



CONFIRMED MINUTES

Ordinary Meeting held on 25 October 2022



**SHIRE OF CHRISTMAS ISLAND
MEETING MINUTES CERTIFICATION**

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

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CONFIRMED MINUTES

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

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

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

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

2.1 Record of Attendance

Shire President

Deputy President

Councillors

Cr Gordon **THOMSON**

Cr Kee Heng **FOO**

Cr Philip **WOO**

Cr Kelvin Kok Bin **LEE**

Cr Vincent Cheng-Siew **SAW**

Cr Morgan Boon Hwa **SOH**

Cr Farzian **ZAINAL**

Cr Azmi **YON**

Cr Hafiz **MASLI (7.35pm)**

Chief Executive Officer

Director Works, Services & Waste

Director Community/Recreation Services & Training

Director Planning, Governance & Policy/Minute Taker

David **PRICE**

Troy **DAVIS**

Olivier **LINES**

Chris **SU**

2.2 Leave of Absence

Nil

2.3 Apologies

Director Finance & Administration

Kim **CHUA**

2.4 Declarations of Financial/Impartiality/Proximity Interest

2.4.1 Cr SOH makes a Declaration of Impartiality on item 10.1.1

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4 PUBLIC QUESTION TIME

4.1 Cr YON reports on residents' outstanding request about the installation of lighting options at the Kampong Padang. A lit Kampong Padang would take children away from the lit areas near the road in the evenings. CEO to talk to Ian Mc KENDRICK about options.

4.2 Cr ZAINAL raised a question from a resident on vehicle access to the large gazebo at the Foreshore Padang. Is the intention to stop vehicle access as the dual use bike/footpath is completed? CEO PRICE advises that a chain will be erected at both ends of the Foreshore Padang to prevent vehicle access into the park. The first will be at the CLA – Sports Hall end of the soon-to-be-completed dual use bike/footpath and the other end will be at the curve near the Fuel Tanks.

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

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

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

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

- 4.3 Cr ZAINAL raised on behalf of a resident bollards for the Gaze Road parking lots adjacent to the Foreshore Padang. CEO PRICE advised that Shire had spoken to residents involved in the original request and provided that the design of the parking lot meets relevant standards and the implementation of bollards would remove too many bays.
- 4.4 Cr ZAINAL provided some feedback collected on the prizes for the Territory Week Photo Competition. Whilst a popular event and well participated, the junior category prize was considered overly generous compared to the other categories by some residents. Director for Governance Chris SU took this feedback on for next year's planning.
- 4.5 Cr YON passed on resident's positive feedback on new artworks at the Foreshore Padang precinct.

5 APPLICATIONS FOR LEAVE OF ABSENCE

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

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

7.1 Minutes of Ordinary Council Meeting held on 27 September 2022

Members considered the unconfirmed minutes.

Council Resolution

Moved: Cr FOO

Seconded: Cr WOO

Res. No: 93/22

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

Carried: 8/0

7.2 Business Arising from the Minutes of Previous Meetings

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

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

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

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

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7.35pm Cr Hafiz MASLI arrives.

A Development Authority would take millions in investment over many years. The Department officers have informed the Shire that there is no visibility on any funding for this. Shire acknowledges significant headwinds both foreign and domestic. The Department was positive on the concept of a cost-benefit analysis for a Development Authority from a judicious point of view regarding the use of public monies.

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

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

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

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

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

9 REPORTS OF COMMITTEES

9.1 Minutes of Committee Meetings

Council Resolution

Moved: Cr MASLI

Seconded: Cr ZAINAL

Res. No: 94/22

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

Carried: 9/0

10 REPORTS OF OFFICERS

Cr Morgan SOH leaves the meeting at 7:49pm

10.1 Chief Executive Officer

10.1.1 Appointment of Acting CEO

Council Resolution

Moved: Cr MASLI

Seconded: Cr LEE

Res. No: 95/22

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

Carried: 8/0

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

10.1.2 Lily Beach Precinct Redevelopment

Council Resolution

Moved: Cr YON

Seconded: Cr SAW

Res. No: 96/22

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

Carried: 9/0

10.1.3 Local Government Reform

Council Resolution

Moved: Cr ZAINAL

Seconded: Cr YON

Res. No: 97/22

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

Carried: 9/0

10.2 Manager Finance & Administration

10.2.1 Schedule of Accounts – September 2022

Council Resolution

Moved: Cr FOO

Seconded: Cr WOO

Res. No: 98/22

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

Carried: 9/0

10.2.2 Financial Statements - September 2022

Council Resolution

Moved: Cr MASLI

Seconded: Cr SAW

Res. No: 99/22

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

Carried: 9/0

10.3 Manager Community/Recreation Services & Training

10.4 Manager Works, Services & Waste

10.5 Manager Governance, Research, Policy & Grants

10.5.1 Heritage Survey List Creation

Council Resolution

Moved: Cr LEE

Seconded: Cr SAW

Res. No: 100/22

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

Carried: 9/0

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

13 BEHIND CLOSED DOORS

14 CLOSURE OF MEETING

The Shire President closed the meeting at 8:12pm

15 DATE OF NEXT MEETING: 22 November 2022