFING MATERIAL SHALL BE INSTALLED AND FIXED IN ACCORDANCE WITH MANUFACTURERS SPECIFICATION AND RELEVANT BUILDING CODES
- 7.2 GUTTER, FASCIA, DOWN PIPES, FLASHINGS SHALL BE IN LONGEST POSSIBLE LENGTHS AND SHALL MATCH EXISTING.
- 7.3 DOWN PIPES SHALL MATCH EXISTING.
- 7.4 ALLOW FOR ALL JOINTS AND JOINING MATERIALS, COLLARS, STRAPS & FASTENINGS NECESSARY TO COMPLETE WORK.
- 7.5 ALLOW FOR ALL ROOF PENETRATIONS, ROOF COWLS, FLASHINGS, FLUMES THROUGH ROOF.
- 7.6 FIX GUTTERS & FLASHINGS TO PERMIT THERMAL MOVEMENT IN THEIR FULL LENGTH
- 7.7 SEAL BETWEEN OVERLAPPING FLASHINGS; FLASHINGS TURNED DOWN OVER BASE OR APRON FLASHINGS; FLASHINGS OVER METAL ROOF; FLASHINGS OVER SECRET GUTTERS; AROUND ROOF PENETRATIONS ETC.

8.0 JOINERY

- 8.1 ALL JOINERY SHALL BE OF HIGHEST QUALITY MATERIALS TO BEST TRADE PRACTICES AND HIGH QUALITY FINISH.
- 8.2 EXTERNAL DOOR FRAMES SHALL BE: 110x40 DOUBLE REBATED FRAME WITH 130x40 WEATHERED THRESHOLD U.N.O.
- 8.3 SUPPLY AND BUILD IN TIMBER DOOR FRAMES TO EXTERNAL LOCATIONS AS SHOWN ON ARCHITECTURAL DRAWINGS.

9.0 CEILINGS

- 9.1 CEILINGS SHALL BE RECESSED EDGE, MINIMUM 8.0mm PLASTERBOARD.
- 9.2 FLUSH JOINTS, SCREW HEADS, AND OTHER BLEMISHES IN THE SHEETS USING APPROVED SYSTEMS TO PROVIDE FLUSH SMOOTH CONTINUOUS SURFACE
- 9.3 PROVIDE AND FIX ALL FLUSH STOP BEADS & CASING BEADS TO ALL CORNERS & EDGES.
- 9.4 PROVIDE ALL SELECTED MOLDINGS AND CORNICES TO ALL CEILINGS AS STATED IN ARCHITECTURAL DOCUMENTS.

10.0 PLASTERING

- 10.1 INTERNAL WALL FINISHES INCLUDING CUPBOARD, BIN, & FRIDGE RECESSES, ETC. SHALL BE (OTHER THAN FACE FINISHES OR WHERE COVERED BY FEATURE MATERIALS) FLOAT AND SET IN HARDWALL PLASTER U.N.O.
- 10.2 PLASTERED WALLS SHALL BE NOMINAL 12mm THICK CONSISTING OF 1:1:9, CEMENT:LIME:SAND RENDER, AND FINISHED WITH NOMINALLY 3mm HARDWALL PLASTER.
- 10.3 SUPPLY AND FIX EXTERNAL CORNER BEADS TO ALL EXTERNAL CORNERS.
- 10.4 PROVIDE STOP BEADS WHERE PLASTER WORK ABUTS TIMBER FRAMES, OR FACEWORK
- 10.5 EXTERNAL RENDER WHEN APPLICABLE SHALL BE 2 COAT SAND FINISH. (FOR PAINTING)
- 10.6 NIBS IN INTERNAL CORNERS ADJACENT TO DOOR FRAMES GREATER THAN 40mm SHALL NOT BE FLUSHED UP WITH FRAMES.
- 10.7 PROVIDE V-JOINTS IN RENDER & FINISHING PLASTER WHERE BRICK WORK ABUTS OR JOINS ONTO CONCRETE WORK.

11.0 GLAZING

- 11.1 CLEAR GLASS GENERALLY: OBSCURE GLASS TO BATHROOMS, REFER TO DRAWINGS. ALL TO THE RELEVANT AUSTRALIAN STANDARDS.

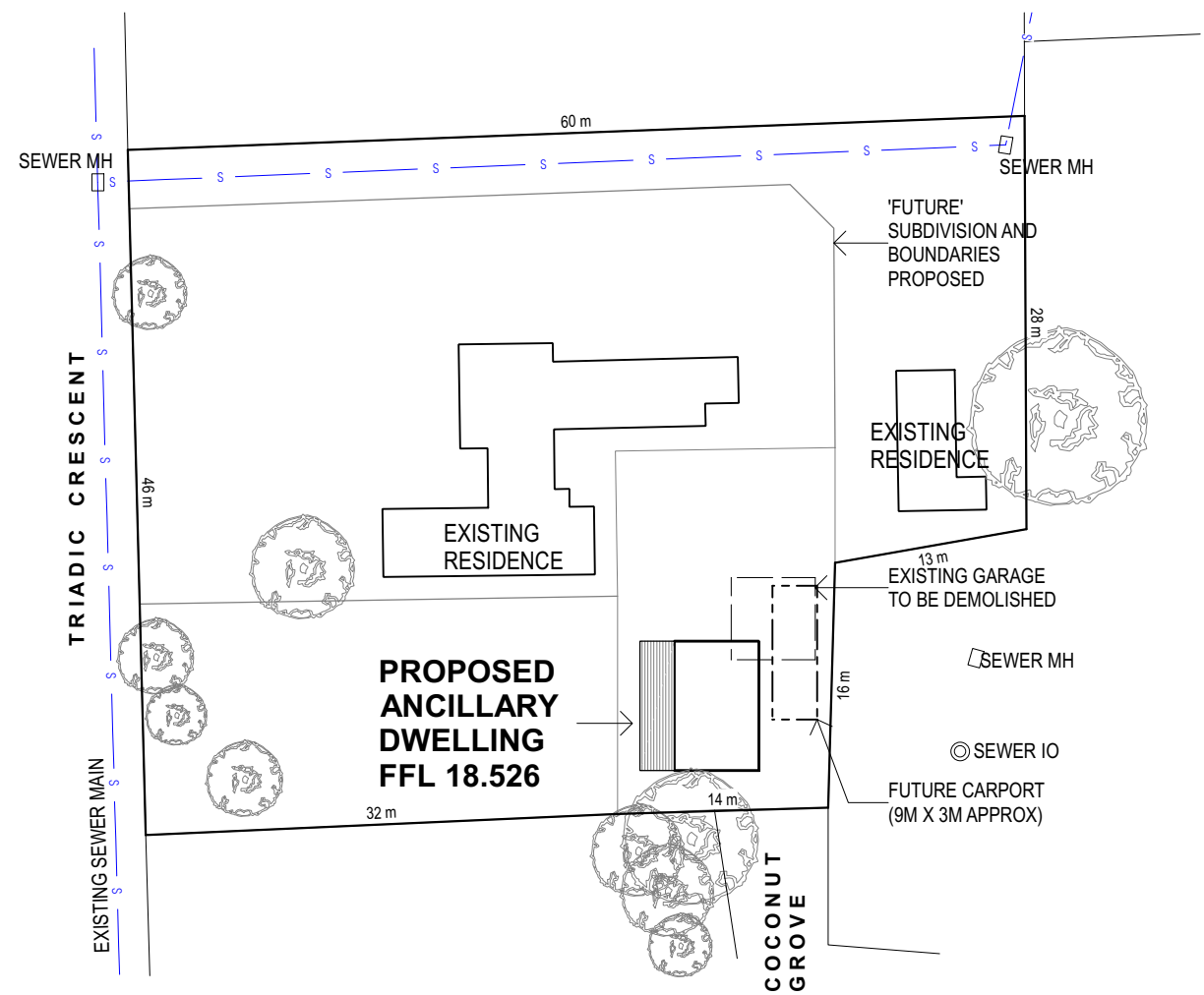
12.0 FLOORING FINISHES

- 12.1 CARPET FLOOR COVERINGS TO NOMINATED AREAS COMPLETE WITH SELECTED UNDERLAY SMOOTH EDGE, DIMINISHING STRIPS ETC, TO COMPLETE THE WORKS: REFER TO DRAWINGS & FINISHES SCHEDULE.
- 12.2 TILED FLOOR COVERINGS TO NOMINATED AREAS COMPLETE WITH ALL MATERIALS ANGLE TRIMS ETC TO COMPLETE THE WORKS: REFER TO DRAWINGS & FINISHES SCHEDULE.
- 12.3 PROVIDE TIMBER FLOOR FINISHES TO NOMINATED AREAS COMPLETE WITH ALL MATERIALS, DIMINISHING BOARDS ETC, TO COMPLETE THE WORKS: FLOOR BOARDS TO BE SANDED & POLISHED TO HIGH STANDARD WITH PREMIUM QUALITY SEALER (2 COATS). REFER TO DRAWINGS & FINISHES SCHEDULE.

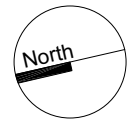
13.0 PAVING

- 13.1 GENERALLY: WHEN PAVING IS INCLUDED IN THE BUILDING CONTRACT, THE FOLLOWING SHALL APPLY AS A MINIMUM STANDARD
- 13.2 SUPPLY AND LAY ALL PAVING TO EXTERNAL AREAS AS SHOWN ON WORKING DRAWINGS.
- 13.3 CUT, FILL AND COMPACT SAND TO REQUIRED LEVELS. SCREED TO UNIFORM THINNESS AND LEVELS
- 13.4 PROVIDE BRICK EDGE-RETRAINING FOOTING EMBEDDED IN MORTAR BENEATH THE PAVING BRICK, GENERALLY. TO DRIVEWAY AREAS, PROVIDE NOMINAL 300x150mm CONCRETE FOOTING ALONG PERIMETER OF DRIVEWAY AND BED EDGE BRICK IN MORTAR.
- 13.5 PROVIDE 100mm COMPACTED LIMESTONE BASE TO DRIVEWAY TOPPED WITH 50mm CLEAN SAND AND GRADE TO FALLS.
- 13.6 PAVING PATTERN: REFER TO ADDENDUM.
- 13.7 BRICK PAVERS SHALL BE:
TRAFFICABLE AREAS: MIN. 65mm SOLID CLAY OR CONCRETE
PEDESTRIAN AREAS: MIN. 43mm SOLID CLAY OR CONCRETE

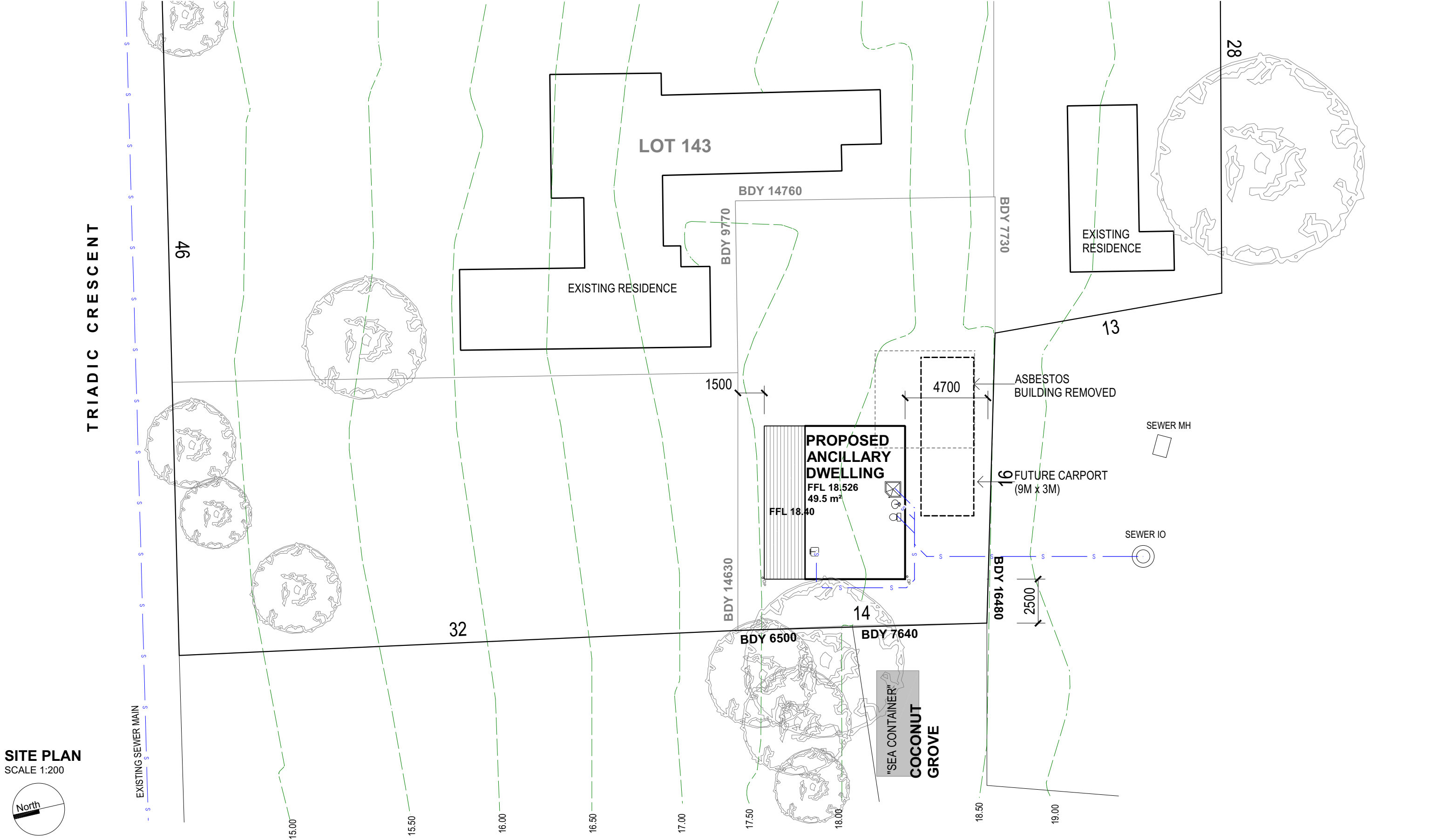
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BP	1	ISSUE TO CLIENT FOR REVIEW	30/05/18	GM			LOT 143 COCONUT GROVE			
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DESIGNED		CHECKED		DWG N°		REV				
DS		DS								
SHEET SIZE		DATE								
A3		24/06/18				A.0.1		13		



LOCATION PLAN
SCALE 1:500



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SITE PLAN
SCALE 1:200

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Design
SYNERGY

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PAUL MABERLY
LOT 143 COCONUT GROVE
CHRISTMAS ISLAND
SITE PLAN

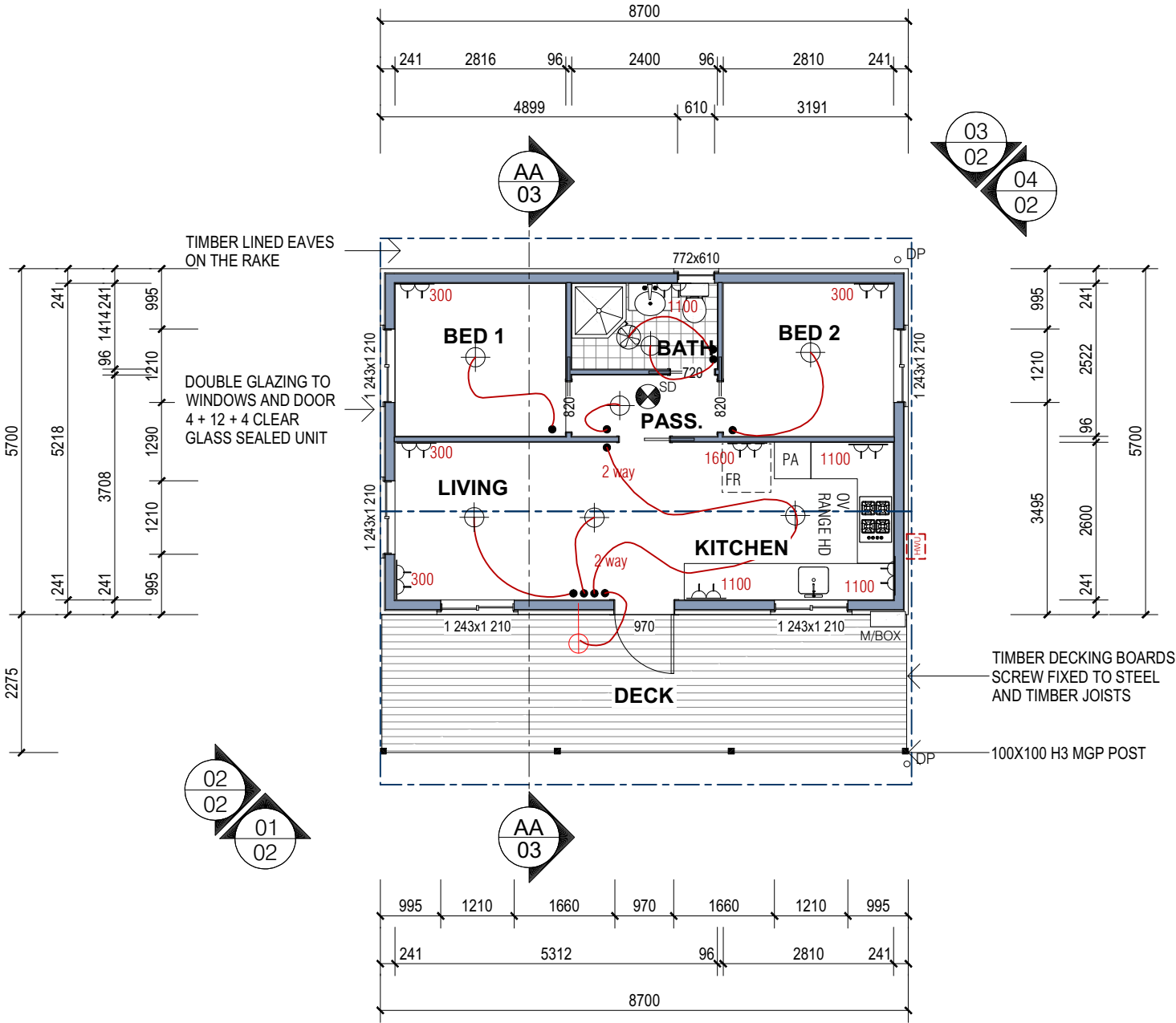
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NOTE.
REFER TO GREEN HOUSE
CONSTRUCTION DRAWINGS
AND MATERIAL LIST FOR
CONSTRUCTION INFORMATION.

ORDER NO 1767
DRAWINGS 2.01, 3.01, 3.11, 3.21,
3.22, 4.00, 4.01, 4.02, 4.03, 4.04,
4.10, 4.11,4.12, 4.13, 4.20, 4.21,
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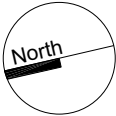
FOOTING ELEMENTS TO BE
QUALIFIED BY A STRUCTURAL
ENGINEER.



ELECTRICAL LEGEND

- DOUBLE GPO AT NOM HEIGHT
- WALL LIGHT OUTLET
- EXHAUST FAN
- SMOKE ALARM
- SWITCH & CONCEALED WAY
- LED DOWNLIGHT

PROPOSED FLOOR PLAN
SCALE 1:100

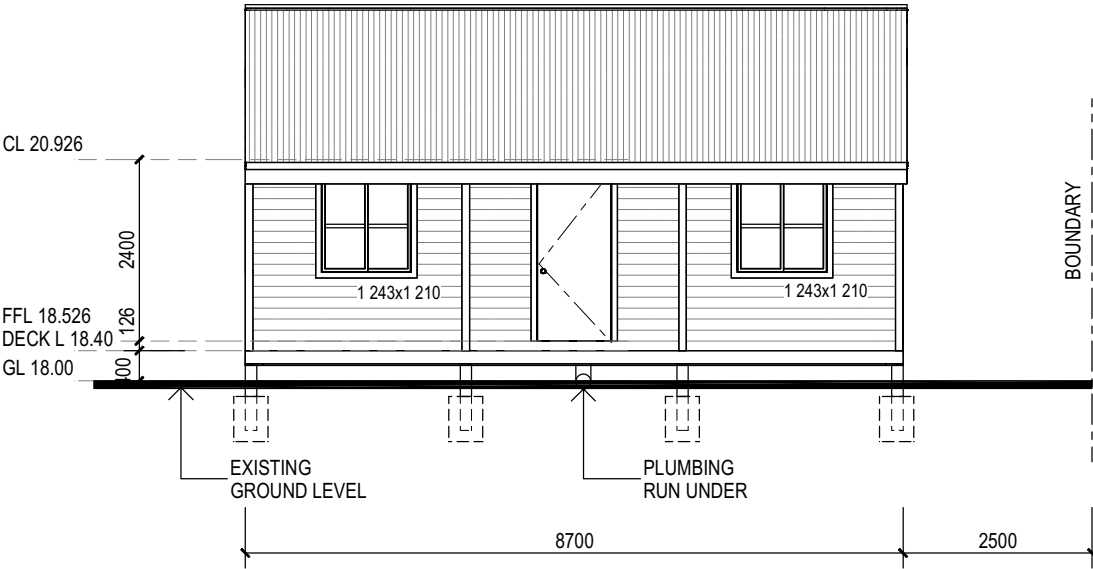


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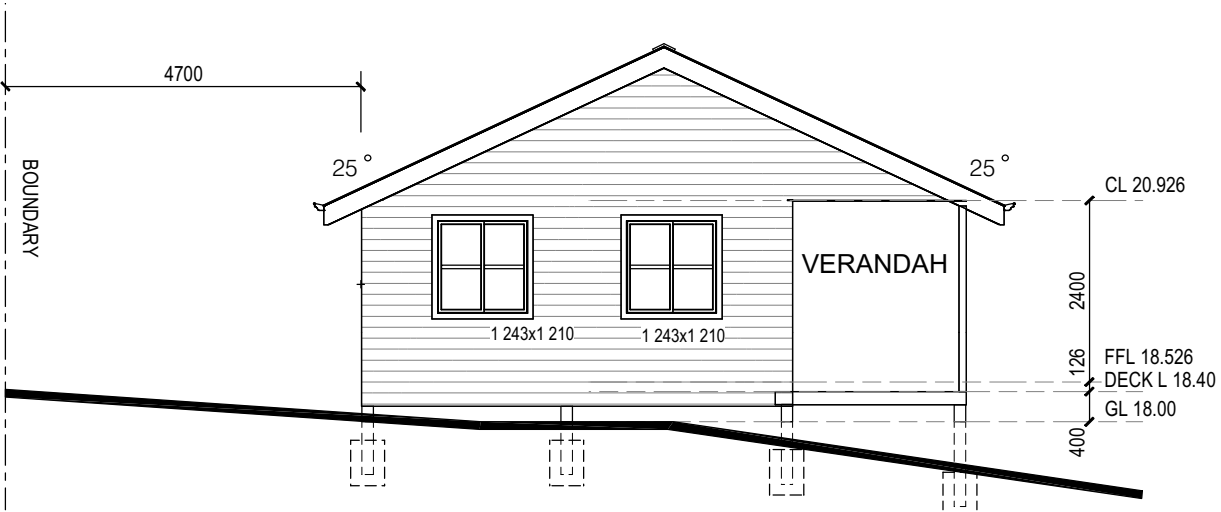
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5.31, 6.01

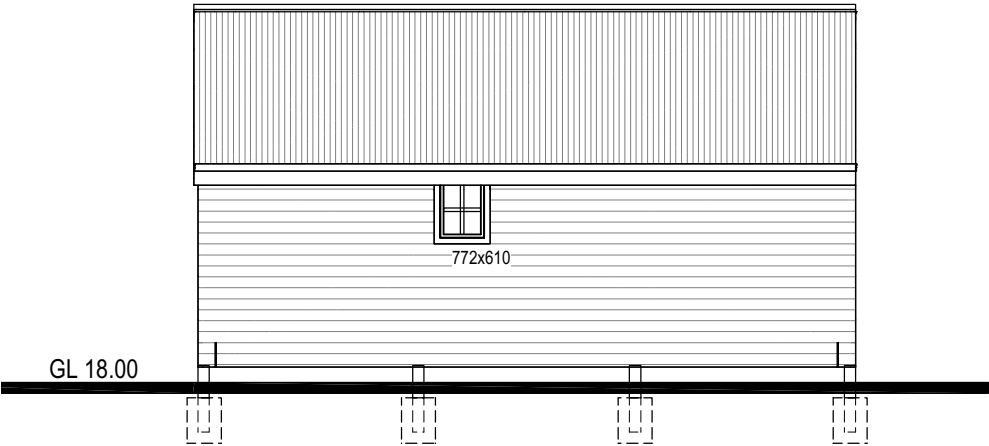
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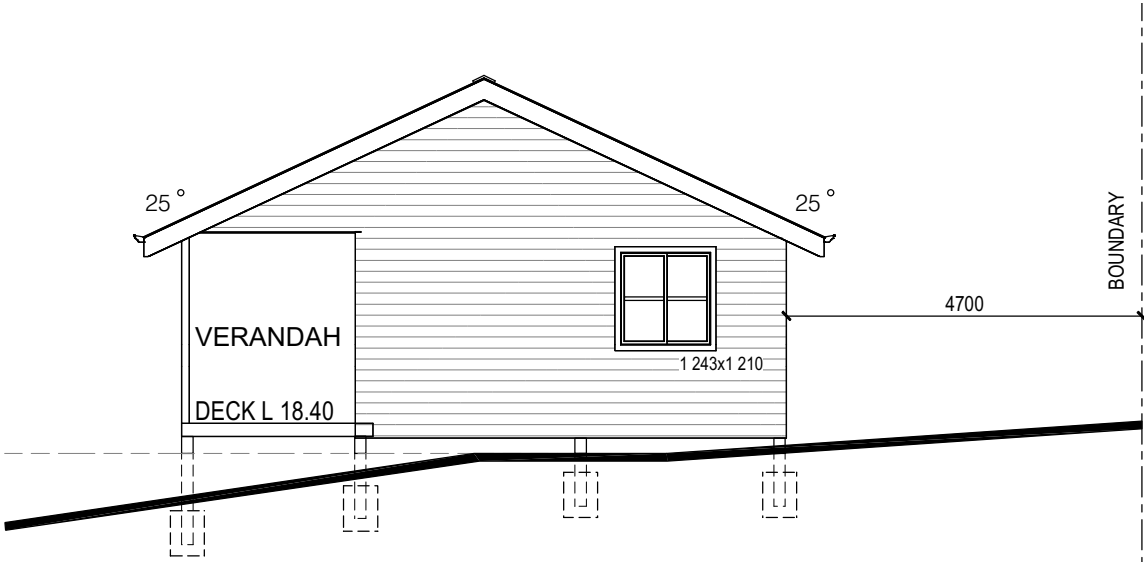
ELEVATION 01
SCALE 1:100



ELEVATION 02
SCALE 1:100



ELEVATION 03
SCALE 1:100



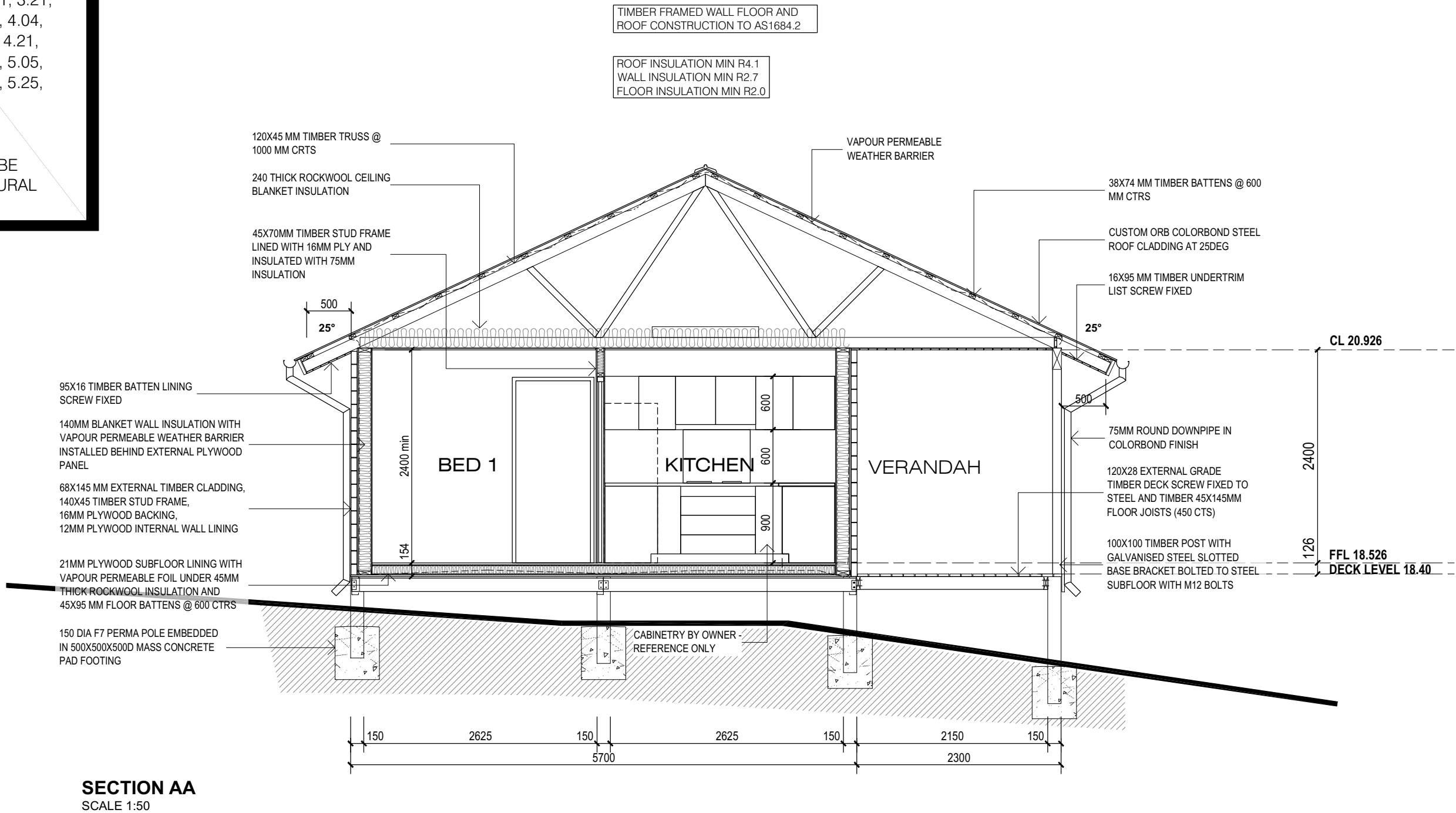
ELEVATION 04
SCALE 1:100

STAGE	REV.	DESCRIPTION	DATE	CKD	<p>All dimensions on plan, new & existing, to be checked on site prior to commencement of work or placing of orders. Any discrepancies on drawings to be reported to Designer immediately. Designer accepts no responsibility for expenses or costs incurred due to failure to comply with items above. All work to comply with BCA, Australian Standards and Local Government Authorities and to good building practice. Use figured dimensions in preference to scaled dimensions. All materials, fixtures, fittings and building components to be supplied and installed in accordance with manufacturer's specifications & details. All work to be carried out by qualified building tradesmen and under the supervision of a qualified Building Supervisor.</p> <div><div>DesignSYNERGY</div><div>PO Box 388 Midland 6936 T: 08 9255 2258 M: 0439 111 969 M: 0407 255 221 admin@designsynergy.com.au www.designsynergy.com.au VITRUVIAN ELEMENT PTY LTD t/f Morris Family Trust abn 703 562 861 24</div></div>	<div>PAUL MABERLY</div> <div>LOT 143 COCONUT GROVE</div> <div>CHRISTMAS ISLAND</div> <div>ELEVATIONS</div> <div>DESIGN SYNERGY JOB N° 8060518</div> <table><tr><td>DESIGNED DS</td><td>CHECKED DS</td><td>DWG N°</td><td>REV</td></tr><tr><td>SHEET SIZE A3</td><td>DATE 24/06/18</td><td>A.3.0</td><td>23</td></tr></table>				DESIGNED DS	CHECKED DS	DWG N°	REV	SHEET SIZE A3	DATE 24/06/18	A.3.0	23
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BP	1	ISSUE TO CLIENT FOR REVIEW	30/05/18	GM													
	2	DWELLING REORIENTATION	07/06/18	GM													
	3	SITE NOTES ADDED PHOTO IMAGES ADDED	24/06/18	GM													

NOTE.
REFER TO GREEN HOUSE
CONSTRUCTION DRAWINGS
AND MATERIAL LIST FOR
CONSTRUCTION INFORMATION.

ORDER NO 1767
DRAWINGS 2.01, 3.01, 3.11, 3.21,
3.22, 4.00, 4.01, 4.02, 4.03, 4.04,
4.10, 4.11,4.12, 4.13, 4.20, 4.21,
4.30, 5.01, 5.02, 5.03, 5.04, 5.05,
5.06, 5.11, 5.12, 5.21, 5.23, 5.25,
5.31, 6.01

FOOTING ELEMENTS TO BE
QUALIFIED BY A STRUCTURAL
ENGINEER.



SECTION AA
SCALE 1:50

STAGE	REV.	DESCRIPTION	DATE	CKD	<p>All dimensions on plan, new & existing, to be checked on site prior to commencement of work or placing of orders. Any discrepancies on drawings to be reported to Designer immediately. Designer accepts no responsibility for expenses or costs incurred due to failure to comply with items above. All work to comply with BCA, Australian Standards and Local Government Authorities and to good building practice. Use figured dimensions in preference to scaled dimensions. All materials, fixtures, fittings and building components to be supplied and installed in accordance with manufacturer's specifications & details. All work to be carried out by qualified building tradesmen and under the supervision of a qualified Building Supervisor.</p> <div><div><div>Design</div><div>SYNERGY</div></div><div><p>PO Box 388 Midland 6936 T: 08 9255 2258 M: 0439 111 969 M: 0407 255 221 admin@designsynergy.com.au www.designsynergy.com.au VITRUVIAN ELEMENT PTY LTD t/f Morris Family Trust abn 703 562 861 24</p></div></div>							
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SHEET SIZE A3	DATE 24/06/18	A.4.0	23									



SHIRE OF CHRISTMAS ISLAND

SUBMISSION TO	Ordinary Council Meeting 27 September 2022
AGENDA REFERENCE	10.1.3
SUBJECT	Freedom of Information
LOCATION/ADDRESS/APPLICANT	
FILE REFERENCE	
INTEREST DISCLOSURE	None
DATE OF REPORT	15 September 2022
AUTHOR	David Price
SIGNATURE OF CEO	SIGNED

RECOMMENDATION

Council endorsed the inclusion of Freedom of Information drop down on the Shire's Web page that outlined the Freedom of Information provisions, a Freedom of Information Statement and an application process to lodge an application as outlined in attachments 10.1.3.1, 10.1.3.2 and 10.1.3.3.

BACKGROUND

The Freedom of Information Act 1992 (WA)(CI)(CKI) **(the FOI Act WA)** has applied to Indian Ocean Territories and recently a SDA was established between the Commonwealth and the Western Australia Government to service the provisions of that Act in the Indian Ocean Territories

COMMENT

The Information Commissioner on visited the Shire on 16 August 2022 and outlined the requirements of the Shire in relation to the provisions of that Act.

This included the requirement for the Shire to have a Freedom of Information drop down on its Web page that outlined the Freedom of Information provisions, a Freedom of Information Statement and an application process to lodge an application.

The Office of the Information Commissioner is looking to provide training for Councillors and shire Staff in February 2023 on their obligation within the Act

STATUTORY ENVIRONMENT

The Freedom of Information Act 1992 (WA)(CI)(CKI) **(the FOI Act WA)**

POLICY IMPLICATIONS

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS & MILESTONES

VOTING REQUIREMENTS

Simple Majority

ATTACHMENTS

10.1.3.1 - Freedom of Information provisions

10.1.3.2 - Freedom of Information Statement

10.1.3.3 - Application process to lodge an application

Freedom of Information

Rights to Access Documents

The Western Australian Freedom of Information Act 1992 (FOI Act 1992) gives applicants the right to documents held by the Shire of Christmas Island subject to some limitations. An applicant's right to seek access is not to be affected by their reason for wishing to obtain access, and there is no need to demonstrate a reason.

The Shire is required to:

- Assist in making an application
- Assist in obtaining access to documents at a reasonable cost and;
- Ensure that personal information captured in documents is accurate, complete, up to date and not misleading.
- While the Act provides a general right of access to documents, documents are protected from disclosure because their release would have an adverse effect on the private and business interests of individuals, or would hinder the proper functioning of government. The kinds of documents that may be protected from disclosure are those documents that meet the exemption criteria in Schedule 1 of the FOI Act 1992, which includes (but is not limited to):
 - Personal information that identifies a third party
 - Information concerning trade secrets
 - Information of commercial value

Applying to access documents

- Apply in writing to the Freedom of Information (FOI) co-ordinator (our application form may assist you to make your application) –
- Identify or describe the documents you want. If you ask for “everything” on a particular subject, the FOI Co-ordinator may help you narrow the scope of your application to ensure that the work involved is reasonable. Otherwise an agency may refuse to deal with your application.
- Give an address in Australia where notices can be sent. If possible, include your telephone number/fax/email address as this will help the FOI Co-ordinator to contact you if necessary to assist with your application being dealt with efficiently.
- Lodge your application with the Shire with any applicable fee payable.

Download a copy of the Shire of Christmas Island's Freedom of Information Statement and application form.

Applying to amend personal information

- Apply in writing to the Freedom of Information (FOI) Co-ordinator.
- Provide details to show how or why the agency's records are inaccurate, incomplete, out of date or misleading;
- There is no fee to make an application for amendment of personal information.

FOI Applications can be lodged by mail or email to:

Freedom of Information Co-ordinator
Shire of Christmas Island
PO Box 863
Christmas Island WA 6798

Email: admin@shire.gov.cx

Time Limits

Once the Shire has received a valid application, it is required to provide a Notice of Decision within 45 calendar days. The Shire aims to respond as soon as practicable to any application and will negotiate with the applicant on an extension to the 45 day limit should the application be unusually large or require consultation with a significant number of third parties.

Should the applicant not be satisfied with the decision provided in the Notice of Decision, they have 30 days in which to lodge an Internal Review application. Once the Internal Review application has been received, the Shire has 15 days in which to respond.

Should the applicant still not be satisfied with the outcome of the Internal Review, there is a 60 day period in which to lodge an External Review application with the Information Commissioner. Although the Act refers to 30 days, there is a qualifier - unless it is impractical to do so. Impractical and an external reviews, generally take much longer than 30 days.

Charges

No application fee or charges apply if you are seeking personal information that is just about you.

Applications for documents that are not just about you are called non-personal applications and require a \$30 application fee to make a valid application. There may be other charges imposed to cover the administration costs associated with locating documents within the scope of your request.

You can ask the Shire for an estimate of charges when lodging an application. If the charges are likely to exceed the application fee we must give you an estimate of charges and ask whether you want to proceed with the application. You must notify the Shire (within 30 days) of your intention to proceed. In some instances, the Shire may request an advance deposit. The fees, charges, deposits, and possible reductions are set by the FOI Act and Regulations are listed in full in the FOI statement.

The Office of the information Commissioner has produced some guides that may assist you. www.oic.wa.gov.au

- *What documents can I ask for?*
- *Requirements for a valid access application.*
- *Steps for access applicants.*
- *How much does it cost?*
- *What if the agency says it doesn't have the documents ?*
- *Can the agency refuse to deal with my application?*
- *What if the agency delays making a decision?*
- *Review of agency decisions.*
- *What is personal information?*
- *How long should it take to deal with an access application.*
- *Amendment of personal information.*

These links may work as an electronic document but if this is printed they may not be much help. For further information regarding Freedom of Information visit www.oic.wa.gov.au

2 Murray Road
Christmas Island 6798
Correspondence to:
PO Box : 863, Christmas Island WA
Phone : (08) 9164 8300
Fax : (08) 9164 8304
Email : admin@shire.gov.cx
Website: <https://www.shire.gov.cx>

FREEDOM OF INFORMATION STATEMENT

SEPTEMBER 2022

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Shire of Christmas Island Strategic Community Plan

1.1 Our Vision

To be a leading regional economic driver and a socially interactive and inclusive community.

1.2 Mission for Council

Provide leadership, direction and opportunities for the community.

1.3 Key Principles

In achieving the vision and Mission, the Shire of Christmas Island will set achievable goals and work with the community to maintain a reputation of honesty, transparency openness and accountability. In doing so we will –

1. Respect the points of view of individuals and groups.
2. Encourage community leadership.
3. Build on existing community involvement.
4. Promote self-reliance and initiative.
5. Recognize and celebrate achievement.
6. Support the principles of social justice.
7. Acknowledge the value of staff and volunteers.

Section 2 - Legislative Framework

The Shire of Christmas Island is grouped in Western Australia, it is a local government area of the Australian external territory of Christmas Island. In Western Australia, local governments are governed by the *Local Government Act 1995 (LG Act)*, this is only partly applicable to Christmas Island which has a variety of laws administered by the Attorney-General's Department and an Administrator. Local Government Regulations and any other legislation, provides powers and responsibilities to the local government.

2.1 Legislation

Principal legislation at the Shire of Christmas Island operates under and includes –

- *The Christmas Island Act 1958*(Cth)
- *Local Government Act 1995*.....(WA)(CI)
- *Environmental Protection and Biodiversity Conservation Act 1999*.(Cth)
- *Public Health Act No.018 of 2016*.....(WA)
- *Health (Miscellaneous Provisions) Act no.0.34 of 1911*.....(WA)
- *Planning and Development Act no.0.37 of 2005*.....(WA)
- *Cemeteries Act No.102 of 1986*.....(WA)
- *Occupational Safety and Health Act No.101 of 1984*.....(WA)
- *Waste Avoidance and Resource Recovery Act No.036 of 2007*.....(WA)

The range of legislation provides powers and authorities that impose duties and obligations upon the Shire.

Each Act of Parliament generally has one or more related Regulations which also impact on the Shire.

Confirmation of current Acts and Regulations by referring to the Dept of Justice Parliamentary Counsel's Office website, *Christmas Island Act -1958-Federal Register of Legislation* is recommended.

2.2 Local Laws

Many of the enabling and principal legislation for the Shire and its Council is the *Local Government Act 1995* (the Act).

As at November 2021, the Shire's local laws are –

- *SOCI Standing Orders Local Law*
- *SOCI Repeal Local Law* -2018
- *SOCI Cemeteries Local Law* -2013
- *SOCI Cats Local Law* -2018
- *SOCI Dogs Local Law* -2018

- *SOCI Health Local Law* -2018
- *SOCI Waste Local Law* -2019
- *SOCI Repeal Local Law* -2018
- *SOCI Plastic Bag Reduction Local Law* -2018
- *SOCI Parking and Parking Facilities Local Law* -2018
- *SOCI Animals. Environment and Nuisance Local Law* -2018

These current local laws of the Shire of Christmas Island can be accessed and downloaded free of charge via our website <https://www.shire.gov.cx>

Section 3 - Organisational Structure

The Shire of Christmas Island was created in 1992 as a result of the Commonwealth Law Reform process; the Local Government Act 1995 (WA) (CI) applies Western Australian laws to Territory Laws. A State-level government does not apply to Christmas Island, the provision of services to the territory and the power to make state-like laws is the responsibility of the Australian Government.

3.1 Council

The policy-making or legislative powers of the Shire of Christmas Island rest with the elected members of the Council.

Ordinary local government elections are held on the third Saturday in October of odd numbered years. Terms are for 4 years.

An extraordinary election may be necessary from time to time in accordance with processes prescribed by the *Local Government Act 1995*. Terms at an extraordinary election are for the balance of the vacancy being filled.

The Council consists of nine elected members –

- Shire President – elected by the community every 4 years.
- Nine Councilors – with half elected every 2 years on odd year (eg 2023, 2025, 2027 etc)

Due to arrangements determined by the Governor's Order and published in the Government Gazettes on 30 October 2015 and 29 April 2016, wards in the Shire of Christmas Island were abolished for the 2019 local government elections.

A current list of the elected members of Council for the Shire is available on our website.

The Council generally meets on the fourth Wednesday each month except January, in order to:

- determine matters of policy;
- exercise its discretion in determining matters that cannot be determined by staff;
- receive information.

Decisions that are binding on the Shire of Christmas Island can only be made by the Council when it meets collectively. Individually, the elected members have no decision making power.

Council may delegate decision making powers to staff or a committee of the Council. However, the types of powers that may be delegated are limited by the *Local Government Act 1995* and other legislation.

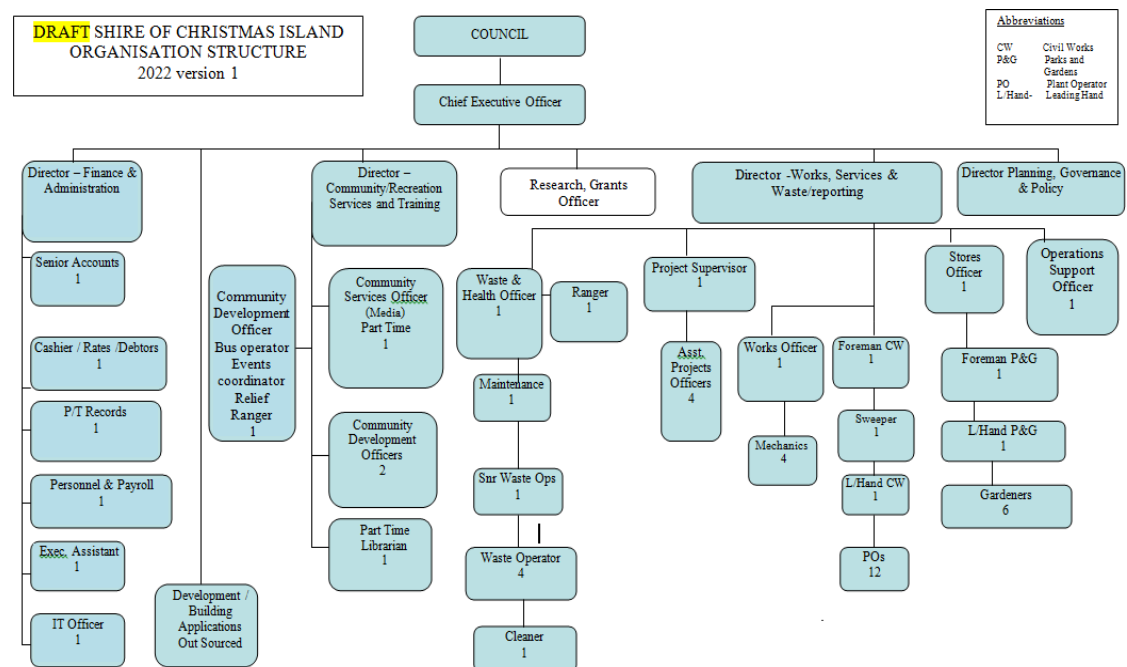
3.2 Management

The operations of the Shire are managed by the Chief Executive Officer who is supported by an Executive Management Team.

The role of CEO is to act as a conduit between Council and the administration of the Shire, and to carry ultimate responsibility for the efficient and effective utilisation of the resources available to the Shire. The CEO and staff report to Council at monthly meetings with recommendations that Council can accept, reject or substitute with an amended resolution.

The Executive Management Team consists of Executive Managers who assist the CEO in managing the Shire's three Divisions.

A visual overview of the management structure of the Shire as follows –



Decision Making Functions

The Council of the Shire of Christmas Island has the responsibility to oversee the development and progression of the local community.

Matters requiring a decision that are brought before Council have an associated recommendation which has been prepared by the responsible staff member who is employed by the Shire of Christmas Island. The recommendations are generally based on –

- legislation;
- legal responsibilities;
- adopted documents outlining strategic direction, policy etc;
- professional opinions.

Council may modify, reject or adopt new resolutions after it considers the recommendations of the particular officer.

A range of policies have been developed by the Shire that guide and direct its actions now and into the future.

For many operation and day-to-day matters, Council has delegated decision-making authority to the CEO. These delegations are reviewed and approved by Council on an annual basis. The CEO may further delegate certain decision-making duties to Shire officers in accordance with the *LG Act 1995*.

In performing their roles as decision makers, elected members, the CEO and Shire Officers are required to make decisions that have an impact on the daily lives of the community. These decisions might be about things like the provision of footpaths, control of animals, refuse collection, cultural events, planning matters, recreation facilities and control of environmental health issues. The Shire strives to achieve a balanced and fair approach to decision making to protect and develop the amenities of the Shire, preserve heritage, encourage economic growth, and provide clarity to residents and businesses in the area.

Public Participation

The Shire of Christmas Island recognises that the community is an important resource when informing decision making, and that community input is essential to assist the Shire in choosing a path that caters for the current and future needs and expectations of the community.

5.1 Council Meetings

The participation of the public in Council meetings is achieved through three avenues –

a) Meetings generally open to the public

The *Local Government Act 1995* provides that all Council meetings are to be open to the public. The only exception to this rule is when the Council decides that certain parts of the meeting should be closed to the public (e.g. where the meeting is dealing with the personal affairs of any person). The grounds on which a meeting can be closed to the public are limited by law and are specifically set out in the Act.

b) Public question time

Local Government Act 1995 and the associated Local Government (Administration) Regulations 1996 provide for a minimum period of fifteen minutes is to be set aside at the commencement of any Council meeting to allow the public the opportunity of asking questions and receiving responses. Specific details on meeting procedures can be found within the Regulations, the Meeting Procedures Local Law and Council Policy.

c) Deputations and Presentations

Public participation in Council meetings can be achieved in a more formalised process which relates to the Shire receiving petitions and/or deputations. The specific details of how these are presented to Council are contained within Shire's Meeting Procedures Local Law.

5.2 Committees

Public participation in Council affairs is obtained by the creation of committees which may (or may not) meet regularly. These committees generally make recommendations to Council via a responsible officer's report.

Committees in existence and functioning at the time of publication of this document are –

- Audit Advisory Committee;
- Christmas Island Airport Advisory Committee;
- Local Emergency Management Committee;
- Australia Day and Honours Advisory Committee;
- Fire and Emergency Services Authority (FESA)

- Volunteer St Johns Ambulance
- Volunteer Marine Rescue (VMR)
- Shire Community Welfare Fund (2001)

The role of these committees is generally to provide advice to Council on specific matters where public input is thought desirable by the Council.

A number of reference groups have also been established –

- Christmas Island Strategic Assessment (CISA) Community Reference Group (CRG) key stakeholder.
- Fishery Management Committee
- Indian Ocean Territories Health Service - Christmas Island Community Advisory Committee (CAC)

Public participation in the occasional committees can be achieved by a number of processes which includes advertising in the local newspaper or by invitation. Council may offer a particular community group or organization a specific seat on a committee or reference.

5.3 Annual and Special Electors' Meetings

The *Local Government Act 1995* also obligates the Shire to hold an annual meeting of electors within 56 days of the Shire of Christmas Island acceptance of the annual report for the previous financial year.

The Annual Electors' meeting provides electors with an opportunity to discuss the contents of the annual report and then any other general business. The meeting tends to be held in December or January.

In accordance with Section 5.28 of the *Local Government Act 1995*, a special meeting of electors may be held following a request made to the Shire President for such a meeting by either –

- not less than one hundred electors or 5% of the number of electors, whichever is the lesser;
- one third of the number of council members.

Any request of this nature is to specify the matters to be discussed at the Meeting and the form or content of the request is to be in accordance with the requirements of the *Local Government (Administration) Regulations 1996*.

Notice of impending Annual and Special Electors' meetings is advertised in the local newspaper and the Shire's website.

5.4 Other Avenues for Public Participation

There are a number of other ways to contribute, including –

a) Community consultation

The community may be asked to comment and have their say on particular issues. Some of these are statutory consultation requirements such as local laws review, strategic community plan consultation, development approvals and so on. But there are also many occasions where community consultation is not required, but sought in order to obtain a wide consensus of opinion and could include matters such as recreation facilities, future planning etc.

b) Petitions

A petition is where there is a formal written request, signed by members of the community, appealing to the Council in respect to a particular issue. The subject of the petition must be something that the Council has the authority to deal with, or on which the Council has a decision-making role.

c) Written requests

A member of the public can write to the Shire on any policy, activity or service of the Shire. A response will be provided in accordance with the Shire Customer Service Charter.

Documents Held by the Shire of Christmas Island

6.1 Documents Available Outside FOI

There are two basic types of documents held by the Shire of Christmas Island. These can be broadly categorised as –

- those available for inspection or purchase; and
- those which must be held confidentially due to their content, with access considered only through the provisions of the FOI Act.

Any person can attend the office of the Shire of Christmas Island during office hours and free of charge inspect, subject to section 5.95 of the *Local Government Act 1995*, any of the following in relation to the Shire of Christmas Island, whether or not current at the time of inspection, and in the form or medium in which it may at the time be held by the Shire –

- a) Code of Conduct;
- b) Register of Financial Interests;
- c) Annual Report
- d) Annual budget
- e) Schedule of Fees and Charges;
- f) Plan of Principal Activities (Strategic Community Plan/Corporate Business Plan);
- g) Proposed Local Law of which the Shire has given Statewide Public Notice under Sec.3.12 of the *Local Government Act 1995*;
- h) Local Laws made by the Shire in accordance with Sec.3.12 of the *Local Government Act 1995*;
- i) Regulations made by the Governor under Sec.9.60 of the *Local Government Act 1995* that operates as if they were Local Laws of the Shire;
- j) Text that –
 - Is adopted (whether directly or indirectly) by a Local Law of the Shire or by a regulation that is to operate as if it were a Local Law of the Shire; or
 - Would be adopted by a proposed Local Law of which the Shire has given Statewide public notice under Sec.3.12(3):
- k) Subsidy legislation made or adopted by the Shire under any written law other than the *Local Government Act 1995*;
- l) Any written law having a provision in respect of which the Shire has a power or duty to enforce;
- m) Rate record;
- n) Confirmed minutes of Council or Committee Meetings;
- o) Minutes of Electors Meetings;
- p) Notice papers and agenda relating to any Council or Committee Meeting and reports and other documents that have been –
 - Tabled at a Council or Committee Meeting; or

- Produced by the Shire of Christmas Island or a Committee for presentation at a Council or Committee Meeting and which have been presented at a meeting;
- q) Report of a review of a Local Law prepared under Sec.3.16(3) of the *Local Government Act 1995*;
- r) Business plan prepared under Sec.3.59 of the *Local Government Act 1995*;
- s) Register of Owners and Occupiers under Sec.4.32(6) of the *Local Government Act 1995* and Electoral Roll;
- t) Contract under Sec.5.39 of the *Local Government Act 1995* and variation of such contract;
- u) Such other information relating to the Shire –
 - required by a provision of the *Local Government Act 1995* to be available for public inspection; or
 - as may be prescribed,

However, it should be noted that the *Local Government Act 1995* specifies a number of limitations on the rights of those wanting to inspect the Shire's information. Despite these limitations, nothing in the *Local Government Act 1995* affects the operation of the *Freedom of Information Act 1992* (FOI Act).

Specific finance, accounting, rating and valuation records are kept for varying lengths of time in accordance with the *General Retention and Disposal Schedule for Local Government* as prepared by the Records Management Office of State Archives of Western Australia.

Other documents are also available for inspection free of charge at the administration office of the Council during office hours, including –

- Policy Manual;
- Business Prospectus;
- Delegations Register;
- Management Plans for public facilities and reserves;
- Community Strategic Plan;
- Corporate Business Plan;
- Burial Register;
- Cemetery Plan;
- Local Planning Scheme, maps and amendments.

Photocopies of the above documents are available at a set by Council in the annual fees and charges. Alternatively, a copy of most of the documents listed above can be obtained from the Shire's website.

6.2 Documents which may be available under FOI provisions

The Freedom of Information Act 1992 (FOI Act) gives the general public a right to access documents held by the Shire of Christmas Island subject to

limitations listed below.

The access provisions of the FOI Act do not apply to documents that –

- are available for purchase by the public or free distribution to the public;
- are available of inspection under Part 5 of the FOI Act (i.e. information statements and internal manuals) or under another enactment.
- can be inspected in the State archives.
- are publicly available library material held by agencies for reference purposes.
- are made or acquired by an art gallery, museum or library and preserved for public reference or exhibition purposes

When a FOI Act application is made for documents that originated with another government agency and are more closely related to the functions of the other agency the FOI application may be transferred to that agency.

Documents accessible under the FOI Act include paper records, plans and drawings, photographs, tape recordings, films, videotapes or information stored in a computerised form.

While the Act provides a general right of access to documents, some documents are protected from disclosure because their release would have an adverse effect on the private and business interests of individuals, or would hinder the proper functioning of government.

The kinds of documents that may be protected from disclosure are those documents that meet the exemption criteria in Schedule 1 of the FOI Act 1992, which includes (but is not limited to):

- Personal information that identifies a third party
- Information concerning trade secrets
- Information of commercial value

Applying to access documents

- Apply in writing to the Freedom of Information (FOI) Co-ordinator (our application form may assist you to make your application)-
- Identify or describe the documents you want. If you ask for “everything” on a particular subject, the FOI Co-ordinator may help you narrow the scope of your application to ensure that the work involved is reasonable. Otherwise an agency may refuse to deal with your application.
- Give an address in Australia where notices can be sent. If possible, include your telephone number/fax number/e.mail address as this will help the FOI Co-ordinator to contact you if necessary to assist in your application being dealt with efficiently.
- Lodge your written application with the Shire with any applicable fee payable.

Download a copy of the Shire of Christmas Island’s Freedom of Information Statement and application form.

The Shire holds its general documents in both hard and electronic formats.

However, nearly all current accounting records excluding creditor invoices, are held on computer and are backed up on tape and hard drives on a daily basis.

6.3 Amendment of Personal information

If you apply for amendment of personal information about yourself, you must provide details to show how or why the agency's records are inaccurate.

Apply in writing to the Freedom of Information (FOI) Co-ordinator.

Provide details to show how or why the agency's records are inaccurate, incomplete, out of date or misleading;

No fees or charges for applications for amendment of personal information **about** yourself.

If you apply for amendment of personal information about yourself you must provide details to show how or why the agency's records are inaccurate, incomplete or misleading.

FOI Applications can be lodged by mail or email to:

Freedom of Information Co-ordinator
Shire of Christmas Island
PO Box 863
Christmas Island WA 6798
Email: admin@shire.gov.cx

6.4 Reasons for Refusal of Access

The most frequent reasons for refusal to provide access to information are-

a) Personal information

Information that would reveal personal information about an individual (e.g. their name, contact details, signature etc.) may be exempt under Schedule 1 Clause 3 of the *Freedom of Information Act 1992*.

The Glossary, Schedule 2 of the FOI Act states that –

Personal information or an opinion, whether true or not, and whether recorded on a material form or not, about an individual, whether living or dead –

- whose identity is apparent or can reasonably be ascertained for the information or opinion; or
- who can be identified by reference to an identification

number or other identifying particular such as a fingerprint, retina print or body sample.

b) Commercial information

Information that would reveal trade secrets, information of a commercial value (e.g. documents containing technical designs that if released, would harm the company), or the financial affairs of a person (e.g. debts owed to the Shire) may be exempt under Schedule 1 Clause 4 of the *Freedom of Information Act 1992*.

c) Deliberative Process

Information that would reveal a decision made during a deliberative process closed to the public (e.g. confidential council meeting) may be exempt under Schedule 1 Clause 6 of the *Freedom of Information Act 1992*.

d) Legal Professional Privilege

Information that would reveal legal advice may be exempt under Schedule 1 Clause 7 of the *Freedom of Information Act 1992*

FOI Processes

7.1 Application, Assessment, Notice of Decision and Appeal

It is the aim of the Shire to make information available promptly and at the least possible cost and whenever possible documents will be provided outside of the FOI process.

If information is not routinely possible, the *Freedom of Information Act 1992* provides the right to apply for documents held by the Shire of Christmas Island and to enable the public to ensure that personal information in documents is accurate, complete and not misleading.

7.2 Freedom of Information Applications

Access Applications have to-

- be in writing;
- give sufficient information so that the required documents can be easily identified;
- provide an Australian address to which any notices can be sent; and
- be lodged at the Shire of Christmas Island's Administration Centre with the appropriate application fee.

Application and enquiries should be addressed to Freedom of Information (FOI) Officer by using the following;

By telephone on	: (08) 9164 8300
Post to	: FOI Officer PO Box 863 Christmas Island WA 6798;
Or in person at	: George Fam Centre 2 Murray Road Christmas Island WA 6798
Email	: admin@shire.gov.cx

7.3 Access Arrangements

Access to documents may be granted by way of inspection, a document, a copy of an audio or video tape, a computer disk, a transcript of a recorded, shorthand or encoded document from which words can be reproduced.

7.4 Notice of Decision

As soon as possible but in any case, within 45 days you will be provided with a notice of decision which will include details such as –

- the date the decision was made
- the name and the designation of the officer who made the decision
- if the document is an exempt document the reasons for classifying the matter exempt, or the fact that access is given to an edited document
- information on the right to review and the procedures to be followed to exercise those rights.

7.5 Costs

n/a	Personal Information about the Applicant	No fee or charge
1	Application fee (for non-personal information)	\$30.00
2 (a)	Charge for time dealing with the application (per hour or pro rata)	\$30.00
2 (b)	Access time supervised by staff (per hour or pro rata)	\$30.00
2 (c)	Photocopying staff time (per hour pro rata)	\$30.00
2 (c)	Per photocopy	\$0.20c
2 (d)	Transcribing from tape, film or computer (per hour or pro rata)	\$30.00
2 (e)	Duplicating a tape, film or computer information	Actual cost
2 (f)	Delivery, packaging and postage	Actual cost
3 (a)	Advance deposit that may be required in respect of estimated charges	25%
3 (b)	Further advance deposit may be required to meet the charges for dealing with the application	75%

As per regulations, Schedule 1

7.6 Financial hardship

The Regulations of the FOI Act provide that the applicable charge will be reduced by 25%, for an applicant who is –

- impecunious [financially disadvantaged], in the opinion of the Shire there is financial hardship; or
- the holder of a currently valid pensioner concession card issued on behalf of the Commonwealth to that person, or any other card which may be prescribed as being a pensioner concession card under the Rates and Charges (Rebates and Deferrals Act) 1992.

3 (a)	For impecunious (financial hardship)	25% reduction
3 (b)	For those with prescribed pensioner concession cards	25% reduction

As per Regulation 3 and Schedule 1

7.7 Advance deposits

Under section 18 of the FOI Act, an advance deposit may be required by the Shire. If a deposit is required, then it will be set at 25% of the estimated charges which will be payable in excess of the application fee.

Further advance deposits, up to 75% of the total charges payable in excess of the application fee, may also be sought by the Shire.

7.8 Cost estimates

If an agency estimates that the cost of dealing with an access application may exceed \$25, section 17 of the FOI Act requires agencies to issue the applicant with a cost estimate, outlining the basis on which the estimate has been made. This must be done before the agency finishes dealing with the application.

7.9 Right of Review

Applicants who are dissatisfied with a decision of the Shire FOI Officer are entitled to ask for an internal review by the Shire of Christmas Island. Application should be made in writing within 30 days of receiving the notice of decision. You should be notified of the outcome of the review within 15 days.

Internal Review Rights

If you are not satisfied with the Shire's decision, you have the right to apply for an internal review. An application for internal review must be lodged with this agency within 30 days after being given this notice of decision, and must be –

- in writing;
- provide particulars of the decision to be reviewed; and
- give an address in Australia.

There is no lodgement fee for an application for internal review and there are no charges for dealing with an internal review request.

An application for internal review must be lodged with this agency within 30 days after being given this notice of decision, and must be –

- in writing;
- provide particulars of the decision to be reviewed; and
- give an address in Australia.

There is no lodgement fee for an application for internal review and there are no charges for dealing with an internal review request.

If an application for internal review is received, it will not be dealt with by the person who made the initial decision, or by any person who is subordinate to the original decision maker. The outcome of an application for internal review may result in either a confirmation, variation or reversal of the initial decision under review. You will be advised of the outcome within 15 days. The address for lodgement of an internal review request is –

Chief Executive Officer
Shire of Christmas Island
PO Box 863
CHRISTMAS Island WA 6798

or in person at –

Shire of Christmas Island
George Fam Centre
2 Murray Road
Christmas Island WA 6798

External Review Rights

If you are not satisfied with the Shire's Internal Review decision, you have the right to lodge a complaint with the Information Commissioner seeking External Review of the decision. You are required to lodge your complaint with the Information Commissioner's Office within 60 days of receiving written notice of the Shire's internal review decision.

A complaint to the Information Commissioner must –

- be in writing;
- have attached a copy of this decision; and
- give an address in Australia

There is no charge for lodging a complaint with the Information Commissioner's office. The address of the Information Commissioner is –

Office of the Information Commissioner Albert Facey House
469 Wellington Street
PERTH WA 6000

Country Callers 1800 621 244.

Should you have any further queries or require further information about your review rights at this stage, you may contact the Office of the Information Commissioner on (08) 6551 7888.

Should you have any further queries or require further information about your review rights at this stage, you may contact the office of the Information Commissioner on
(08) 6551 7888.

7.10 Forms

A number of forms and documents have been prepared to assist with enquiries and are available on the Shire of Christmas Island website <https://www.shire.gov.cx>

More information about your rights under the FOI Act are available at <https://www.oic.wa.gov.au>

FREEDOM OF INFORMATION



SHIRE OF CHRISTMAS ISLAND

APPLICATION FORM (FCCS003)

PO Box 863
Christmas Island
WA 6798

(08) 91648300 <https://www.shire.gov.cx>

Cashier Hours
7.30am – 4.00pm
Monday - Friday

FOI APPLICATION FOR ACCESS TO DOCUMENTS

(Under the Freedom of Information Act 1992, s12)

1. APPLICANT DETAILS

Title: ☐ Mr ☐ Mrs ☐ Ms ☐ Dr ☐ Other

Surname: Given name/s:

Organisation: (if applicable)

Postal address: (An address in Australia to which notices under the Act can be sent)

Postcode:

Phone No: () Mobile No: Email:

2. NAME OF CLIENT: (if applicable)

Note: If the application is on behalf of an individual who's personal / commercial / business information may be contained in the documents, a signed authority identifying you as the applicant's agent is required before any documents can be released.

3. TYPE OF REQUEST:

- ☐ **Personal Information *** information that is personal information about you only.
- ☐ **Non-Personal Information** Information that is more than just about you- for example, business information about a third party or information about decision not related to you personally.

Note: If the application is for access to, provide identification which confirms your identity e.g. driver's license, valid passport or similar. Note: Although not a requirement for an application, identity must be established prior to having access to information.

4. FORM OF ACCESS REQUIRED:

Copy of the document/s ☐

Inspection of document/s ☐

Access in another form ☐ (Details)

5. DESCRIPTION OF DOCUMENTS * (Give enough information to enable the requested document/s to be identified)

Note: If more space is needed, leave this section blank and attach extra pages to the application.

6. PERSONAL INFORMATION

The FOI Act allows a person to have access to personal information about themselves, subject to some limitations. However, it protects the personal and professional privacy of other individuals by providing an exemption for personal information about a third party (other than the access applicant) and imposing a duty upon the agency to consult any such third party if the agency is considering disclosing personal information about them.

Please advise if you agree to delete from the scope of the application, any personal information related to third parties. This removes the necessity to consult with the third parties and may reduce the amount of time required to deal with the application.

☐

I do not require access to any “personal information” about third parties and understand that such information will be deleted from any documents released.

Note: Consultation with third parties may still be necessary in relation to any commercial / business information contained in documents.

7. FEES AND CHARGES

Application Fee

The *Freedom of Information Regulations 1993* includes a schedule of fees and charges payable under the FOI Act. An application fee of \$30 is payable when lodging an application for access to documents containing non-personal information.

Note: No application fee is payable for access to personal information about the access applicant only.

Applicant's signature:

Date:

 / /

Charges

There may be processing charges in respect of your application. If the amount is likely to be more than \$25, you will be provided with an estimate of charges and given 30 days to advise if you wish to continue with the application.

Processing Charges Reduction

The FOI Regulations allow for a 25% reduction in processing costs if the applicant holds any of the following cards.

- a valid Commonwealth-issued pensioner card; or
- another type of government-issued concession card (e.g. WA Seniors Card); or
- a student card (e.g. WA Student Card).

Processing Charges Waiver

The FOI Act allows for waiving of processing charges if an applicant is financially disadvantaged.

Note: The legislation has made no provision for reduction or waiver of the application fee.

8. PAYMENT FOR APPLICATION FOR NON-PERSONAL INFORMATION

Payment of a \$30 fee for an access application for non-personal information can be made by post or in person with a cheque, money order or credit card. Cheques or Money Orders are made payable to the **Shire of Christmas Island**.

Note: Cash can be used, if paying in person.

9. LODGEMENT OF APPLICATIONS

By Post:
Att: FOI Officer
Shire of Shire of Christmas Island
PO Box 863
Christmas Island WA 6798

In Person:
FOI Office
Shire of Christmas Island
2 Murray Road
Christmas Island 6798

By Email: admin@shire.gov.cx
(credit card payment details required if a non-personal access application)

Phone: (08) 9164 8300

10. CREDIT CARD PAYMENT

Card Number: - - - **Expiry Date** /

Card Type: (Please tick) **Master Card** ☐ **Visa** ☐ **Amount**

Cardholder's Name: (Please print)

Signature:

Note: The credit card number will be removed when the payment has been received

Office Use Only

Received: ---- / ---- / ----

Validated (Fee Paid): ---- / ---- / ----

Receipt/Tax Invoice No: ----

Proof of Identify: (Access to or amendment of personal information only) ☐

Sighted by _____



SHIRE OF CHRISTMAS ISLAND

SUBMISSION TO	Ordinary Council Meeting 27 September 2022
AGENDA REFERENCE	10.2.1
SUBJECT	Schedule of Accounts - August 2022
LOCATION/ADDRESS/APPLICANT	N/A
FILE REFERENCE	3.1.14
INTEREST DISCLOSURE	None
DATE OF REPORT	20 September 2022
AUTHOR	Kim Chua, MFA
SIGNATURE OF AUTHOR	SIGNED
SIGNATURE OF CEO	SIGNED

RECOMMENDATION

That Council approves the expenditure as presented in August 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 August 2022: **\$ 106,274.29**

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 - August 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.”



SHIRE OF CHRISTMAS ISLAND

SUBMISSION TO	Ordinary Council Meeting 27 September 2022
AGENDA REFERENCE	10.2.2
SUBJECT	Financial Statements – August 2022 (Unaudited)
LOCATION/ADDRESS/APPLICANT	N/A
FILE REFERENCE	3.1.14
INTEREST DISCLOSURE	None
DATE OF REPORT	13 Sept 2022
AUTHOR	Kim Chua; MFA
SIGNATURE OF AUTHOR	SIGNED
SIGNATURE OF CEO	SIGNED

RECOMMENDATION

That Council receives the Financial Statements of August 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 August 2022.

SHIRE OF CHRISTMAS ISLAND

STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 August 2022 TO 31 August 2022

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

		NOTE		31-Aug 2022 Y-T-D Actual \$	31-Aug 2022 Y-T-D Budget \$	2022/23 Budget \$	Variances Budget to Actual Y-T-D %	>10% & >\$10,000
<u>Operating</u>								
Revenues/Sources								
1	1	General Purpose Funding	5,491,183	739,484	8,873,804	74.26%	4,751,699	
	2	Governance	16,582	417	5,000			
	3	Law, Order, Public Safety	110	75	900			
	4	Health	8,915	1,621	19,450			
	5	Welfare	357	167	2,000			
	6	Housing	1,549	1,333	16,000			
2	7	Community Amenities	430,456	94,967	778,732	45.33%		
	8	Recreation and Culture	12,252	13,758	165,100			
	9	Transport	4,960	177,634	2,131,610			
	10	Economic Services	5,424	2,707	32,480			
	11	Other Property and Services	70,014	1,178	14,140			
			6,041,802	1,033,341	12,039,216	11.2%		
(Expenses)/(Applications)								
1 2	12	General Purpose Funding	(8,923)	(13,537)	(162,443)		165,727	
	13	Governance	(424,907)	(259,180)	(984,885)	-63.9%		
	14	Law, Order, Public Safety	(22,483)	(17,311)	(243,730)			
	15	Health	(14,480)	(14,948)	(179,379)			
	16	Welfare	(75,842)	(47,117)	(706,762)			
	17	Housing	(34,669)	(15,903)	(190,838)			
	18	Community Amenities	(195,273)	(178,517)	(2,142,207)			
	19	Recreation & Culture	(196,909)	(99,720)	(2,642,576)			
	20	Transport	(392,208)	(170,937)	(4,786,228)			
	21	Economic Services	(2,909)	(19,900)	(238,797)			
	22	Other Property and Services	(332,700)	(238,709)	(596,773)			
		(1,701,304)	(1,075,780)	(12,874,618)	-10.8%	625,524		
<u>Adjustments for Non-Cash</u>								
<u>(Revenue) and Expenditure</u>								
	23	Profit/(Loss) on Asset Disposals	0	0				
	24	Leave Accruals	0	0				
		Movement in accrual interests	0	0				
	25	Depreciation on Assets	0	0				
<u>Capital Revenue and (Expenditure)</u>								
3	26	Purchase Property, Plant & Equipment	-	-				
	27	Purchase Infrastructure Assets - Roads	-	144,093				
	28	Proceeds from Disposal of Assets	-	-				
	29	Transfers to Reserves (Restricted Assets)	-	-				
	30	Transfers from Reserves (Restricted Assets)	-	-				
	31	Grants	-	-				
				-				
ADD	Net Current Assets Aug. 1 B/Fwd			-				
LESS	Net Current Assets Year to Date			-				
Amount Raised from Rates				-				

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

SHIRE OF CHRISTMAS ISLAND

STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 August 2022 TO 31 August 2022

	44804 2022 Actual \$	Brought Forward 1-Jul \$
Note 1. NET CURRENT ASSETS		
FM Reg 34 (2)(a) Composition of Estimated Net Current Asset Position		
CURRENT ASSETS		
Cash - Unrestricted	3,422,332	1,005,729
Cash - Restricted	4,818,699	4,585,316
Receivables	2,401,989	677,304
Inventories	564,841	832,279
Other Financial Assets	24,386	31,610
	11,232,247	7,132,238
LESS: CURRENT LIABILITIES		
Payables and Provisions	(1,090,584)	(1,755,865)
	10,141,663	5,376,373
Less: Cash - Reserves - Restricted	(4,818,699)	(4,585,316)
Less: Cash - Restricted/Committed	(51)	0
NET CURRENT ASSET POSITION	5,322,913	791,057

Note 2.**CURRENT RATIO**

Current Assets	11,232,247	10.30 : 1
Current Liabilities	1,090,584	

QUICK RATIO

Current Assets - (Restricted Assets + Inventories)		
Current Liabilities		
11,232,247	- (4,818,699 + 564,841)	5.36 : 1
	1,090,584	

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 August 2022 TO 31 August 2022

Note 3.

VARIANCES

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

OPERATING REVENUE		
General Purpose	74.3% above budget estimate	FAG received in advance
Governance	9.3% above budget	Employee back pay
Comm Amenities	78.4% - Community Amenities	Garbage charges- Profiling of receipts
OPERATING EXPNDITURE		
All programs	Majority of Programs Under Budget	10.8% under budget
CAPITAL INCOME		
Grants	No capital purchases or unprocessed	Timing differences
CAPITAL EXPENDITURE		
Property, Plant & Equipment	Well under budget - LRCI works	
Infrastructure Assets		



SHIRE OF CHRISTMAS ISLAND

SUBMISSION TO	Ordinary Council Meeting 27 September 2022
AGENDA REFERENCE	10.5.1
SUBJECT	Policy Manual Review
LOCATION/ADDRESS/APPLICANT	
FILE REFERENCE	2.11.13/2.11.12/2.11.40/2.11.29/2.11.33/2.11.14/ 2.11.30/2.11.37/2.11.19/2.11.18/2.11.34/2.11.35
INTEREST DISCLOSURE	Nil
DATE OF REPORT	19 September 2022
AUTHOR	Chris Su, Director of Governance
SIGNATURE OF AUTHOR	SIGNED
SIGNATURE OF CEO	SIGNED

RECOMMENDATIONS

That Council adopts the following reviewed policies –

Financial Policy 1 - Regional Price Preference

Financial Policy 2 - Purchasing

Financial Policy 2.1- Purchasing - Petty Cash

Financial Policy 3 – Corporate Credit Cards

Financial Policy 4 – Financial - Significant Accounting

Financial Policy 5 - Debt Recovery

Financial Policy 6 - Investment

Financial Policy 7- COVID-19 Financial Hardship Policy

Waste Policy 1 – Provision of Waste Collection Services

Waste Policy 2 – Disposal of Demolition Materials

Works and Services Policy 1 – Private Works

Works and Services Policy 2 – Plant and Vehicle Replacement

BACKGROUND

Council Policies are high-level statements articulating the intent of the Shire's strategic objectives and provides high level guidance for the Shire's operations.

They are developed by senior management in accordance with feedback from operations staff. They aim to strengthen good governance and support consistency in decision-making and outcomes.

COMMENT

The Policy Manual requires require a review every two years for best practice. The period for the last review was the final quarter of 2021; the auditors requested that the relevant staff conduct a review of the manual for adoption by Council this current quarter with a view to have it completed at end of quarter. Auditors also recommended inputting the date of review in a long-term calendar to ensure the next review is completed in two years.

Whilst policy review is not a statutory requirement, unlike local law reviews which are to be done at least once in seven years, regular formalized reviews ensure that policies are kept updated and relevant to any changes in the local government space.

Policy	Change	Rationale
Financial Policy 2 – Purchasing Policy	<p>The former requirement was to have council advertise annually for local businesses to nominate themselves to be added to the local Trades Register for Council to call on as needed.</p> <p>This has been removed and policy now requires the Administration section to scan the local business environment and add new businesses to the Trades Register</p>	<p>In practice, the Administration section already practices this method.</p> <p>Given the micro-size of the Island's economy, it is more efficient to automatically add new local businesses to the local Trades Register than have them submit an application to be included.</p>
Financial Policy 7 – COVID 19 Financial Hardship Policy	Time frames extended from 2020/21 year rate debts to 2022/23 time frame,	<p>WA State Circular 03-2020 from WA Local Govt Minister David Templeman required all Local Governments to adopt a Financial Hardship Policy to accommodate ratepayers who may be adversely affected by the pandemic.</p> <p>WALGA provided the pro-forma policy which had references to the then 2020-2021 financial year. As the pandemic has extended into the present financial year, the dates have been updated to reflect.</p>

STATUTORY ENVIRONMENT

Local Government (Administration) Regulations 1996

Local Government (Administration) Amendment Regulations 2021

FINANCIAL IMPLICATIONS

None

STRATEGIC IMPLICATIONS & MILESTONES

Supports governance outcomes.

VOTING REQUIREMENTS

A simple majority is required.

ATTACHMENTS

10.5.1.1 - Financial Policy 1 - Regional Price Preference

10.5.1.2 - Financial Policy 2 - Purchasing

10.5.1.3 - Financial Policy 2.1- Purchasing - Petty Cash

- 10.5.1.4 - Financial Policy 3 – Corporate Credit Cards
- 10.5.1.5 - Financial Policy 4 – Financial - Significant Accounting
- 10.5.1.6 - Financial Policy 5 - Debt Recovery
- 10.5.1.7 - Financial Policy 6 - Investment
- 10.5.1.8 - Financial Policy 7- COVID-19 Financial Hardship Policy
- 10.5.1.9 - Waste Policy 1 – Provision of Waste Collection Services
- 10.5.1.10 - Waste Policy 2 – Disposal of Demolition Materials
- 10.5.1.11 - Works and Services Policy 1 – Private Works
- 10.5.1.12 - Works and Services Policy 2 – Plant and Vehicle Replacement

Financial Policy 1 – REGIONAL PRICE PREFERENCE

Objective

- To ensure that established Christmas Island business/companies become and remain viable
- To support Christmas Island suppliers of goods and services where possible

Policy

1. This policy applies to the region of Christmas Island.
2. The Shire will give considered regional price preference to regional tenderers for the supply of goods and services to the Shire in the terms of this policy and in accordance with the Regulations.
3. A **regional tenderer** means a supplier of goods or services who tenders for contracts offered by the Shire of Christmas Island and satisfies the following criteria:
 - (a) The supplier has been operating a business continuously out of premises in the Shire of Christmas Island for at least 6 months before the time after which further tenders cannot be submitted; or
 - (b) Some or all of the goods or services are to be supplied from Christmas Island sources.
4. **Regional price preference** means assessing the tender as if the proposed tender price were discounted in accordance with regulation 24D of the Local Government (Functions and General) Regulations 1996.
5. For the purposes of applying a regional price preference, the tender price will be discounted as follows:
 - (a) Up to 10% - where a contract is for goods or services, up to a maximum price reduction of \$50,000.
 - (b) Up to 5% - where the contract is for construction (building) services, up to a maximum price reduction of \$50,000.

Provided that only those goods or services identified in the tender from a regional tenderer as being from regional sources may be included in the discounted calculations that form part of the assessment of a tender when a regional price preference policy is in operation.
6. For the purposes of applying a regional price preference to tender contracts, no distinctions will be made regarding:
 - a. Different parts of a contract
 - b. Different goods or services within a contract
 - c. Different price preferences for different types of goods or services
7. Nothing in this policy implies that price is the only factor to be considered in assessing when the local government is to decide which of the tenders it thinks would be most advantageous to that local government to accept.

Key Performance Indicators

The extent to which regional price preference is applied to assessments of tenders
The extent to which regional suppliers are successful tenderers for goods and services

Key Words

Regional, price preference, Christmas Island, tenders, goods and services

Version	Approved, Amended, Rescinded	Date	Officer	Resolution number	Key changes/ notes	Next Review date	File Ref No.
1	Approved	10/12/02	CEO	201/02			2.11.13
2	Approved	26/9/17	Finance Manager Gan	88/17	None	2019	2.11.13

Authority: Section 3.57 Local Government Act 1995 (WA) (CI); Section 4 Local Government (Functions and General) Regulations 1996; Local Government (Functions and General) Amendment Regulations 2007

Financial Policy 2 – PURCHASING

Objective

- To provide compliance with the Local Government Act, 1995 and the Local Government Act (Functions and General) Regulations, 1996 (as amended in March 2007).
- To deliver a best practice approach and procedures to internal purchasing for the Shire of Christmas Island.
- To ensure consistency for all purchasing activities that integrates within all the Shire of Christmas Island operational areas.
- To efficiently and effectively purchase goods and services recognising that the remoteness of Christmas Island limits the Shire's capacity to implement competitive purchasing strategies and recognising that the Shire is expending public monies that must accounted for.

Policy

The Shire of Christmas Island is committed to setting up efficient, effective, economical and sustainable procedures in all purchasing activities. This policy:

- Provides the Shire of Christmas Island with a more effective way of purchasing goods and services.
- Ensures that purchasing transactions are carried out in a fair and equitable manner.
- Strengthens integrity and confidence in the purchasing system.
- Ensures that the Shire of Christmas Island receives value for money in its purchasing.
- Ensures that the Shire of Christmas Island considers the environmental impact of the procurement process across the life cycle of goods and services.
- Ensures the Shire of Christmas Island is compliant with all regulatory obligations.
- Promotes effective governance and definition of roles and responsibilities.
- Upholds respect from the public and industry for the Shire of Christmas Island's purchasing practices that withstands probity.

ETHICS & INTEGRITY

All officers and employees of the Shire of Christmas Island shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the standing of the Shire of Christmas Island.

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Shire of Christmas Island policies and code of conduct;
- purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- any information provided to the Shire of Christmas Island by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

VALUE FOR MONEY

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Shire of Christmas Island. It is important to note that compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing, and service benchmarks.

An assessment of the best value for money outcome for any purchasing should consider:

- all relevant whole-of-life costs and benefits whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal.
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;
- financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.

SUSTAINABLE PROCUREMENT

Sustainable Procurement is defined as the procurement of goods and services that have less environmental and social impacts than competing products and services. Shire of Christmas Island is committed to sustainable procurement and where appropriate shall endeavour to design quotations and tenders to provide an advantage to goods, services and/or processes that minimise environmental and negative social impacts. Sustainable considerations must be balanced against value for money outcomes in accordance with the Shire of Christmas Island's sustainability objectives.

Practically, sustainable procurement means the Shire of Christmas Island shall endeavour at all times to identify and procure products and services that:

- Have been determined as necessary;
- Demonstrate environmental best practice in energy efficiency / and or consumption which can be demonstrated through suitable rating systems and eco-labelling.
- Demonstrate environmental best practice in water efficiency.
- Are environmentally sound in manufacture, use, and disposal with a specific preference for products made using the minimum amount of raw materials from a sustainable resource, that are free of toxic or polluting materials and that consume minimal energy during the production stage;
- Products that can be refurbished, reused, recycled or reclaimed shall be given priority, and those that are designed for ease of recycling, re-manufacture or otherwise to minimise waste.
- For motor vehicles – select vehicles featuring the highest fuel efficiency available, based on vehicle type and within the designated price range;
- For new buildings and refurbishments – where available use renewable energy and technologies.

PURCHASING THRESHOLDS

Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is expected to be:-

Amount of Purchase	Policy
Under \$200	Direct purchase from suppliers using petty cash or purchase order
\$201 to \$1,000	Direct purchase from suppliers requiring only two verbal quotations.
\$1,001 - \$19,999	Obtain at least three verbal or written quotations.
\$20,000 - \$39,999	Obtain at least three written quotations.
\$40,000 - \$99,999	Obtain at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).
\$100,000 and above	Conduct a public Tender process.

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$50,000 threshold (excluding GST). If a decision is made to seek public tenders for Contracts of less than \$50,000, a Request for Tender process

that entails all the procedures for tendering outlined in this policy must be followed in full.

\$201 to \$1,000

Where the value of procurement of goods or services is between \$201 to \$1,000, purchase on the basis of at least two verbal quotations is permitted. However it is recommended to use professional discretion and occasionally undertake market testing with a greater number or more formal forms of quotation to ensure best value is maintained.

This purchasing method is suitable where the purchase is relatively small and low risk.

Record keeping requirements must be maintained in accordance with record keeping policies.

\$1,001 to \$19,999

This category is for the procurement of goods or services where the value of such procurement ranges between \$1,001 and \$19,999.

At least three verbal or written quotations (or a combination of both) are required. Where this is not practical, e.g. due to limited suppliers, it must be noted through records relating to the process.

The general principles for obtaining verbal quotations are:

- ensure that the requirement / specification is clearly understood by the Shire of Christmas Island employee seeking the verbal quotations;
- ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote;
- read back the details to the Supplier contact person to confirm their accuracy; and
- written notes detailing each verbal quotation must be recorded.

Record keeping requirements must be maintained in accordance with record keeping policies.

\$20,000 to \$39,999

For the procurement of goods or services where the value exceeds \$20,000 but is less than \$39,999, it is required to obtain at least three written quotes (commonly a sufficient number of quotes would be sought according to the type and nature of purchase).

The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements. Record keeping requirements must be maintained in accordance with record keeping policies.

The Shire can still access a WALGA Preferred Supply Contract for these types of purchases.

NOTES: The general principles relating to written quotations are;

- An appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion.
- The request for written quotation should include as a minimum:
 - Written Specification
 - Selection Criteria to be applied
 - Price Schedule
 - Conditions of responding
 - Validity period of offer
- Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.
- Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.
- Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented.
- Respondents should be advised in writing as soon as possible after the final determination is made and approved.

\$40,000 to \$99,999

For the procurement of goods or services where the value exceeds \$40,000 but is less than \$99,999, it is required to obtain at least three written quotations containing price and a sufficient amount of information relating to the specification of goods and services being purchased.

Record keeping requirements must be maintained in accordance with record keeping policies.

For this procurement range, the selection should not be based on price alone, and it is strongly recommended to consider some of the qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, organisation's capability, previous relevant experience and any other relevant factors as part of the assessment of the quote.

\$100,000 and above

For the procurement of goods or services where the value will be \$100,000 or more, Shire staff need to put the procurement to tender. Staff shall follow the procedures described in the relevant subsections of this policy to do so.

TRADES REGISTER

The Shire will maintain a Trades Register for the supply of electrical, plumbing, painting, mechanical, maintenance and construction goods and services provided by local businesses.

The Trades Register will be utilised to procure services valued at \$99,999 or less via the quotation system. Entry onto the Register will be restricted to businesses, persons or groups which meet nominated assessment criteria to ensure that they are suitably qualified and capable of carrying out quality work for the Shire.

Given the small size of the local economy, the administrative team will scan the business environment diligently for new businesses may be entered onto the Register at any time subject to meeting the assessment criteria.

The assessment criteria for entry onto the register shall include as a minimum but shall not be limited to:

- A current ABN or ACN;
- Currency of Public Liability insurance of not less than \$10M;
- Currency of Workers Compensation;
- Qualifications and experience of personnel.

REGULATORY COMPLIANCE

Tender Exemption

In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):

- An emergency situation as defined by the Local Government Act 1995;
- The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- The purchase is under auction which has been authorised by Council;
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- Any of the other exclusions under Regulation 11 of the Functions and General Regulations apply.

Sole Source of Supply (Monopoly Suppliers)

The procurement of goods and/or services available from only one private sector source of supply, (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there must genuinely be only one source of supply. Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for later audit.

Anti-Avoidance

The Shire of Christmas Island shall not enter two or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below the level of \$50,000.

Tender Criteria

The Shire of Christmas Island shall, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.

An evaluation panel shall be established prior to the advertising of a tender and shall include a mix of skills and experience relevant to the nature of the purchase. The panel must contain a minimum of 3 members.

Advertising Tenders

Tenders are to be advertised in a state wide publication e.g. “The West Australian” newspaper, Local Government Tenders section, preferably on a Wednesday or Saturday.

Tenders must remain open for at least 14 full days after the date the tender is advertised.

The notice must include;

- a brief description of the goods or services required;
- information as to where and how tenders may be submitted;
- the date and time after which tenders cannot be submitted;
- particulars identifying a person from who more detailed information as to tendering may be obtained;
- detailed information shall include;
 - such information as the Shire of Christmas Island decides should be disclosed to those interested in submitting a tender;
 - detailed specifications of the goods or services required;
 - the criteria for deciding which tender should be accepted;
 - whether or not the Shire of Christmas Island has decided to submit a tender; and
 - whether or not tenders can be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted.

As a general rule, advertising of tenders by statewide notice as required in the Regulations will be addressed by advertising in The Islander and by public notice. Where the goods or services are not available on Island, notice will be advertised off Island.

Issuing Tender Documentation

Tenders will not be made available (counter, mail, internet, referral, or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation.

This is essential as if clarifications, addendums or further communication is required prior to the close of tenders, all potential tenderers must have equal access to this information in order for the Shire of Christmas Island not to compromise its Duty to be Fair.

Tender Deadline

A tender that is not received in full in the required format by the advertised Tender Deadline shall be rejected.

Opening of Tenders

No tenders are to be removed from the tender box, or opened (read or evaluated) prior to the Tender Deadline.

Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee and at least one other Council Officer. The details of all tenders received and opened shall be recorded in the Tenders Register.

Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as commercial-in-confidence to the Shire of Christmas Island. Members of the public are entitled to be present.

The Tenderer's Offer form, Price Schedule and other appropriate pages from each tender shall be date stamped and initialled by at least two Shire of Christmas Island Officers present at the opening of tenders.

No Tenders Received

Where the Shire of Christmas Island has invited tenders, however no compliant submissions have been received, direct purchases can be arranged on the basis of the following:

- a sufficient number of quotations are obtained;
- the process follows the guidelines for seeking quotations between \$20,000 & \$49,999 (listed above);
- the specification for goods and/or services remains unchanged;
- purchasing is arranged within 6 months of the closing date of the lapsed tender.

Tender Evaluation

Tenders that have not been rejected shall be assessed by the Shire of Christmas Island by means of a written evaluation against the pre-determined criteria. The tender evaluation panel shall assess each tender that has not been rejected to determine which tender is most advantageous.

Addendum to Tender

If, after the tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or the conditions of tender are required, the Shire of Christmas Island may vary the initial information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

Minor Variation

If after the tender has been publicly advertised and a successful tenderer has been chosen but before the Shire of Christmas Island and tenderer have entered into a Contract, a minor variation may be made by the Shire of Christmas Island.

A minor variation will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided for by the initial tender.

Notification of Outcome

Each tenderer shall be notified of the outcome of the tender following Council resolution. Notification shall include:

- The name of the successful tenderer

- The total value of consideration of the winning offer

The details and total value of consideration for the winning offer must also be entered into the Tenders Register at the conclusion of the tender process.

Records Management

All records associated with the tender process or a direct purchase process must be recorded and retained. For a tender process this includes:

- Tender documentation;
- Internal documentation;
- Evaluation documentation;
- Enquiry and response documentation;
- Notification and award documentation.

For a direct purchasing process this includes:

- Quotation documentation;
- Internal documentation;
- Order forms and requisitions.

Record retention shall be in accordance with the minimum requirements of the State Records Act, and the Shire of Christmas Island's internal records management policy.

Keywords	Tender, Goods and Services, Purchases
Related Policies	F11 regional Price Preference Policy
Related Procedures/ Documents	Tender/Procurement Procedure WALGA Purchasing and Tender Guide
Delegation Level	Council, CEO
First endorsed by Council	13 March 2007

Version	Approved, Amended, Rescinded	Date	Officer	Resolution number	Key changes/ notes	Next Review date	File Ref No.
1	Approved	13/3/2007	CEO	30/07			2.11.12
2	Approved	26/9/2017	GRPG	88/17		2019	2.11.12

Authority: Section 3.57 Local Government Act 1995 (WA) (CI); Section 4 Local Government (Functions and General) Regulations 1996; Local Government (Functions and General) Amendment Regulations 2007

Financial Policy 2-1 – PURCHASING – Petty Cash

Objective

- To provide compliance with the Local Government Act, 1995 and the Local Government Act (Functions and General) Regulations, 1996 (as amended in March 2007).
- To deliver a best practice approach and procedures to Petty Cash purchasing for the Shire of Christmas Island.
- To ensure consistency for all purchasing activities that integrates within all the Shire of Christmas Island operational areas.

Policy

The Shire of Christmas Island shall have a Petty Cash reimbursement system for staff to obtain reimbursements for approved work purchases of less than \$50.

The Shire of Christmas Island shall have a float of \$500 in cash in a secured box under the care of the Executive Assistant for this purpose.

All requests for Petty Cash reimbursements must be made on the approved form, the Petty Cash reimbursement form.

This approved form is to be made available only through the Executive Assistant at the front desk.

Upon processing of a reimbursement for Petty Cash reimbursement, the Executive Assistant is to record it in file and report it to the Finance Manager.

Procedure

1. Staff have to confirm that the item they need is not immediately available at a Shire storeroom or supply cabinet and has a value of \$50 or less.
2. Staff to obtain a receipt from a supplier for a purchase made for work purposes. The staff member does not have to obtain permission from a line manager to make the purchase as long as the staff member considers in their judgement that the purchase is necessary for work and that the item cannot be currently obtained from a Shire storeroom or supply cabinet.
3. As soon as practicable the staff member is to obtain a Petty Cash Claim Form from the Executive Assistant at the front desk.
4. Staff member to include the receipt when filling in the Petty Cash Claim Form. Requests for reimbursement without a receipt will not be entertained.
5. Staff member has to get their line manager to counter-sign the Petty Cash Claim form. Staff member is expected to be able to provide a rationale to their line manager to explain the purchase if so needed.

6. Line Manager is to provide the appropriate GL number on the Petty Cash Claim Form.
7. Once the Line Manager and Staff have signed, the GL number provided, the form is dated and receipt provided, the Executive Assistant will reimburse with cash to the staff member.
8. Executive Assistant to record the details in file to report to the Finance Manager.

PETTY CASH ETHICS & INTEGRITY

All officers and employees of the Shire of Christmas Island shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the standing of the Shire of Christmas Island.

Staff are only to buy items under the value of \$50 as needed if the store room or supply cabinet has none of the item.

Records Management

All records associated with the Petty Cash process must be retained. The Executive Assistant is responsible for this.

Record retention shall be in accordance with the minimum requirements of the State Records Act, and the Shire of Christmas Island's internal records management policy.

Keywords Petty Cash, Purchases

Related Policies FI 2, Purchases Policy

Related Procedures/
Documents Petty Cash Claim Form

Version	Approved, Amended, Rescinded	Date	Officer	Resolution number	Key changes/ notes	Next Review date	File Ref No.
1	Approved	24/7/2021	Chris Su	67/21		2023	2.11.40

Financial Policy 3 – CORPORATE CREDIT CARDS

The Shire of Christmas Island shall have one corporate credit card for use by staff only for goods and services to be used on behalf of the Shire. The corporate credit card is by the delegation of the Chief Executive Officer and whose use will be administered by the Director of Finance only.

1. Introduction

Corporate credit cards can deliver significant benefits to the Shire of Christmas Island through improved administrative practices and more effective cash management. However, they can also expose the Shire to significant risks if not properly controlled.

2. Objective

- The purpose of the Shire of Christmas Island's Corporate Credit Card Policy is to establish rules for their use by Shire staff
- The policy will describe the protocol of how Shire staff may access the card and under what circumstances.
- The policy and associated purchasing policy are designed to minimize any risks associated with the use of the Corporate Credit Cards while providing cardholders with a convenient method of purchasing goods and services on behalf of the Shire.

3. Legislation

The following provisions of the Local Government Act (CI) 1995 (the Act) and associated Regulations impact on the use and control of corporate credit cards:

- Section 2.7 (2) (a) and (b) of the Act requires the council to oversee the allocation of the local government's finances and resources and to determine the policies of the local government.
- Section 6.5 (a) of the Act requires the CEO to ensure that proper accounts and records of the transactions and affairs of the local government are kept in accordance with regulations.
- Local Government (Financial Management) Regulation 11(1) (a) requires local governments to develop procedures for the authorization and payment of accounts to ensure that there is effective security and appropriate authorizations in place for the use of credit cards.

4. Advantages of Corporate Credit Card

When used correctly, a credit card can:

- Eliminate or reduce time spent on paper based ordering and payments;
- Reduce administrative costs;
- Reduce the number of payments per month;

- Provide a useful resource in remote and emergency situations;
- Provide an effective audit trail of expenditures.

5. Policies and Procedures Governing the Use of Corporate Credit Cards

Policies and procedures for controlling the use of credit cards:

- The Shire of Christmas Island's Corporate Credit Card may be issued to the Chief Executive Officer and Director Finance and Administration for use where it is inappropriate or inconvenient to use the Shire's normal payment systems.
- The Council must approve the issue of the credit card to the Chief Executive Officer. The Chief Executive Officer approves the issue of a Corporate Credit Card (under delegation) to the Director of Finance & Administration.
- The Shire of Christmas Island's Corporate Credit Cards are to be issued by Westpac Banking Corporation.
- The Director of Finance and Administration is responsible for the security of the credit card issued.
- Credit cards should only be used for purchasing goods and services on behalf of the Shire;
- Use of the Shire corporate credit card for personal expenditure is prohibited;
- The credit card cannot be used for cash withdrawals;
- Any staff member wishing to use the Shire Credit Card for purchase of goods or services must obtain written consent from either the Chief Executive Officer or Director of Finance and Administration detailing the goods or services to be procured and its necessity for that staff member and why the normal means of procurement are not suitable.

For example, some suppliers may have a policy that credit card payment is the only form of purchase.

6. Monitoring and Accountability Requirements

The following safeguards and accountability requirements are to be followed to minimize the risk of misuse of the credit card.

- A tax invoice is required to be obtained for every purchase made by the credit card holder. This is required in reconciliations of the corporate credit card statement at the end of each month. The tax invoice is to be provided to the Director of Finance and Administration as soon as it is obtained.
- If a transaction is done by internet, telephone or by mail order, the cardholder will need to ensure that an appropriate tax invoice is obtained from the supplier and included with the monthly reconciliation.
- Cardholder is to check and sign that the goods and services listed in the monthly statements have been purchased.
- Any suspicious misuse of the credit card is to be immediately reported to the CEO for further investigation.
- Details of the credit card payments to be included in the monthly schedule of accounts with all supporting documentation to be provided at the next regular Ordinary Council Meeting for Council information and inspection.

7. **Card Lost or Stolen**

Cards that are lost or stolen must be reported immediately by the cardholder to Westpac Banking Corporation in accordance with the procedures for such by the Bank.

A replacement card will be arranged and issued to the cardholder upon receipt from the bank.

8. **Disposal of Credit Card**

The Manager of Finance and Administration is to destroy the card in a safe manner upon its expiry or replacement.

Key Performance Indicators	Save administrative costs and number of payments per month;
Keywords	Credit card
Related Policies	Purchasing policy
Related Procedures/ Documents	Credit Card/Purchasing procedures

Version	Approved, Amended, Rescinded	Date	Officer	Resolution number	Key changes/ notes	Next Review date	File Ref No.
1	Approved	24/7/12	CEO				2.11.29
2	Approved	26/7/2017	GRPG	88/17		Sept 2021	2.11.29

Financial Policy 4 – FINANCE – SIGNIFICANT ACCOUNTING

Objective

To provide a mechanism to comply with the requirements of the Local Government Act and Regulations within SOCI's Accounting Section.

Policy

The significant accounting policies which have been adopted in the preparation of this financial report are:

(a) Basis of Preparation

The financial report is a general purpose financial statement which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the local Government Act 1995 and accompanying regulations.

The report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of the selected non-current assets, financial assets and liabilities.

Critical Accounting Estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

(b) The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated.

All monies held in the Trust Fund are excluded from the financial statements, but a separate statement of those monies appears at Note 19 to these financial statements.

(c) Goods and Services Tax

Goods and Services Tax is not applicable to Christmas Island.

(d) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, cash at bank and other short term deposits with original maturities of three months or less.

(e) Trade and Other Receivables

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

(f) Inventories

General

Inventories are measured at net value.

(g) Fixed Assets

Each class of fixed assets is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation or impairment losses.

Initial Recognition

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Council includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overhead.

Revaluation

Infrastructure and other asset classes where no active market exists, fair values is determined to be the current replacement cost of an asset less, where applicable, accumulated depreciation calculated on the basis of such cost to reflect the already consumed or expired future economic benefits or the assets.

Increases in the carrying amount arising on revaluation of assets are credited to a revaluation surplus in equity. Decreases that offset previous increases in the same asset are charged against fair value reserves directly in equity; all other decreases are charged to the statement of comprehensive income.

Any accumulated depreciation at the date of revaluation is eliminated against the gross carrying amount of the asset and the net amount is restated to the revalued amount of the asset.

Land under Roads

In Western Australia, all land under roads is Crown Land, the responsibility for managing which, is vested in the local government.

Effective as at 1 July 2008, Council elected not to recognise any value for land under roads acquired on or before 30 June 2008. This accords with the treatment available in Australian Accounting Standard AASB1051 - Land Under Roads and the fact Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.

In respect of land under roads acquired on or after 1 July 2008, as detailed above, Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.

Whilst such treatment is inconsistent with the requirements of AASB 1051, Local Government (Financial Management) Regulation 4(2) provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations prevail.

Consequently, any land under roads acquired on or after 1 July 2008 is not included as an asset of the Council.

Depreciation of Non-Current Assets

All non-current assets having a limited useful life are depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.

Assets are depreciated from the date of acquisition or, in respect of internally constructed assets, from the time the asset is completed and held ready for use.

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation periods are:

Buildings	20 years
Furniture and Equipment	1 to 14 years
Plant and Equipment	8 to 10 years
Roads	40 years
Formation	not depreciated
Pavement	50 years
Seal	15 years
Kerbs	25 years
Drainage	20 years
Other Infrastructure	14 to 20 years

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in the statement of comprehensive income. When revalued assets are sold,

amounts included in the revaluation surplus relating to that asset are transferred to retained earnings.

Capitalisation Threshold

Expenditure on items of Assets under \$5,000 is not capitalised. Rather, they are recorded on an asset inventory listing.

(h) Investments and Financial Assets

Receivables and held-to-maturity investments are carried at cost using the effective interest method.

(i) Receivables

Receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market.

Receivables are included in current assets, except for those which are not expected to mature within 12 months after the end of the reporting period (classified as non-current assets).

(ii) Held-to-maturity investments

Held-to-maturity investments are non-derivative financial assets with fixed maturities and fixed or determinable payments and fixed maturities that the Council's management has the positive intention and ability to hold to maturity.

Impairment

At the end of each reporting period, the Council assesses whether there is objective evidence that a financial instrument has been impaired. In the case of available-for-sale financial instruments, a prolonged decline in the value of the instrument is considered to determine whether impairment has arisen. Impairment losses are recognised in the statement of comprehensive income.

Estimation of Fair Value

The fair value of financial assets and financial liabilities must be estimated for recognition and measurement or for disclosure purposes.

The fair value of financial instruments traded in active markets is based on quoted market prices at the reporting date.

(i) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured and are usually paid within 30 days of recognition.

(j) Employee Benefits

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the Council has a present obligation to pay resulting from employees services provided to reporting date. The provision has been calculated at nominal amounts based on remuneration rates the Council expects to pay and includes related on-costs.

(ii) Long Service Leave (Long-term Benefits)

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the projected unit credit method. Consideration is given to expect future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the Council does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

(l) Borrowing Costs

Council has no borrowing costs.

(m) Provisions

Provisions are recognised when:

- a) the Council has a present legal or constructive obligation as a result of past events;
- b) for which it is probable that an outflow of economic benefits will result to settle the obligation; and
- c) that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period. Provisions are not recognised for future operating losses.

(n) Leases

Council has no leases of fixed assets.

(o) Joint Venture

Council does not have any joint venture arrangements.

(p) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

Where contributions recognised as revenues during the reporting period were obtained on the condition that they be expended in a particular manner or used over a particular period, and those conditions were undischarged as at the reporting date, the nature of and amounts pertaining to those undischarged conditions are disclosed in Note 2(c). That note also discloses the amount of contributions recognised as revenues in a previous reporting period which were obtained in respect of the local government's operation for the current reporting period.

(q) Superannuation

Council contributes to a number of superannuation funds on behalf of employees.

(r) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where the Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non-current based on Council's intentions to release for sale.

(s) Rounding Off Figures

All figures shown in this annual financial report, other than a rate in the dollar, are rounded to the nearest dollar.

(t) Comparative Figures

Where required, comparative figures have been adjusted to conform with the changes in presentation for the current financial year. Budget Comparative Figures

Unless otherwise stated, the budget comparative figures shown in this annual financial report relate to the original budget estimate for the relevant item of disclosure.

Key Performance Indicators

Keywords

The extent to which financial report is prepared

Basic of Preparation, assets, employees
Benefits, Superannuation

Related Policies	Nil
Related Procedures/ Documents	Significant Accounting procedures
Delegation Level	CEO
First endorsed by Council	30 June 2009
Resolution No.	67/09
Review Date	1 July 2011
Adoption Conditions	Nil
Consultation	Nil required
Reviewed by Council	26 September 2017, 27 September 2022
Council Resolution	88/17
Next Review Date	September 2021
File Reference	2.11.33

Financial Policy 5 – DEBT RECOVERY

Objective

- To provide an efficient, effective and fair method of debt recovery
- To assist debtors experiencing financial hardship to pay off debts in a timely manner

Policy

1. Council is responsible for the effective management of the funds it administers on behalf of the community. Maximising debt recovery is an essential element of responsible financial management. However, it must be balanced against the costs involved in recovering the debt to ensure efficient debt recovery.
2. A debt is defined as any amount of money owed to the Shire by virtue of the provision of services, levying of rates, fees and charges, or the provision of private works or other fee for service and payment has not been made within 35 days of issuance of invoice or notice.
3. It is recognised that there are other circumstances where organisations and individuals owe the Council money. Examples include –
 - Payment of rates and charges by instalments (where an instalment is not due and payable)
 - Payment of grants
 - Provision of services prior to presentation of invoice
 - Any amount overdue for less than 35 days from date of invoice, notice or agreement.

These are not considered as debts for the purpose of this policy.

4. Council will apply interest charges to any debts (as defined) within the following parameters:

- Interest payment

10% simple interest will be applied. In accordance with the LG Financial Management Regulations 1996, the amount of interest applied will be notified in the annual budget. Where the maximum interest rate set out in these regulations reduces below 10%, the amount of interest applied will reduce to that percentage.

- Application of interest

To be calculated as simple interest from the day after the amount has become due and payable for each day until the day before the amount is paid.

- Notice to debtors

All notices to debtors will include information about the rate of interest applicable, and how it is calculated including when it applies from and, in relevant cases, other information required in accordance with the Local Government Act and Financial Regulations

5. Council will pursue all debts owing to the Shire in accordance within the following timeline and actions –

Rates & service charge debts (no instalment plan) & other debts

- Issuance of reminder notice once the rates or other debt becomes due and payable, stating interest now payable
- If no response within 28 days, issuance of letter of demand
- If no response within 28 days of letter of demand, the debt will be pursued in the local court

Rates & Service charge debts (instalment plan)

- Inclusion of the arrears and overdue interest on the subsequent reminder notice issued at least 28 days before the next instalment is due and payable
 - Letter of demand if no response is received by the due date for the subsequent instalment advising potential revocation of the instalment plan option in accordance with point 9
 - Local court action to recover the debt if the final instalment (or the remaining payment where the instalment option has been revoked) is not paid by the due date
6. Where a debtor cannot be located, the CEO may refer the debt to a debt collection agency.
 7. Before taking legal action, the CEO will ensure all efforts have been made to establish that the debtor knows of the debt and there are no negotiated means of recovery, eg giving more time to pay or payment by instalments.
 8. In the case of rates and service charge debts, where a ratepayer can demonstrate financial hardship, the CEO will have authority to exercise discretion in making alternative financial arrangements to the options provided on the rate notice with interest to be charged in accordance with this policy. In no circumstances will a rates and service charge debt be written off.
 9. In the case of rates and service charge debts payable by instalments, the CEO is delegated with the authority to and may revoke the ratepayer's right to pay rates by instalments where an instalment remains unpaid at the time the next instalment becomes due and payable. Such revocation will be made in accordance with regulation 66 of the Financial Management Regulations 1996.
 10. In the case of all other debts, the CEO will have the authority to exercise discretion to apply other measures to encourage repayment. Other measures could include refusing requests for new services or works or requiring up-front payment, withdrawing account privileges, or withdrawing service provision. In no circumstances will a debtor who is subject to local court action be entitled to incur new debts.
 11. The Shire will implement measures to maximise avenues for the payment of monies owed. For example, EFTPOS, internet banking and BPay. The Shire will also seek to establish direct debit arrangements where agreement has been reached for payment of outstanding monies by instalment.

12. The Shire will consider payment of debts by property or goods on a case by case basis. All proposals for debt recovery through payment by equity must have the proposal first examined by both the Manager of Finance and CEO who will seek guidance on the matter from WALGA or the Department of Local Government and Communities on the contemporary regulations for such matters and if advice is received to satisfactory, the debt recovery proposal must be approved by Council.
13. The CEO will have the delegated authority to refer debts to the local court and to write off debts, other than rates & service charges, under \$200. In the case of debts over \$200, only the Council has the authority to write these off. The CEO will report once yearly to Council recommending any debt write off.
14. The CEO will report to Council once each quarter providing the following information about debts:
 - \$ Amounts owing to the Shire under the categories “rates & service charges”, “fees” and “private works”
 - \$ Amounts in each of these categories defined as debts, distinguishing those under \$200 from those above \$200
 - \$ Amount and number of any debts written off in the preceding quarter and a summary of the nature of these debts
 - \$ Amount and number of any debts referred to a debt collection agency and a summary of the nature of these debts
 - Any negotiated agreements to repay debts and a summary of the nature of these debts
15. Unless essential, and subject to privacy and confidentiality requirements, the CEO reports to Council will not contain information about individual debtors.

Key Performance Indicators	Timely provision of reports in the required format Extent to which debts are recovered Extent to which the level of debts are reduced
Key Words	Debts, debt collection, debt write off, financial hardship
Related Policies	
Related Procedures/ Documents	Annual Budget Letter of demand, local court summons
Delegation Level	CEO & Council

Version	Approved, Amended, Rescinded	Date	Officer	Resolution number	Key changes/ notes	Next Review date	File Ref No.
1	Approved	14/10/03	CEO	138/03			2.11.14
2	Approved	26/09/17	GRPG	88/17			2.11.14

Financial Policy 6 – INVESTMENT

Objective

- To provide accountability when dealing with the investment of surplus Council funds
- To ensure surplus Council funds are managed to achieve the best financial result with the minimum risk while retaining access to funds for cash flow purposes

Legislative Compliance

Local Government Act 1995 (Financial Management) Regulations 1996 (as amended), Regulation 19, Part III of the Trustee Act 1962

Policy

Approved Institutions

1. All funds surplus to immediate requirements will be invested in appropriate interest bearing accounts with the Westpac Banking Corporation, the Shire's banking institution, or an authorised institution as defined in Local Government (Financial Management) Regulation 19C
2. Surplus funds include those in municipal, reserve and trust funds, provided that such funds are kept separate in accordance with the Local Government (Financial Management) Regulations 1996, Local Government Act 1995 and the Trustee Act 1962 Part 3.

All interest earned from the investment of surplus funds will be returned to the fund from which the investment was made; namely the municipal, reserve or trust accounts. In other words, interest from reserve fund investment will be returned to the reserve fund; interest from trust accounts returned to the trust account; and interest earned from the municipal account returned to that account.

Authorised Investments

In accordance with the powers conferred on it by the Local Government Act 1995 Section 6.14 (2), the Local Government (Financial Management) Regulations 1996 and the Trustee Act 1962 Part 3, Authorised Investments shall be limited to Australian currency only. The only two financial vehicles that Council may invest in are described as below.

1. The Shire may invest in an interest bearing account chosen will either be a fixed term deposit account, for a term not exceeding 12 months under Section 19C of the Local Government Act (Financial Management) Amended Regulations 2012 or an at call deposit account, depending on predicted cash flow requirements.

2. The Shire may also invest in bonds that are guaranteed by the Commonwealth Government or a State or Territory and which have a term not exceeding three years.

Delegation of Authority for Authorised Investments

1. The Chief Executive Officer is delegated with the authority to decide on the investment of funds in each case
2. The Chief Executive Officer is responsible for ensuring that proper documentation and other internal procedures are established and maintained that provide directions to be followed by employees to ensure effective control over investments.

Upon the expiry of a fixed term deposit, the Manager of Finance and Administration is to recommend to the Chief Executive Officer the renewal and rollover of the fixed term deposit or its transfer to the operational account or part thereof as needed.

The Manager of Finance is to report to the next available Council meeting the recommendation given to and action taken by the Chief Executive Officer.

3. The Chief Executive Officer will report annually to Council on the municipal, reserved and trust account monies that have been invested and the interest returned on these investments.
4. Nothing in this policy detracts from the Shire's current holding in shares purchased when the Shire managed the Christmas Island Supermarket to take advantage of a purchasing arrangement for supermarket stock.

Key Performance Indicators	The extent to which interest on investments represents a good return for the funds so invested. Cash flow is not detrimentally impacted by the investment of surplus funds.
Keywords	Investments, surplus funds, interest, cash flow
Related Policies	Nil
Related Procedures/ Documents	Investment procedures
Delegation Level	CEO
First endorsed by Council	6 June 06
Resolution No.	
Consultation	Nil required
Reviewed by Council	26 September 2017
Resolution No.	88/17
Date Document Updated	September 2017
Next Review Date	September 2021
File Reference	2.11.30

Financial Policy 7 – COVID-19 Financial Hardship Policy

Objective

To give effect to the Shire of Christmas Island's commitment to support the whole community to meet the unprecedented challenges arising from the COVID19 pandemic, the Shire of Christmas Island recognises that these challenges will result in financial hardship for some of our ratepayers.

This Policy is intended to ensure that we offer fair, equitable, consistent and dignified support to ratepayers suffering hardship, while treating all members of the community with respect and understanding at this difficult time

Legislative Compliance

The Local Government Amendment (COVID-19 Response) Act 2020 was passed by Parliament on 16 April 2020 and came into effect on 21 April.

This Act provided a power to enable the Minister to modify or suspend provisions of the Local Government Act and regulations while a State of Emergency declaration is in force and where the Minister considers that such an order is necessary to deal with the consequences of the COVID-19 pandemic.

Circular 3-2020 from the Hon David Templeman MLA, WA Minister for Local Government, Heritage, Culture and the Arts dated 8th May 2020 provided the direction to local governments to create a *Financial Hardship Policy* with subsequent forms to support the all of Government approach to support the community in this time. WALGA subsequently created a template Financial Hardship Policy for local governments to modify for their individual municipalities.

As Christmas Island is in a declared State of Emergency under the CI Emergency Ordinance 2012, the Shire will follow the direction in Circular 3-2020 from the WA Minister for Local Government.

Policy Scope

This policy applies to:

1. Outstanding rates and service charges as at the date of adoption of this policy; and
2. Rates and service charges levied for the 2020/21, 2021/22 and 2022,23 financial years.

It is a reasonable community expectation, as we deal with the effects of the pandemic that those with the capacity to pay rates will continue to do so. For this reason the Policy is not intended to provide rate relief to ratepayers who are not able to evidence financial hardship and the statutory provisions of the *Local Government*

Act 1995 and Local Government (Financial Management) Regulations 1996 will apply.

Policy Statement

1 Payment difficulties, hardship and vulnerability¹

Payment difficulties, or short term financial hardship, occur where a change in a person's circumstances result in an inability to pay a rates or service charge debt.

Financial hardship occurs where a person is unable to pay rates and service charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependants. The Shire of Christmas Island recognises the likelihood that COVID19 will increase the occurrence of payment difficulties, financial hardship and vulnerability in our community. This policy is intended to apply to all ratepayers experiencing financial hardship regardless of their status, be they a property owner, tenant, business owner etc.

2 Anticipated Financial Hardship due to COVID19

We recognise that some ratepayers are already experiencing financial hardship due to COVID-19. We respect and anticipate the probability that additional financial difficulties will arise when their rates are received.

We will write to ratepayers at the time their account falls into arrears, to advise them of the terms of this policy and encourage eligible ratepayers to apply for hardship consideration.

3 Financial Hardship Criteria

While evidence of hardship will be required, we recognise that not all circumstances are alike. We will take a flexible approach to a range of individual circumstances including, but not limited to, the following situations:

- Recent unemployment or under-employment
- Sickness or recovery from sickness
- Low income or loss of income
- Unanticipated circumstances such as caring for and supporting extended family

Ratepayers are encouraged to provide any information about their individual circumstances that may be relevant for assessment. This may include demonstrating a capacity to make some payment and where possible, entering into a payment proposal. We will consider all circumstances, applying the principles of fairness, integrity and confidentiality whilst complying with our statutory responsibilities.

4 Payment Arrangements

Payment arrangements facilitated in accordance with Section 6.49 of the Act are of an agreed frequency and amount. These arrangements will consider the following:

- That a ratepayer has made genuine effort to meet rate and service charge obligations in the past;
- The payment arrangement will establish a known end date that is realistic and achievable;

¹ Adapted from the Ombudsman Western Australia publication, Local government collection of overdue rates for people in situations of vulnerability: Good Practice Guidance: <http://www.ombudsman.wa.gov.au/>

- The ratepayer will be responsible for informing the Shire of Christmas Island of any change in circumstance that jeopardises the agreed payment schedule.

In the case of severe financial hardship, we reserve the right to consider waiving additional charges or interest (excluding the late payment interest applicable to the Emergency Services Levy).

5 Interest Charges

A ratepayer that meets the Financial Hardship Criteria and enters into a Payment Plan to be discussed with the Shire for their outstanding debts and rates and service charges. Under this Payment Plan, the applicant will receive a waiver of interest charges for the 2020/2021 financial year from the date of submission of the Financial Hardship Application Form 20/21. Future periods of interest waiver past the 20/21 year will be made on a case by case basis.

6 Deferment of Rates

Deferment of rates may apply for ratepayers who have a Pensioner Card, State Concession Card or Seniors Card and Commonwealth Seniors Health Care Card registered on their property. The deferred rates balance:

- remains as a debt on the property until paid;
- becomes payable in full upon the passing of the pensioner or if the property is sold or if the pensioner ceases to reside in the property;
- may be paid at any time, BUT the concession will not apply when the rates debt is subsequently paid (deferral forfeits the right to any concession entitlement); and
- does not incur penalty interest charges.

7 Debt recovery

Debts associated with a Financial Hardship Application will be dealt with under this Policy instead of the Shire of Christmas Island FI Debt Recovery until as such a time the options for recovery and collaboration with the debtor are exhausted under this Policy.

We will suspend our debt recovery processes whilst negotiating a suitable payment arrangement with a debtor. Where a debtor is unable to make payments in accordance with the agreed payment plan and the debtor advises us and makes an alternative plan before defaulting on the 3rd due payment, then we will continue to suspend debt recovery processes.

Where a ratepayer has not reasonably adhered to the agreed payment plan, then for any Rates and Service Charge debts that remain outstanding on 1 July 2023, we will offer the ratepayer one further opportunity of adhering to a payment plan that will clear the total debt by the end of the 2023/24 financial year.

Rates and service charge debts that remain outstanding at the end of the 2021/22 financial year, will then be subject to the rates debt recovery procedures prescribed in the *Local Government Act 1995* and the *Shire of Christmas Island FI5 Debt Recovery policy*.

8 Review

We will establish a mechanism for review of decisions made under this policy, and advise the applicant of their right to seek review and the procedure to be followed.

9 Communication and Confidentiality

We will maintain confidential communications at all times and we undertake to communicate with a nominated support person or other third party at your request.

We will advise ratepayers of this policy and its application, when communicating in any format (i.e. verbal or written) with a ratepayer that has an outstanding rates or service charge debt.

We recognise that applicants for hardship consideration are experiencing additional stressors, and may have complex needs. We will provide additional time to respond to communication and will communicate in alternative formats where appropriate. We will ensure all communication with applicants is clear and respectful.

A Financial Hardship Application document will be created to give a structured document for ratepayers to notify Council of their circumstances for consideration of options described in this policy.

Key Performance Indicators	The number of times a Financial Hardship Application form is requested by a rate payer
Keywords	COVID 19, Financial Hardship, Rates, Interest
Related Policies	Nil
Related Procedures/ Documents	FI5 – Debt Recovery

Version	Approved, Amended, Rescinded	Date	Officer	Resolution number	Key changes/ notes	Next Review date	File Ref No.
1	Approved	26/5/2020	Chris Su	50/20			2.11.37



COVID Financial Hardship Application Form

To be used in conjunction with Financial Policy - 7 – COVID 19 Financial Hardship Policy

Please submit your completed form and supporting documentation via one of the following:

By Post: PO Box 863

Christmas Island
6798

In Person: CEO, George Fam Centre

2 Murray Road

Email: admin@shire.gov.cx

APPLICANT/S DETAILS:

Applicant 1

Surname: _____

First Name: _____

Address: _____

Phone: _____

Email: _____

Applicant 2

Surname: _____

First Name: _____

Address: _____

Phone: _____

Email: _____

PROPERTY DETAILS

Address: _____

What is the Financial Hardship being experienced:

- ☐ Recent unemployment or under-employment
- ☐ Sickness or recovery from sickness
- ☐ Low income or loss of income
- ☐ Unanticipated circumstances such as caring for and supporting extended family
- ☐ Other (please specify): _____

Contact: Shire CEO

Shire.ceo@shire.gov.cx
9164 8300 (235)

Shire of Christmas Island

2 Murray Road, Christmas Island
AUSTRALIA 6798

OPTIONAL: Details to support your claim of Financial Hardship. Please attach any documents that support your claim separately (ie statement from social worker or financial counsellor, PAYG statements, Employment Separation Certificates, etc. All files will be confidential and filed as such).

The Financial Hardship Application Form and any documentation submitted by the applicant(s) to prove hardship will be assessed by the Shire CEO under the COVID19 Financial Hardship Policy.

This Financial Hardship Application Form will deal with outstanding rates and service charges as at the date of adoption of the policy and rates and service charges levied for the 2020/2021 - 2022/23 financial years.

Parties granted acknowledgement of Financial Hardship in this process will be invited to discuss a Payment Plan that is realistic and achievable with the Shire of Christmas Island to assist in payment of your receivables. The Shire will give a total waiver of interest charges on late payments owing to the Shire that would otherwise be accrued from the date of lodgement of this form.

A Deferment of Rates is available for persons who have a Pensioner Card, State Concession Card or Seniors Card and Commonwealth Seniors Health Care Card registered on their property.

Debt Recovery will be made under the COVID19 Financial Hardship Policy and not the usual Debt Recovery Policy.

☐ I acknowledge the above and submit this claim under the COVID 19 Financial Hardship Policy

Name: _____

Signature: _____ Date: _____

Contact: Shire CEO
Shire.ceo@shire.gov.cx
9164 8300 (235)

Shire of Christmas Island
2 Murray Road, Christmas Island
AUSTRALIA 6798

Waste Policy 1 – PROVISION OF WASTE COLLECTION SERVICES

Objective

- To define the scope of waste collection services provided by the Shire
- To clearly enunciate the types of waste collection services, and the minimum service provision applicable to domestic and commercial waste collection from rated and non-rated premises and enterprises

Policy

1. Classification of Premises

Premises subject to waste collection services are classified and defined as follows:

- (a) Domestic – rated (or subject to a community obligation payment or other payment equivalent to rates), self-contained single residences with long-term occupancy
- (b) Enterprise – commercial, industrial, residential other than domestic and other premises including places of detention or alternate places of detention either rated, non-rated or subject to a community obligation payment or other payment equivalent to rates.

2. Service Level

- (a) Council will determine the number of receptacles and number of weekly collections provided to domestic premises.
- (b) Changes to services to domestic premises will only occur following a resolution of Council and will be subject to appropriate notice to the premises affected.
- (c) Services to a rated or non-rated enterprise will be agreed with that enterprise and the Shire with an agreement in place to stipulate level of service provision and costs thereof.
- (d) Council will collect all waste from the hours of 6am to 3pm on assigned pick up days from Monday to Friday. This schedule shall also be in place for public holidays where a pick up is scheduled to normally occur,

3. Charges

- (a) An establishment fee will apply for the supply of all new services.
- (b) A fee may be charged to initiate a requested change to a service.
- (c) Collection services will be charged at gazetted rates.

4. Provision of Collection Services

A. DOMESTIC

- (a) SOCI will provide the use of a single or shared receptacle for collection of domestic waste.
- (b) SOCI will collect the waste.
- (c) Collection fees will be levied against the premises owner 12 months in advance, in conjunction with rates.

B. RATED ENTERPRISE

- (a) SOCI may provide the use of suitable receptacles for collection of commercial waste upon request, provided that the waste can be safely handled using a receptacle available to SOCI.
- (a) If the enterprise does not require a collection service, SOCI may provide the use of agreed receptacles provided that the collection of the receptacles is not performed by a third party (ie: contracted out); the enterprise has to collect the receptacles themselves for dumping at the tip site. A fee may be charged for the supply and use of the receptacles.
- (b) Collection fees will be levied against the premises owner or occupier requesting the service.

C. NON RATED ENTERPRISE

- (a) SOCI may provide the use of suitable receptacles for collection of commercial waste upon request, provided that the waste can be safely handled using a receptacle available to SOCI.
- (b) If the enterprise does not require a collection service, SOCI may provide the use of agreed receptacles provided that the collection of the receptacles is not is not performed by a third party (ie: contracted out); the enterprise has to collect the receptacles themselves for dumping at the tip site. A fee may be charged for the supply and use of the receptacles.
- (c) Collection fees will be levied against the premises owner or occupier requesting the service. Fees may be calculated as gazetted hourly rates for labour and plant hire or agreed upon rates. An equivalent fee for service may be negotiated provided that the agreed fee is not less than the appropriate gazetted fee for service.
- (d) All Non-Rated Enterprises who create commercial waste (ie non-domestic waste) must have an agreement with the Shire of Christmas Island to utilise its waste collection services and waste site services.

5. Provision of Skip Bin Services

A. DOMESTIC

- (a) SOCI may provide the use of a skip bin, for the collection of green waste only and for a fixed term, when requested by a domestic user.

- (b) This service will be levied against the person making the request at gazetted fee for service rates.

B. RATED ENTERPRISE

- (a) SOCI may provide the use of a skip bin to rate paying enterprises for the removal of unsegregated waste for a fixed term while setting up that enterprise.
- (b) SOCI may provide a suitable receptacle (eg cardboard cage) for the collection of segregated waste on an ongoing basis.
- (c) SOCI will not provide a skip bin collection service to rate paying enterprises on an ongoing basis.
- (d) The fees for this service will be levied against the person making the request, at gazetted fee for service rates.

C. NON RATED ENTERPRISE

- (a) SOCI will not provide the use of a skip bin to non-rate paying enterprises without an agreement between the Non Rated Enterprise and the Shire in place.

6. Definitions:

Sulo bin	plastic wheeled garbage bin of any colour and typically 240 or 120 litre capacity
MGB	mobile garbage bin (aka 'sulo bin')
New Service	Provision of a waste collection service where none has existed within the previous 6 months
Self Contained	Dwelling with integral bathroom, kitchen and other general living amenities
Waste Collection Service	The emptying of rubbish at premises, from suitable receptacles supplied by SOCI, into a suitably designed and operated vehicle, at a frequency that ensures the receptacle is, generally, not full to capacity at the time of the collection.
Waste Site Services	The management of waste disposed of at the Vagabond Road Waste Tip Site through the waste collection service or other means including creating of trenches, landfill sites, chalking, vermin control, covering and rehabilitating of the waste tip site.

Version	Approved, Amended, Rescinded	Date	Officer	Resolution number	Key changes/ notes	Next Review date	File Ref No.
1							

Authority	Environmental Protection Act 1986 (WA)(CI) Occupational Safety & Health Act 1984 (WA)(CI) DEP Landfill Waste Classification and Waste Definitions 1996 (as amended) Christmas Island Health Local Laws 2000 Local Government (Miscellaneous Provisions) Act 1960 (WA)(CI)
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Waste Policy 2 – DISPOSAL OF DEMOLITION MATERIALS

Objective

- To reduce landfill with a consequent reduction of landfill costs and environmental burden
- To maximise recovery of resources
- Effective management of the landfill site in accordance with the terms of the licence
- To plan and manage the disposal of demolition materials at the landfill in conjunction with contractors/commercial operators working on demolition projects and works and project managers of such projects.

Policy

1. Council will work to provide effective mechanisms for the disposal and re-use of suitable demolition materials, to meet the objectives of this policy. This includes producing and disseminating procedures and information and enacting local laws about the disposal of waste.
2. Council will work to ensure appropriate and effective liaison between Shire officers and contractors/commercial operators/project managers engaged in demolition works. This liaison will include:
 - Dissemination of information about this policy and any related procedures at the time that demolition projects are being planned
 - Information exchange about the types and quantities of demolition materials to be disposed of and the timeframe for their disposal
 - Inspections of demolition sites
 - Directions as to the limitations on materials disposal and specific placement of accepted materials within the landfill site, including segregation of such materials
 - Notice requirements regarding access to the landfill site, including types and quantities of the demolition materials to be disposed of on a particular day and any specialist equipment required to handle the materials at the landfill site
 - Effective reporting about the disposal of demolition materials, including any incidents or issues arising from such disposal
3. Council will endeavour to ensure that demolition works will be accompanied by a waste management plan identifying:
 - The volumes of materials to be disposed of
 - Where and how it is to be disposed of, including any re-use of materials

- The extent of segregation of materials prior to disposal
4. Where demolition materials are to be placed at the landfill site operated by the Shire, the materials will be segregated to the maximum extent practicable to enable the reduction, re-use, and recycling of the materials.
 5. Council will ensure compliance with all relevant legislation associated with demolition materials disposal. This includes, but is not limited to, observance of landfill licence requirements, legislation pertaining to the disposal of specific categories of waste, public health and safety, and occupational health and safety.

Key Performance Indicators % of demolition materials that are reused or recycled

The extent to which the policy and procedures are observed by contractors engaged in the disposal of demolition materials

The extent to which demolition materials going to landfill are reduced

Keywords demolition, waste, landfill

Version	Approved, Amended, Rescinded	Date	Officer	Resolution number	Key changes/ notes	Next Review date	File Ref No.
1	Approved	18/03/03	CEO	34/03			
2	Approved	26/09/17	GRPG	88/17			2.11.18

Works and Services Policy 1 – PRIVATE WORKS

Objective

- To outline the Shire policy for undertaking private works requests.
- To ensure the Shire does not directly compete with local businesses or contractors.
- To ensure mechanisms are in place to ensure private works is supplied, delivered and paid for in a timely and transparent manner.

Policy

1. Private works will only be undertaken by the Shire of Christmas Island where the use of private contractors is not possible, practicable or an economically viable alternative.
2. Private works shall not be undertaken until the prescribed Private Works Application form attached to this policy is fully completed by the applicant requesting the works or in the case of a company, corporation or incorporated organisation, an official order authorising such private works has been received.
3. In requesting and authorising the Shire to carry out private works, the applicant shall indemnify the Shire of Christmas Island against any claim, action or process for damage or injury which might arise during the progress of such works and shall keep indemnified the Shire of Christmas Island against any claim, action or process for damage and/or injury which might arise from the existence of such works unless such damage and/or injury is due to or contributed to by an act or omission of the Shire of Christmas Island, its employees or agents.
4. Subject to the discretion of the Manager Works and Services, a firm quotation may be provided if requested. Such quotations, if provided will be in writing and must be accepted by the applicant in writing prior to the commencement of works. Quotations shall be valid for 30 days only.
5. Private works of a value in excess of \$50,000 shall not be undertaken by the Shire of Christmas Island without the approval of Council by resolution.
6. Unless otherwise authorised in writing by the Chief Executive Officer (or nominated officer) the applicant shall make payment in full in advance or shall provide appropriate security in the form of a Bank Guarantee prior to commencement of the works. This requirement excludes Government or Statutory agencies.
7. All private works will be estimated independently to the client.
8. All estimates of private works will be costed in accordance with the Council's schedule of adopted fees and charges.
9. No plant or equipment will be hired on a 'dry hire' basis.
10. The applicant shall be charged actual costs incurred by the Shire of Christmas Island in completing the requested private works unless a firm quotation has been provided and accepted by the applicant in writing, in which case the applicant will be charged the firm quotation
11. The applicant shall be charged for the actual cost of transporting the plant/equipment and operator to and from the private works job unless a firm quotation is provided in writing prior to commencement of the works.

12. The applicant will not be charged for plant/equipment stand-down, breakdown or idle time.
13. A minimum charge of 1 hour plant hire will apply to private works.
14. Where plant/equipment is hired outside of normal working hours, the applicant will be charged the applicable overtime or penalty rates as prescribed in Council's schedule of adopted fees and charges.
15. The Shire of Christmas Island shall be solely responsible for the payment of Shire Staff and/or its own Sub-Contractors engaged on private works. No other payment arrangements are permitted.
16. The Shire of Christmas Island reserves the right to refuse any application for private works and/or the private hire of plant/equipment/labour.

Version	Approved, Amended, Rescinded	Date	Officer	Resolution number	Key changes/ notes	Next Review date	File Ref No.
1							

Works and Services Policy 2 – PLANT AND VEHICLE REPLACEMENT

Objective

- To develop and maintain a modern, efficient and safe plant and vehicle fleet for the Shire of Christmas Island.
- Provide a vehicle and plant fleet to deliver Shire of Christmas Island services to the community at the desired level of service in the most cost effective manner.
- To routinely update and review the Plant and Vehicle Replacement Program to ensure it is appropriate to meet the present and future needs for the delivery of Shire of Christmas Island services to the community.

Policy

1. This policy applies to all Shire of Christmas Island plant and vehicles.
2. A five year plant replacement program shall be prepared each year as part of the annual budget process.
3. The plant and vehicle replacement program shall adopt an approach to develop and maintain plant and equipment to ensure that:
 - Plant and vehicle replacements are driven by defined service levels and performance standards;
 - Financial resources are properly allocated and managed to optimise investment in plant and equipment; and
 - A whole of life approach is taken when determining plant and vehicle renewal strategies.
4. The Council of the Shire of Christmas Island shall:
 - act as community custodians for plant and vehicle assets;
 - approve Council's annual five year Plant and Vehicle Replacement Program;
 - ensure appropriate resources for plant and vehicle replacement activities are made available; and
 - approve the Plant and Vehicle Replacement Policy.
5. The Chief Executive Officer shall:
 - present the Plant and Vehicle Replacement Policy to Council.
 - ensure that accurate and reliable information is presented to Council for decision-making.
6. The Director Works and Services shall:
 - develop a five year Plant and Vehicle Replacement Program;
 - ensure plant and vehicle condition assessments are carried out and provide input to the Plant and Vehicle Replacement Program;

- develop the five year Plant and Vehicle Replacement Program in consultation with other Departments, operational staff and servicing and maintenance staff;
- present information to Council and the Chief Executive Officer on the Plant and Vehicle Replacement Program;
- co-ordinate the implementation of Plant and Vehicle Replacement across Council departments;
- communicate Plant and Vehicle Replacement Policy across Council;
- develop and review Councils Plant and Vehicle Replacement Policy; and
- develop strategies for improving plant and vehicle utilisation and efficiency.

7. Other Managers shall:

- Determine the plant and vehicle replacement requirements of their departments by consultation with operational staff and the Manager Works and Services.

Version	Approved, Amended, Rescinded	Date	Officer	Resolution number	Key changes/ notes	Next Review date	File Ref No.
1	Approved		Chris Su				

Behind Closed Doors

Recommendation:

The meeting be closed to members of the public in accordance with section 5.23(2) of the Local Government Act 1995 for council to discuss matters of a confidential nature.

Meeting Reopened to the Public:

Recommendation:

The meeting be reopened to members of the public



SHIRE OF CHRISTMAS ISLAND

SUBMISSION TO	Ordinary Council Meeting 27 September 2022
AGENDA REFERENCE	10.1.4
SUBJECT	Addition to existing grouped dwelling (patio)
LOCATION/ADDRESS/APPLICANT	Cyclonic Construction on behalf of Dr. Chris Judkins (Landowner) 119A Gaze Road, Christmas Island
FILE REFERENCE	1700
INTEREST DISCLOSURE	Nil
DATE OF REPORT	September 2022
AUTHOR	Halsall and Associates
SIGNATURE OF CEO	SIGNED

RECOMMENDATIONS

Council grants development approval for a patio at 119A Gaze Road, Christmas Island subject to the following conditions:

- 1. All development shall be in accordance with the approved development plans (attached) that form part of this development approval unless modified by other conditions of approval.**
- 2. This development approval will expire if the approved development is not substantially commenced within two (2) years of the date of issue of this approval, or, within any extended period of time for which the Shire of Christmas Island has granted prior written consent.**
- 3. Stormwater is to be contained on-site, or appropriately treated and connected to the local drainage system. Prior to the commencement of site works, detailed drainage plans are to be submitted for approval, to the satisfaction for the local government.**
- 4. On application for a building licence, the applicant shall provide engineer certified drawings demonstrating that the all structures are compliant with Building Code requirements.**
- 5. Details of materials, colours and finishes for the outbuilding shall be submitted for approval by the Chief Executive Officer of the Shire of Christmas Island prior to the issue of a building permit. External treatments and colours should be consistent with that prevailing in the Settlement Heritage precinct.**

BACKGROUND

Lot 119A Gaze Road, Christmas Island (the site) is zoned 'Tourism' under Local Planning Scheme No. 2. The site is located in the Settlement heritage area and incorporates existing development that consists of an approved grouped dwelling. The lot is part of a two (2) lot strata development (Survey Strata Plan reference 191333) and adjoins a constructed grouped dwelling within strata Lot 119B (Pt 1 on Survey Strata Plan 46929) directly east incorporating a common wall. Immediate to the south of the site is strata Lot 329 and to the south east is strata Lot 327 which accommodate existing development. Lot 328 to the south is identified for residential development at the R10 density to the west is Lot 3015 which also incorporates

The location of the site and associated characteristics are evident in Figure 1 and Figure 2 below.

Figure 1 – Location Plan

Source: DPLH

Figure 2 – Site characteristics

Source: Landgate



The proposal seeks consideration of an addition to the north of the existing residence on the subject site. This will consist of a raised decking area, associated balustrading and covered area (patio). This will extend towards the rear coastal elevation with access provided through to the adjoining UCL to the rear of the site via a stairway.

Construction standard is timber and metal and the structure is raised to 2m above the natural ground level to address the current finished floor level of the dwelling which is built up from the natural ground level along this alignment.

The construction will incorporate a steel frame with timber flooring colourbond roofing material.

Given the built form associated with the proposed structure and location of the site within a heritage precinct, it was considered necessary to refer the proposal to the Heritage Department of Commonwealth Heritage Team. They have indicated that the patio must be sympathetic to the building in terms of colours and materials which will be conditioned to occur. The CHS referral response is attached to this report. The proposal located within a strata development, is built in excess of 500mm from Natural Ground Level and has potential overlooking considerations the proposal was also referred to adjoining landowners for comment. No objections were received during the notification process.

COMMENT

STATUTORY ENVIRONMENT

Local Planning Scheme No.2 ('the Scheme')

Local Planning Scheme No. 2 and Deemed Provisions – under Section 8 of the deemed provisions and supplementary provisions under Schedule A of the Scheme, planning approval is required for any development where it is on the Commonwealth Heritage List.

The subject site is zoned 'Tourism' under Local Planning Scheme No. 2.

A dwelling is not permitted in the Tourism zone under Table 1 of the scheme, however given this is a pre-existing non-conforming use the proposal represents an extension to this under clause 4.9 of the scheme, as such development approval and the proposal is required to be advertised in accordance with Clause 64 of the deemed provisions.

Part 5 of the Scheme provides for the general development requirements. Subclause 5.9 references the Tourism zone. This provides that a structure plan is to be prepared and approved in accordance with Part 4 of the deemed provisions before any future subdivision and development is undertaken on land within the tourism zone. Part 4 of the Deemed Provisions provides that a Structure Plan may be prepared if the area is –

"All or part of a zone identified in this scheme as an area suitable for urban or industrial development and identified in this scheme as an area requiring a structure plan to be prepared before any future subdivision or development is undertaken".

Part 5.6 of the Scheme provides for variations to site and development standards and requirements provides that the local government may, despite non-compliance, approval an application unconditionally or subject to such conditions as the local government thinks fit. Given the site is zoned 'Tourism' and no industrial, urban

development or subdivision is proposed it is therefore is not called in under Schedule 2, Part 4 c15 of the Deemed Provisions referenced above. As such the proposal represents a variation to site development standards under part 5.6 of the Scheme prescribed under c5.8 as may be considered under c5.6.2 without the requirement to prepare a Structure Plan prior to development occurring in the zone.

There are no prescribed development guidelines for the Tourism zone as such reference is made to the Residential Design Codes as the relevant guide for consideration of built form at this site and overall consistency.

The proposed patio area is built up to the adjoining strata lot boundary with Unit 119B to the east and has a setback of 900mm to the boundary of adjoining Lot 3015 to the west. The patio decking has a FFL at a maximum height of 2 meters from Natural Ground Level. There is also a 32.31m² covered area over a portion of the decking with a ridge height effectively level with the finished floor level of the second storey of the dwelling. It is noted that the landowner of Strata Lot 330 (Strata Plan 30301) to the east is supportive of the proposal and no objections were received from Lot 3015 to the West. It is also noted that site characteristics of adjoining Lot 3015 to the immediate west include open grassland area adjoining with an existing dwelling that is situated towards the property frontage to Gaze Road. The location of the proposed patio area also projects forwards of the location of the western lot given the cadastral configuration of the subject site.

Lot boundary setbacks are considered under element 5.1.3 of the Codes with Deemed to Comply requirements at C3.1 ii) as follows –

‘For patios, verandas or equivalent structures, the lot boundary setbacks in Table 1 and Tables 2a and 2b may be reduced to nil to the posts where the structure -

- Is not more than 10 in length and 2.7m in height*
- Is located behind the primary street setback, and*
- Has eaves, gutters and roofs set back at least 450mm from the lot boundary’.*

The Design Principles provide the following –

Buildings to be set back from lot boundaries or adjacent buildings on the same lot as to:

- Reduce impacts of building bulk on adjoining properties*
- Provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties, and;*
- Minimise the extent of overlooking and resultant loss of privacy on adjoining properties.*

Buildings set back from boundaries (other than the street boundary) where this:

- Makes more effective use of space for enhanced privacy for the occupant/s or outdoor living areas;*
- Does not compromise the design principle contained in clause 5.1.3 P3.1;*
- Does not have any adverse impact on the amenity of the adjoining property.*

The proposed development is considered to generally satisfy the Deemed-to-Comply provisions of the Codes with the adjoining owner of Unit 199A providing support. It is therefore considered to not have any adverse impact on the amenity of the adjoining strata lot. The proposal also makes more effective use of the outdoor living area. A condition of approval reference stormwater treatment and detailed information in relation to this is to be provided an application for a building permit. The proposal is

considered to address the general provisions of the Codes with regard to the Deemed to Comply and Design Principles considered relevant in this instance.

CHRISTMAS ISLAND HERITAGE REVIEW AND DCPS AND DEVELOPMENT GUIDELINES

Strata Lot 4 falls within heritage precinct identified in the Godden Mackay Logan report (1998) as 'Settlement'. The 'Settlement' precinct forms part of the Commonwealth National Heritage List locations for Christmas island.

Schedule A of the Scheme provides for the supplementary provisions that are to be read in conjunction with the deemed provisions (Schedule 2) contained in the Planning and Development (Local Planning Schemes) Regulations 2015 (WA) (CI). Clause 8(4) references that the Heritage List is to include all relevance properties and places contained in the Commonwealth Heritage List of which 'Settlement Christmas Island is included (Heritage ID 105315).

Clause 66 of the Scheme provides that the local government shall, in considering any application that may affect a heritage area or entry on the Commonwealth Heritage List solicit the views of the Australian Heritage Commission.

The summary statement of significance for the Settlement heritage precinct identifies that the streetscape qualities that derive from the way in which parts of the precinct are linked along Gaze Road in a combination with garden planting and ordimentation.

While the subject site is not noted as having specific heritage significance, it is considered that given it is situated within the precent area development is to be complimentary to the existing heritage attributes and built form of the general precinct area. This is primarily related to retention of amenity values along the Gaze Road frontage and immediate proximity to the Settlement Residential Precinct as identified under the Godden Mackay Logan Development Guidelines. The proposal is distant from the Gaze Road frontage and is fairly benign in regard to implication for heritage considerations. Comments received from the Commonwealth Heritage Team on referral also identify that the Cultural Heritage Section (CHS) considered that the proposed deck will not be visible from the Gaze road frontage and potential significant impact on the streetscape values of the Gaze Road may not be likely.

The proposal will also be conditioned to incorporat0e colour and materials in keeping with regard to the heritage precinct area.

As such the proposal is considered to address the relevant considerations under the scheme and intent of historic considerations for the Settlement Heritage Precinct area.

Local Planning Strategy

The local Planning Strategy identifies that the objective of the Settlement Precinct is to main and consolidate the residential character as well as catering for small scale low impact tourism accommodation opportunities. Tourism opportunities are identified as a key opportunity and initiatives and it is noted that the larger lots in the precinct area are partially earmarked for such activities and this would have reflected the subject site area as a strata that has also taken up this opportunity and applicable zoning to allow such uses to be considered and the proposed addition is considered appropriate in this instance.

National Heritage List

As detailed above, the Commonwealth Heritage Team have reviewed the proposal and given advice that the proposal is unlikely to have any detrimental impact on the streetscape values of Gaze Road which are the Settlement Christmas Island.

SPP 2.6 State Coastal Planning Policy

The policy has been produced to guide planning consideration in the coastal context and with regard to infill development, it is noted that new development should be located on the least vulnerable portion of the development site. The proposed patio area is considered to generally address the intent of the policy provisions.

Christmas Island Strategic Plan

The Christmas Island Strategic Plan identifies tourism as a one of the strengths of the island and also identifies that there is limited diversity in tourism accommodation that is easily accessible. The proposal is considered in keeping with the intent of the tourism zone and the Strategic Plan.

POLICY IMPLICATIONS

Consider review of Heritage Listings and practices and possible formulation of a Local Planning Policy and/or adjustment to listings under Commonwealth Legislation.

FINANCIAL IMPLICATIONS

None

STRATEGIC IMPLICATIONS & MILESTONES

None

VOTING REQUIREMENTS

Simple majority

ATTACHMENT

Submitted Plans

Vivienne Clarke

From: Nigar Reza <Nigar.Reza@awe.gov.au>
Sent: Monday, 19 September 2022 8:04 AM
To: Vivienne Clarke
Cc: Sarah Eldridge; Charmaine Hastings
Subject: FW: Referral - Proposed decking development - 119A Gaze Road, Christmas Island [SEC=OFFICIAL]

Hi Vivienne,

Thank you for providing the Cultural Heritage Section (CHS) with the self-assessment of the impact for the proposed addition of a patio at the rear of the building at 116 Gaze Road. Settlement Christmas Island, Gaze Road is included in the Commonwealth Heritage List (CHL). Gaze Road is identified as having strong streetscape value against CHL criterion f) Technical achievement. The buildings along Gaze Road are not identified individually in the CHL as having significant heritage values.

The CHS notes that the proposed patio is located at the rear, on the northwest corner of the existing building (lot 329). Lot 329 is situated behind lot 328 (fronting Gaze Road). The site is not visually evident from the Gaze Road frontage. The site also adjoins vegetated Unallocated Crown Land (UCL) to the north associated with the foreshore reserve area. The CHS considers that the self-assessment under the Significant Impact Guidelines 1.2 addresses the key areas of concern. It is noted that based on the self-assessment you have determined a significant impact is not likely on the streetscape values of the Gaze Road and given the nature of the proposal there is no implications on the UCL as part of the whole of the environment. The CHS advises that the proposed patio must be sympathetic to the building in terms of colour and materials.

Please note under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), it remains your responsibility to determine whether a referral is required. If you remain unsure whether your action may have a significant impact on a matter of national environmental significance and require further legal certainty, you may choose to refer the action for assessment. The department advises maintaining full records of your self-assessment and any other relevant records if the proposed action is not referred.

Please contact me if you have any queries.

Regards

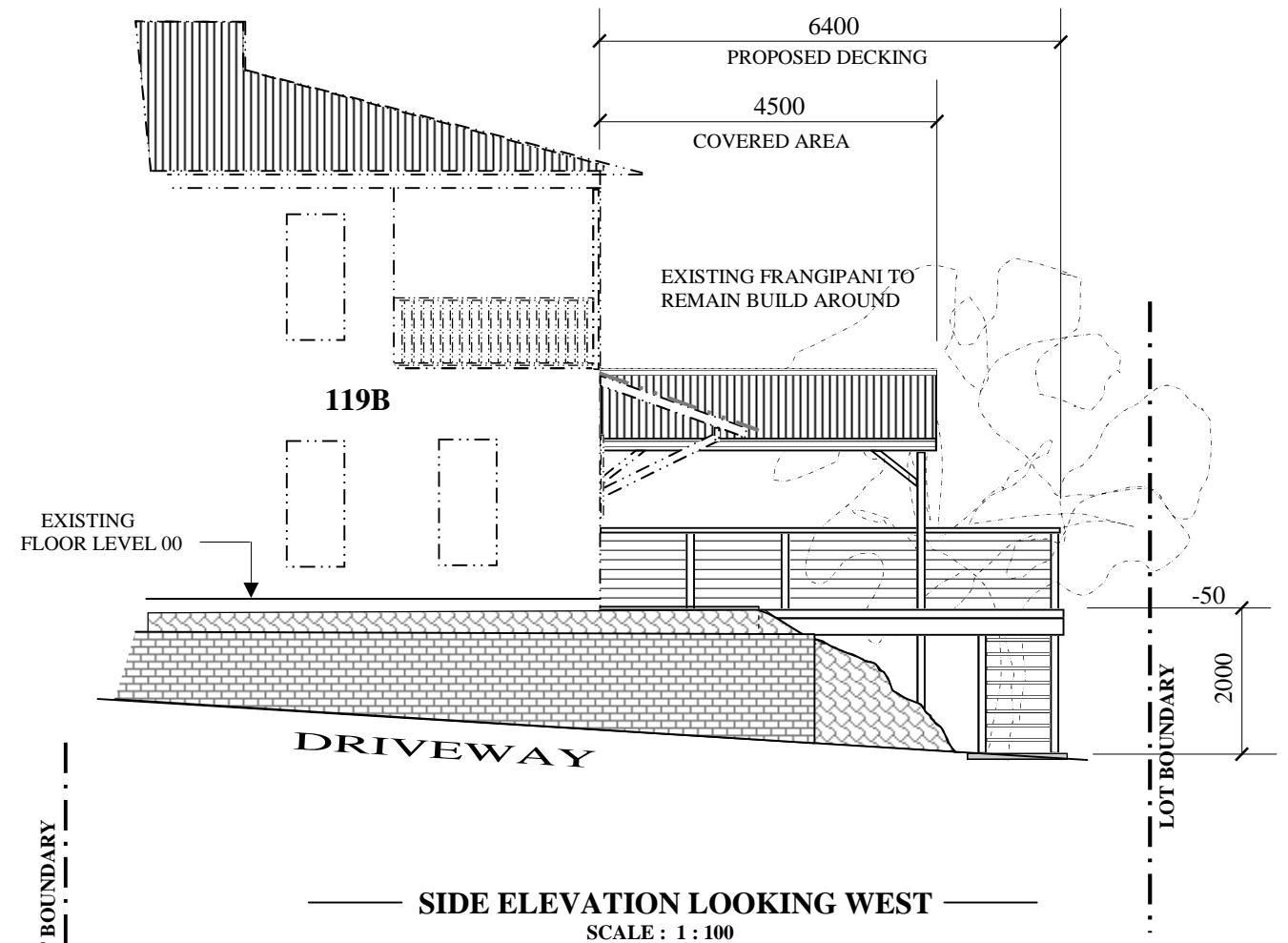
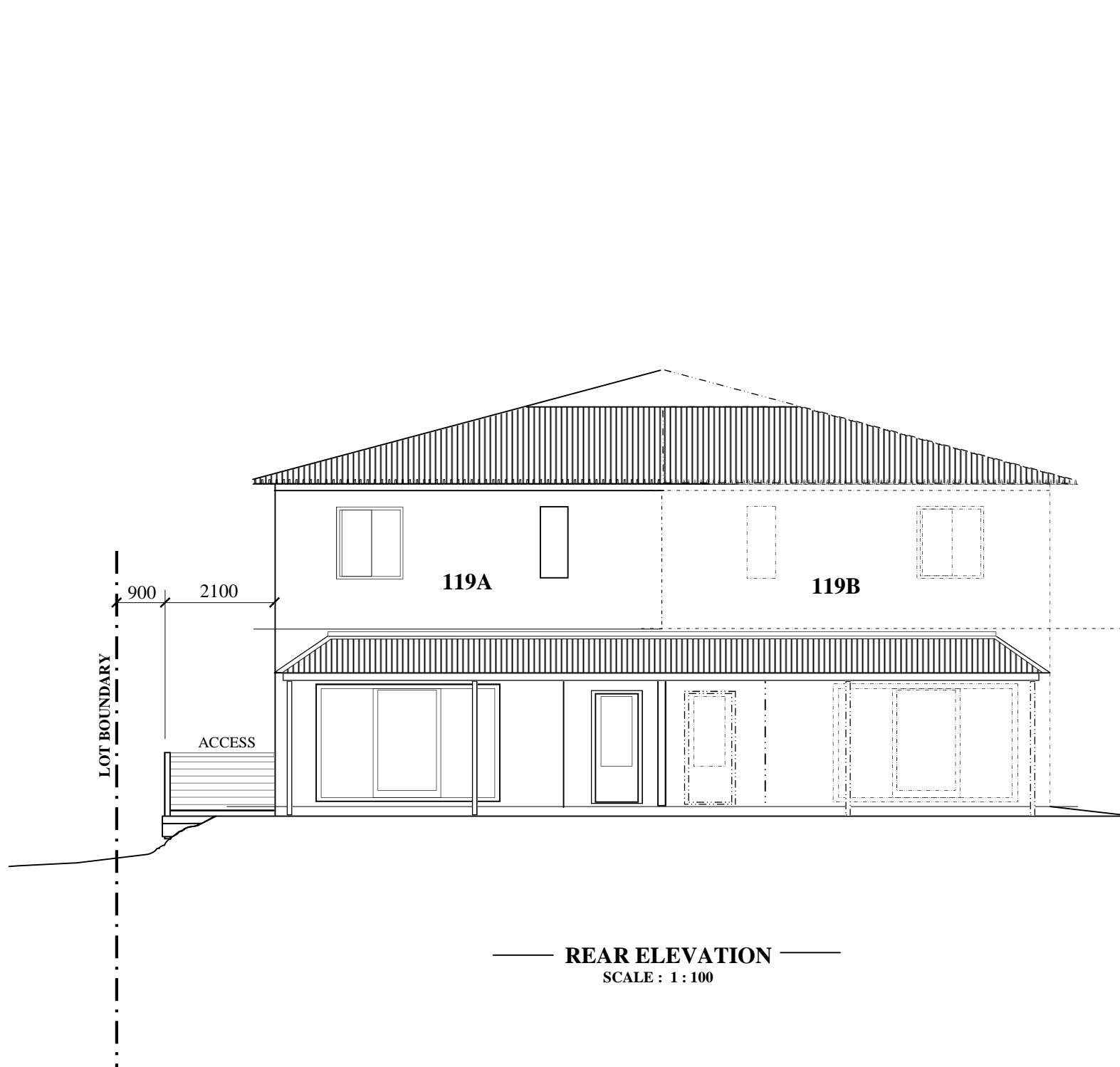
Nigar Reza

Senior Policy Officer | Commonwealth Heritage Team
Cultural Heritage Section | Heritage Branch | Heritage, Reef and Oceans Division
Department of Climate Change, Energy, the Environment and Water
Ph: (02) 6274 1069


Level 4 North, John Gorton Building, King Edward Terrace, Parkes ACT 2600
GPO Box 787, Canberra ACT 2601

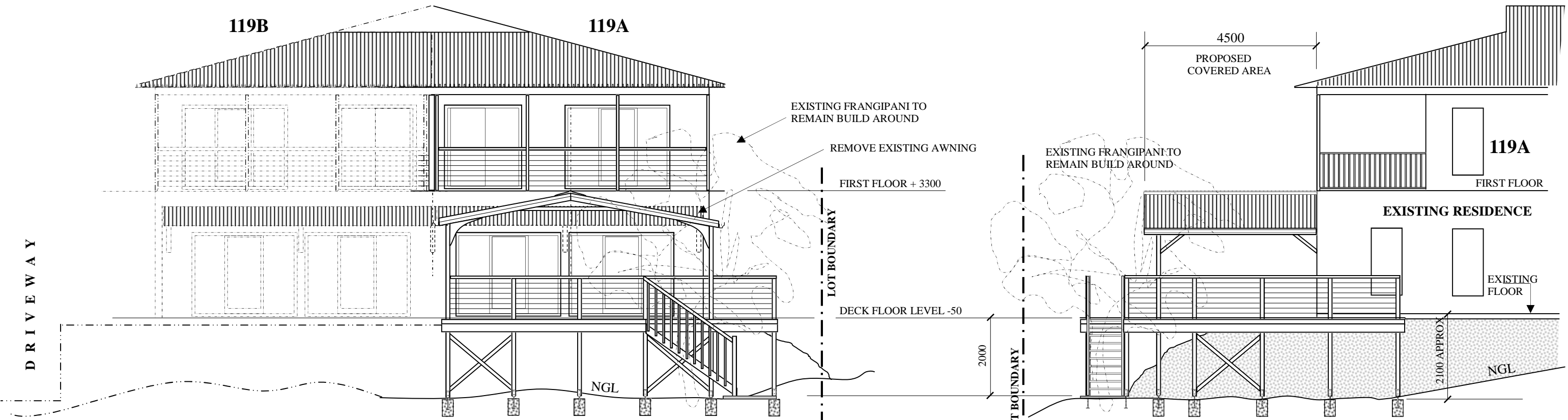
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Acknowledgement of Country



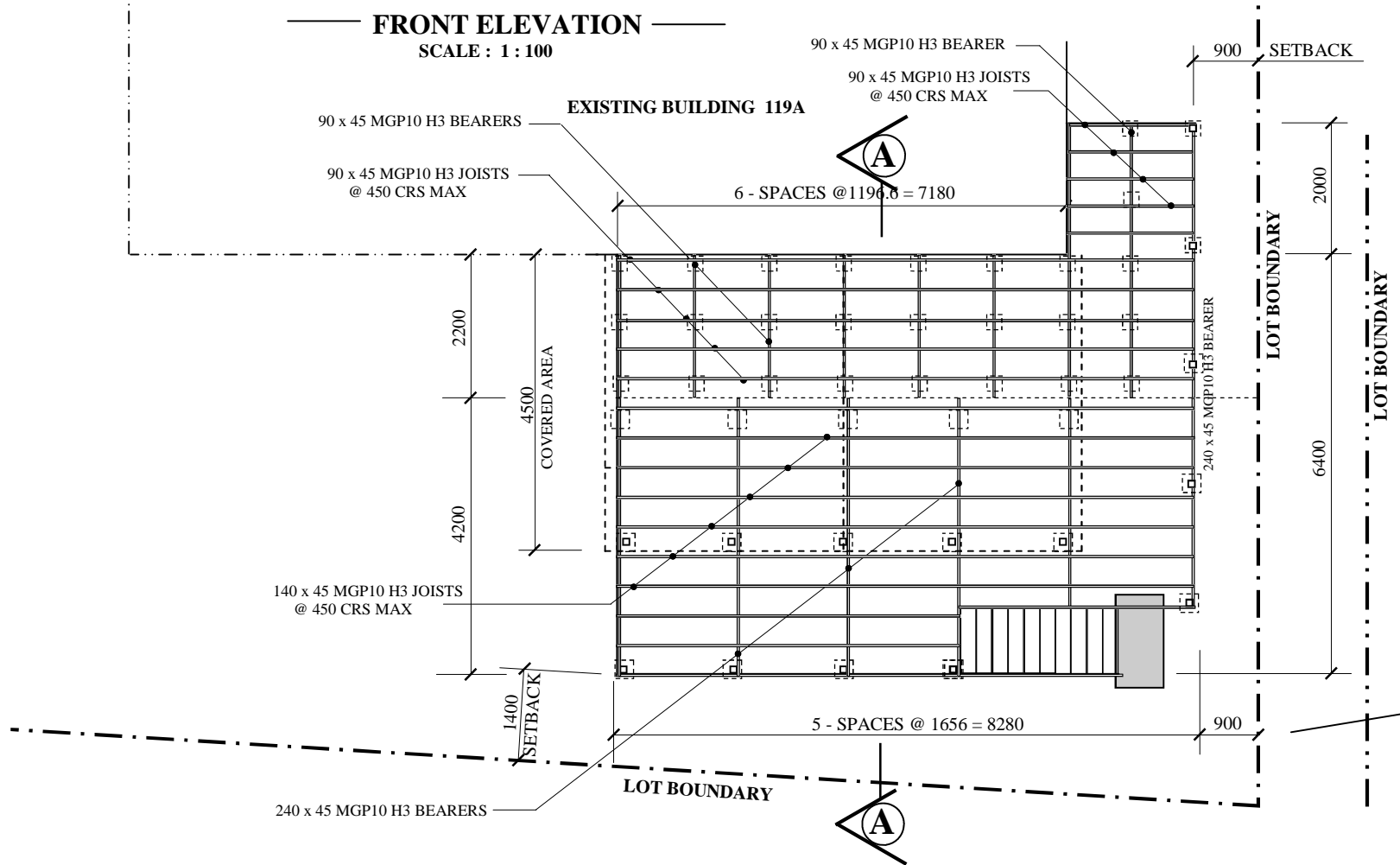
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CLIENT		PROJECT			DATE 20 AUGUST 2022
DR CHRIS JUDKINS 119A GAZE ROAD CHRISTMAS ISLAND		PROPOSED DECKING ELEVATIONS			PROJECT DRAWING No. 607 - 3 - 3
					REV. No. 146

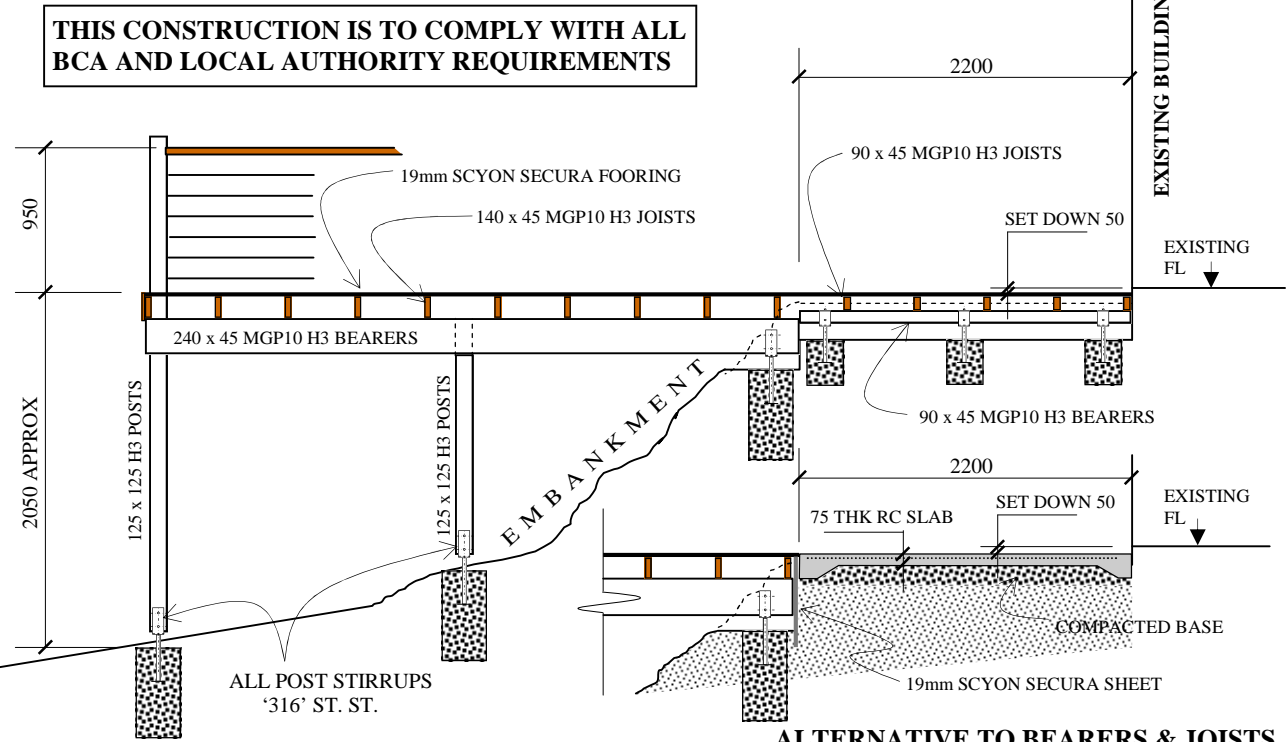


FRONT ELEVATION
SCALE : 1 : 100

SIDE ELEVATION LOOKING EAST
SCALE : 1 : 100




FLOOR PLAN
SCALE : 1 : 100



SECTION A - A
SCALE : 1 : 50

REVISION:
1. CREATE 900 SETBACK TO LOT 3015

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CLIENT DR CHRIS JUDKINS 119A GAZE ROAD CHRISTMAS ISLAND		PROJECT PROPOSED DECKING ARRANGEMENT & DETAILS		
				DRAWN: DRG
				DATE 20 AUGUST 2022
				PROJECT DRAWING No. 607 - 2 - 3
				REV. No. 1 147