



CONFIRMED MINUTES

Ordinary Meeting held on 27 August 2019



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 27 August 2019

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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 27 August 2019

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 7.05pm.

- 1.1 Shire President welcomes Helene **BARTLESON**, Shire Heritage Consultant.

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 Azmi **YON**
Cr Rosnah **PAL**
Cr Nora **KOH**
Cr Kelvin **LEE**
Cr Philip **WOO**
Cr Hafiz **MASLI**

Chief Executive Officer
Manager Finance and Admin
Manager Governance, Research, Policy & Grants
Manager Works, Services & Waste

David **PRICE**
GAN So Hon
Chris **SU**
Graeme **HEDDITCH**

Minute Taker

Chris **SU**

2.2 Leave of Absence

- 2.3 **Apologies** - Cr Vincent **SAW** and Manager Community/Recreation Services & Training, Olivier **LINES**

2.4 Declarations of Financial/Impartiality/Proximity Interest

2.4.1 Declaration of Impartiality Interest – Item 10.1.1 – Community Assistance Grants:

- Cr **THOMSON** declared an interest on the basis that he is the General Secretary of the Union of Christmas Island Workers
- Cr **FOO** declared an interest on the basis that he is the President of Union of Christmas Island Workers (UCIW) and a care taker of several temples
- Cr **YON** declared an interest on the basis that he is the President of CI Malay Association
- Cr **KOH** declared an interest on the basis that she is the President of CI Women's Association, the Vice President of UCIW and a committee member of CI Neighbourhood Centre.
- Cr **LEE** declared an interest on the basis that he is the Vice President of UCIW
- Cr **WOO** declared an interest on the basis that he is a member of UCIW, a member of Poon Saan club and his son is a member of the CI Kung Fu Club
- Cr **MASLI** declared an interest on the basis that he is an executive member of the UCIW and CI Malay Association and an employee of CI Neighbourhood Centre
- Cr **PAL** declared an interest on the basis that she is an executive member of CI Malay Association and an employee of CI District High School

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

- 3.1 SOCI CEO David **PRICE** received a response from General Manager Mark **DAVEY** Virgin Australia Regional Airlines (VARA) from SOCI's letter of 12th July that provided feedback on a shortage of food on a VARA Christmas Island flight. Mark **DAVEY** responded that new protocols were now in place to ensure food supplied will be sufficient for headcount and regarding the gluten free option request, that VARA were updating the menus by December 2019 so that gluten free will no longer be a purchase-from-cart option only.

4 PUBLIC QUESTION TIME

5 APPLICATIONS FOR LEAVE OF ABSENCE

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

Cr Azmi **YON** presented to Council a copy of an island petition responding to the CI Fisheries Ordinance exposure draft signed by 140 residents.

Members receive petition presented.

Council Resolution

Moved: Cr YON

Seconded: Cr LEE

Res. No: 60/19

That Council receive the Christmas Island Fisheries Petition and will forward it to the Department of Infrastructure, Regional Development and Cities in accordance to the advertised deadline for the petition, Sept 1st.

Carried: 8/0

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

7.1 Minutes of Ordinary Council Meeting held on 16 July 2019

Members considered the unconfirmed minutes.

Council Resolution

Moved: Cr PAL

Seconded: Cr KOH

Res. No: 61/19

That Council adopt the unconfirmed minutes of the 16 July 2019 Council Meeting.

Carried: 8/0

7.2 Business Arising from the Minutes of Previous Meetings

- 7.2.1 Item 4.5 of the July 2019 Ordinary Meeting regarding the finalisation of the communique for the Governance Forum held in Canberra has been completed.

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

- 8.1 Cr Gordon **THOMSON** informed the meeting that he had made two approvals for Community Assistance Grants in July; one to the Grants Well Temple Committee for \$300 for their annual observation and one to the Sheng Wong Temple Committee for \$1000 to meet the expenses for the Hungry Ghost Ceremony opening costs.

9 REPORTS OF COMMITTEES

- 9.1 Minutes of Community Consultative Committee Meetings

Council Resolution

Moved: Cr MASLI

Seconded: Cr LEE

Res. No: 62 /19

That the Confirmed Minutes of the Community Consultative Committee meeting held on 7 November 2018, the Confirmed Minutes of the Community Consultative Committee meeting held on 29 May 2019 and the Confirmed Minutes of the CCC meeting held on July 31st be received.

Carried: 8/0

10 REPORTS OF OFFICERS

10.1 Chief Executive Officer

10.1.1 Community Assistance Grants

Declaration of Impartiality Interest – Item 10.1.1 – Community Assistance Grants:

- Cr THOMSON declared an interest on the basis that he is the General Secretary of the Union of Christmas Island Workers
- Cr FOO declared an interest on the basis that he is the President of Union of Christmas Island Workers (UCIW) and a care taker of several temples
- Cr YON declared an interest on the basis that he is the President of CI Malay Association
- Cr KOH declared an interest on the basis that she is the President of CI Women’s Association, the Vice President of UCIW and a committee member of CI Neighbourhood Centre.
- Cr LEE declared an interest on the basis that he is the Vice President of UCIW
- Cr WOO declared an interest on the basis that he is a member of UCIW, a member of Poon Saan club and his son is a member of the CI Kung Fu Club
- Cr MASLI declared an interest on the basis that he is an executive member of the UCIW and CI Malay Association and an employee of CI Neighbourhood Centre
- Cr PAL declared an interest on the basis that she is an executive member of CI Malay Association and an employee of CI District High School

Council Resolution

Moved: Cr YON

Seconded: Cr FOO

Res. No: 63/19

1. The Chief Executive Officer is authorised to make payments to those organisations listed under “Proposed” in Attachment 10.1.1.1 on the basis that the approved activity occurs. In the event that the activity does not occur, the donation so allocated will be returned to the fund pool.
2. The Chief Executive Officer writes to each applicant advising the outcome of their application and, in the case of unsuccessful applicants, offering any in-kind assistance that may be available to enable the organisation to achieve their objectives.

Carried: 8/0

10.1.2 Local Government Elections 19 October 2019

Council Resolution

Moved: Cr LEE

Seconded: Cr FOO

Res. No: 64 /19

Council expressed its full support and confidence in the CEO acting as the Returning Officer for the 2019 Local Government Elections. Council is confident the CEO in his capacity as Returning Officer will conduct the 2019 Local Government election process in full compliance with the Electoral Act and Regulations in a professional, impartial and independent manner ensuring the highest standards of transparency are applied.

That the Council present a written response to the Minister’s letter of 5th August 2019 regarding the October 19 2019 Local Government Elections to be held on Christmas Island

Carried: 8/0

10.1.3 Extension to previously approved Planning Approval to rebuild / overhaul enlarge CI Cinema Screen Frame and Screen

Council Resolution

Moved: Cr FOO

Seconded: Cr MASLI

Res. No: 65/19

That Council grant the extension as requested for a 2 year period on the previously granted conditional planning approval for the proposed rebuild / overhaul and enlargement of the CI Cinema Screen Frame and Screen. Res. No 53/17.

Carried: 8/0

10.1.4 Financial Management Review Report June 2019

Council Resolution**Moved: Cr FOO****Seconded: Cr KOH****Res. No: 66 /19**

That Council receives the Financial Management Review Report (FMR) June 2019.

Carried: 8/0

10.1.5 IOT Annual Marine Debris Project

Council Resolution**Moved: Cr MASLI****Seconded: Cr PAL****Res. No: 67/19**

Council endorses the draft proposal for the Shire of Christmas Island to obtain the responsibility and ownership of the Annual Marine Debris Project, on the basis the project will remain fully supported by DWER (WA) with funding from the Australian Government, Department of Infrastructure, Transport, Cities and Regional Development.

Carried: 8/0

10.1.6 Proposed Additional Tourism Development

Council Resolution**Moved: Cr LEE****Seconded: Cr YON****Res. No: 68/19**

That Council grants approval for the tourism development at Location 318 Tong Chee 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.
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. 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. The subject for development shall be connected to reticulated water and sewer services.
6. The minimum setback of walls from boundaries shall be 900mm and eaves overhang shall be a minimum of 450mm unless otherwise determined by the Shire's building surveyor at Building License stage.
7. This approval is for short stay accommodation only. This means accommodation by a person or group of people for a period of less than three (3) months in any one 12 month period. The development shall not be used for permanent residential purposes unless consent is received from the Shire of Christmas Island.

Carried: 8/0

10.2 Manager Finance & Administration

10.2.1 Schedule of Accounts – July 2019

Council Resolution**Moved: Cr FOO****Seconded: Cr YON****Res. No: 69/19**

That Council approves the expenditure as presented in July 2019 Schedule of Accounts.

Carried: 8/0

10.2.2 Financial Statements – June/July 2019

Council Resolution		
Moved: Cr FOO	Seconded: Cr LEE	Res. No: 70/19
That Council receives the Financial Statements of June (un-audited) and July 2019 for the Municipal Fund.		
Carried: 8/0		

10.3 Manager Community/Recreation Services & Training

10.4 Manager Works, Services & Waste

10.4.1 New Front End Loader

Council Resolution		
Moved: Cr YON	Seconded: Cr FOO	Res. No: 71/19
That Council accepts the Tender from Komatsu Australia Pty Ltd for the New Front End Loader WA200PZ. \$198,528.00 includes delivery to Christmas Island.		
Carried: 8/0		

10.4.2 Purchase of 3 Toyota Hilux Utes

Council Resolution		
Moved: Cr YON	Seconded: Cr LEE	Res. No: 72/19
That Council accepts the Tender from Scarboro Toyota. To purchase three (3) Toyota Hilux Utes \$143,739.57, including delivery to Christmas Island		
Carried: 8/0		

10.4.3 Purchase of 7 Ton Tray Truck

Council Resolution		
Moved: Cr YON	Seconded: Cr WOO	Res. No: 73/19
That Council accepts the Tender from WA HINO for the purchase of a 7 Ton Tray Truck \$113,770.00 including delivery to Christmas Island.		
Carried: 8/0		

10.5 Manager Governance, Research, Policy & Grants

10.5.1 Shire of Christmas Island Draft Waste Local Law, DEWR Template

Council Resolution		
Moved: Cr YON	Seconded: Cr MASLI	Res. No: 74/19
That Council –		
<ol style="list-style-type: none">1. Endorse the following proposed Shire of Christmas Island Local Law for advertising:<ul style="list-style-type: none">▪ Christmas Island Waste Local Law 20192. Advertise state wide Saturday 31st August 2019 for public submissions and comments to the proposed local laws in accordance with section 3.12 of the Local Government Act (CI) 1995, and3. Close of submissions regarding the proposed local laws be made to the Chief Executive Officer of the Shire of Christmas Island to be specified in the advertisement as being Monday 14th of October 2019 that is not less than 6 weeks after the notice is given.		
Carried: 8/0		

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

<p>Council Resolution</p> <p>Moved: Cr YON Seconded: Cr WOO Res. No: 75/19</p> <p>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.</p> <p>Carried: 8/0</p>

13.1 CEO Performance Appraisal

<p>Council Resolution</p> <p>Moved: Cr YON Seconded: Cr KOH Res. No: 76/19</p> <p>That Council –</p> <ol style="list-style-type: none">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 24 September 2019.2. 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. <p>Carried: 8/0</p>

<p>Council Resolution</p> <p>Moved: Cr KOH Seconded: Cr YON Res. No: 77/19</p> <p>The meeting be reopened to members of the public.</p> <p>Carried: 8/0</p>
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14 CLOSURE OF MEETING

The Shire President closed the meeting at 8.00pm

15 DATE OF NEXT MEETING: 24 September 2019