



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 July 2021 commencing at 7.00pm**

David Price
Chief Executive Officer

AGENDA

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|---|---|
| <p>1 Declaration of Opening of Meeting/Announcement of Visitor</p> | <p>10.1.3 WALGA Local Government Conference 2021 (pg 16-17)</p> |
| <p>2 Record of Attendance/Apologies/Leave of Absence/Declaration of Financial/Proximity/Impartiality Interests</p> <p>2.1 Attendance</p> <p>2.2 Leave of Absence</p> <p>2.3 Apologies</p> <p>2.4 Declaration of Interests</p> | <p>10.1.4 Revised Organisational Chart 2021 (pg 18-19)</p> <p>10.1.5 Proposed Amendment to the Light Industrial Area. (resubmitted item from the June OCM that lapsed due of lack of quorum) (pg 20-52)</p> <p>10.1.6 Development of Lot 601 (pg 104-121)</p> |
| <p>3 Response to Previous Public Questions Taken on Notice</p> | <p>10.2 Manager Finance & Administration</p> <p>10.2.1 Schedule of Accounts – June 2021 (pg 53-59)</p> <p>10.2.2 Outstanding Rates/Debtors Report (pg 60-61)</p> <p>10.2.3 Assets Write Off 2020/21 (pg 62-65)</p> |
| <p>4 Public Question Time</p> | <p>10.3 Manager Community/Recreation Services & Training</p> |
| <p>5 Applications for Leave of Absence</p> | <p>10.4 Manager Works, Services & Waste</p> <p>10.4.1 Tender for the Purchase Vehicles (pg 66)</p> |
| <p>6 Petitions/Deputations/Presentations</p> | <p>10.5 Manager Governance Research Policy & Grants</p> <p>10.5.1 WALGA CEO Model Template Policy (pg 67-99)</p> <p>10.5.2 Petty Cash Policy Adoption (pg 100-103)</p> |
| <p>7 Confirmation of Minutes of Previous Meetings/Business arising from the Minutes of Previous Meetings</p> <p>7.1 Minutes of Ordinary Council Meeting held on 15 June 2021 (pg 1-6)</p> <p>7.2 Minutes of Special Council Meeting held on 5 July 2021 (pg 7-9)</p> <p>7.3 Business Arising from the Minutes of Previous Meetings</p> | <p>11 Elected Members Motions of which Previous Notice has been given</p> |
| <p>8 Announcements by Presiding Member Without Discussion</p> | <p>12 New Business of an Urgent Nature Introduced by Decision of the Meeting</p> |
| <p>9 Reports of Committees</p> | <p>13 Behind Closed Doors</p> |
| <p>10 Reports of Officers</p> <p>10.1 Chief Executive Officer</p> <p>10.1.1 Annual Budget 2021/22 (pg 10-11)</p> <p>10.1.2 Community Assistance Grants (pg 12-15)</p> | <p>14 Closure of Meeting</p> |
| | <p>15 Date of the next Ordinary Meeting
<u>24 August 2021</u></p> |



UNCONFIRMED MINUTES

Ordinary Meeting of the Shire of Christmas Island held at the George Fam Chambers at 7.00pm on Tuesday 15 June 2021

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

- 1.1 The Shire President declared the meeting open at 7.02pm.

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 Azmi **YON**

Cr Vincent Cheng-Siew **SAW**

Chief Executive Officer

Manager Finance and Admin

Manager Community/Recreation Services

Manager Works, Services & Waste

Manager Research, Policy, Governance & Grants/Minute Taker

David **PRICE**

So Hon **GAN**

Olivier **LINES**

Graeme **HEDDITCH**

Chris **SU**

2.2 Leave of Absence

Councillor

Cr Farzian **Zainal**

2.3 Apologies

2.4 Declarations of Financial/Impartiality/Proximity Interest

10.1.5 Proposed Amendment to Light Industrial Area

Cr SOH, Cr YON, Cr FOO, Cr LEE, Cr MASLI and Cr WOO declared financial interest in the item as they are all shareholders of Phosphate Resources Limited.

10.5.3. DPLH Feedback on Drumsite Parks HQ Lease

Cr YON declared an impartiality interest as an employee of Parks Australia.

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4 PUBLIC QUESTION TIME

- 4.1 Cr YON raised that some of the fowl that the Ranger has shot have been found some time later at other locations, such as under the Malay Club. Some fowl do not die when shot and escape away from the Ranger team as was the case with the Malay Club. Requested for this to be addressed by the relevant section.

Action Item

Manager for Works, Services & Waste to work with Ranger section on a solution.

- 4.2 Cr FOO raised from residents that the Administration is currently undertaking a disused car collection program in Flying Fish Cove, but not in other areas. Cr THOMSON says the nature of the collection is likely to be related to the fact that the Administration is in charge of the public housing in the area, and is taking responsibility for their associated car parks.
- 4.3 Cr YON acknowledged and thanked the Shire of Christmas Island team for supporting the Malay Association's Hari Raya Celebration held in Kampong Padang the previous weekend.
- 4.4 Cr LEE noted that the Administration had sent out a public notice on Friday 11th June advising that the Pfizer vaccine was to be rolled out on Christmas Island. Cr LEE asked if any correspondence was received by Council following the letter Council set to Administration after the April Ordinary Council Meeting. Cr THOMSON advised that no correspondence has been received by Council as yet; noted that there were two public notices released after the letter had been sent, with the most recent one advising residents that the Pfizer vaccine was to be brought to the Island.
- 4.5 Cr LEE raised that the Muragappan 'Biloela' family has left the Island. Cr THOMSON advised the meeting that he and other Shire members had been at the airport to see them off earlier that day. The family will be reunited at a Ronald Mc Donald's House in proximity to the hospital that the daughter is presently in. Arrangements for community detention are in place for them in Perth afterwards.
- 4.6 Cr SAW advised that a sea container at the corner of Club Road and Jalan Pantai was obstructing the view of traffic exiting Club Road onto Jalan Pantai. Requested Shire to follow up

Action Item:

Manager of Works, Services & Waste to follow up on the sea container site.

5 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Leave of Absence

Council Resolution

Moved: Cr YON

Seconded: Cr LEE

Res. No: 39/21

That the leave of absence application submitted by Cr Farzian ZAINAL (11/06/2021 to 18/06/2021) be approved.

That the leave of absence application submitted by Cr FOO (23/7/2021 to 3/8/2021)

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 25 May 2021

Members considered the unconfirmed minutes.

Council Resolution

Moved: Cr FOO

Seconded: Cr SAW

Res. No: 40/21

That Council adopt the unconfirmed minutes of the 25 May 2021 Council Meeting.

Carried: 8/0

7.2 Business Arising from the Minutes of Previous Meetings

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

9 REPORTS OF COMMITTEES

9.1 Minutes of Community Consultative Committee Meetings

Council Resolution

Moved: Cr LEE

Seconded: Cr MASLI

Res. No: 41/21

That the Confirmed Minutes of the Community Consultative Committee meeting of October 21st 2020, February 17th 2021, April 7th 2021, April 19th 2021 and April 29th 2021 be received.

Carried: 8/0

- 9.2 Cr MASLI and Cr YON advised that Shane JAFFAR and a fellow officer by first name of Sarah from the WA Department of Premier and Cabinet (DPC) were on Christmas Island from Friday 11th to Tuesday 15th.

Cr MASLI had met with the DPC in his capacity as Christmas Island Resource Centre Co-ordinator and its involvement with the WA Dept. of Communities.

Cr YON had met with the DPC at the National Parks office.

Council was unaware of any request for a meeting from the DPC.

10 REPORTS OF OFFICERS

10.1 Chief Executive Officer

10.1.1 Local Government Elections 16 October 2021

Council Resolution

Moved: Cr FOO

Seconded: Cr SAW

Res. No: 42/21

That the report be received and noted.

Carried: 8/0

10.1.2 Rates, Fees & Charges 2021/22

Council Resolution

Moved: Cr FOO

Seconded: Cr LEE

Res. No: 43/21

1. Council adopts the rates, fees and charges for financial year 2021/22 as listed in the attachment.
2. All rates, fees and charges to apply from 1 July 2021.
3. The Internal rate will apply to any work carried out for the Commonwealth within the Road Funding/Contract Agreement.

Carried: 8/0

10.1.3 Proposed Double Car Port

Council Resolution

Moved: Cr LEE

Seconded: Cr SAW

Res. No: 44/21

Council grants approval for a carport at Strata Lot 10, 1014 Gaze Road, Christmas Island, subject to the following conditions:

1. All development shall be in accordance with the approval 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.

Carried: 8/0

10.1.4 Proposal to Build a Telecommunications Tower for Provision of Internet Services

Council Resolution

Moved: Cr MASLI

Seconded: Cr SAW

Res. No: 45/21

The Council acknowledges the 24 May 2021 WA Department of Planning, Lands and Heritage (DPLH) correspondence and request the SOCI to provide a response by the due date inclusive of the 4 items covered in the COMMENT section.

Carried: 8/0

10.1.5 Proposed Amendment to the Light Industrial Area

Crs FOO, YON, MASLI, WOO, LEE and SOH left the meeting at 8:01pm

Council Resolution

Moved:

Seconded:

Res. No:

- a) Council endorses the SOCI recommendations in response to:
 - the 14 April 2021 Phosphate Resources Ltd. (PRL) submission and
 - the 6 May 2021 Eco Crab Industries (ECI) submissionboth made in relation to the March 2021 Proposed Amendment to the Light Industrial Area.
- b) The SOCI to issue attachment 10.1.1.2 to PRL and attachment 10.1.1.3 to ECI as formal response to their respective submission.
- c) Council endorses the June 2021 Proposed Amendment to the Light Industrial Area (The Report) and its proposed Actions as input into the Christmas Island Strategic Assessment (CISA) Land Use Plan (LUP), the Review of the 2015 Local Planning Strategy and ultimately the formulation of the Local Planning Scheme No 3. (LPS No.3).
- d) The SOCI to issue the endorsed Report to the DITRDC as SOCI's formal input into the CISA Land Use Plan for the LIA, Hospital, Taman Sweetland Circuit and Phosphate Hill Historic areas.
- e) The SOCI to formally engage with the DITRDC to progress Actions 1 and 2 on page 8 of the Report.

Carried: n/a motion lapsed due to lack of a quorum

The CEO be required to request exemption of Councillors in order to participate in the item when submitted to the 27 July 2021 meeting.

Crs FOO, YON, MASLI, WOO, LEE and SOH returned at 8:04pm

10.2 Manager Finance & Administration

10.2.1 Schedule of Accounts – May 2021

Council Resolution

Moved: Cr FOO

Seconded: Cr LEE

Res. No: 46/21

That Council approves the expenditure as presented in May 2021 Schedule of Accounts

Carried: 8/0

10.2.2 Financial Statements - May 2021

Council Resolution

Moved: Cr MASLI

Seconded: Cr YON

Res. No: 47/21

That Council receives the Financial Statements of May 2021 for the Municipal Fund.

Carried: 8/0

10.3 Manager Community/Recreation Services & Training

10.4 Manager Works, Services & Waste

10.5 Manager Governance, Research, Policy & Grants

Council adjourned at 8:32pm

Council reconvened at 8:40pm

10.5.1 Corporate Business Plan/Strategic Community Plan Report

Council Resolution

Moved: Cr YON

Seconded: Cr FOO

Res. No: 48/21

1. That the Council receive the Corporate Business Plan 2017-2021 Report and the CI 2021 Plan Master Update Form.
2. That Council resolves to commence consultation with the community on the development of the next statutory strategic community plan under S5.56 (1) of the Local Government Act 1995.
3. Officer to circulate to the Council the public notice inviting community comment including the format, context and objectives of the development of the statutory strategic community plan.

Carried: 8/0

10.5.2 Flying Fish Cove Masterplan

Council Resolution

Moved: Cr

Seconded: Cr

Res. No: 49/21

1. Council notes the publication of the Commonwealth's final Flying Fish Cove Masterplan which includes the removal of the boat and car parking space in Kampong and creation of another footpath.
2. Council declares the published Masterplan is not consistent with the outcome of the Community Consultative Report. That report clearly sets out the community's opposition to the proposed Cliff Park, narrowing of Jalan Pantai for an additional footpath and the removal of the car parking area opposite Blue Block 413.
3. For these reasons the published Masterplan is not supported by the Council.
4. The CEO is requested to advise the Territories Department's Assistant Secretary of the Council's resolution.

Carried: 8/0

10.5.3 DPLH Requests for Comment, Parks Drumsite HQ

Council Resolution

Moved: Cr SAW

Seconded: Cr MASLI

Res. No: 50/21

That Council support the proposed extension of a lease between the Dept. of Infrastructure,

Territories, Regional Development and Communications and Dept. of Environment for the Parks Drumsite HQ.

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**
- 14 CLOSURE OF MEETING**
The Shire President closed the meeting at 9.10pm
- 15 DATE OF NEXT MEETING: 27 July 2021**



UNCONFIRMED MINUTES

**Special Council Meeting of the Shire of Christmas Island held at the George Fam Chambers
at 4.15pm on Monday 5th July 2021**

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

- 1.1 The Shire President declared the meeting open at 4.20pm.

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** (by phone, 4.22pm)

Cr Farzian **ZAINAL**

Cr Morgan **SOH**

David **PRICE**

Chris **SU**

Chief Executive Officer

Manager Research, Policy, Governance & Grants/Minute Taker

2.2 Leave of Absence

Councillor

Cr Azmi **YON**

2.3 Apologies

Councillors

Cr Vincent Cheng-Siew **SAW**

2.4 Attendance of meeting by phone for Cr **MASLI**

Council Resolution

Moved: Cr ZAINAL

Seconded: Cr FOO

Res. No: 51/21

That Cr MASLI be permitted to enter the meeting by telephone under S.5.25(a) of the Local Government Act (WA) 1995 and Local Government Regulations (Administration) regulations 11(a).

Carried: 7/0 Absolute Majority

- 2.5 Councillors observe a minute silence for the passing of senior Mr Ma Ko Weng. Mr Ma was a long term resident of the Island and had spent his entire career on Island working at the phosphate mine. He passed away several days earlier, with the funeral on 4th July 2021.

3 BUSINESS OF THE MEETING

3.1 UNIT 1/112 GAZE ROAD TITLE CORRECTION

Council Resolution

Moved: Cr WOO

Seconded: Cr LEE

Res. No: 52/21

Council Authorises the CEO under the Local Government Act WA 1995, Section 9/49A to exercise the necessary documents to ensure the correct Title for the Shire Unit at 1/112 Gaze Road is registered with Landgate.

The CEO is to engage Woodbridge Settlements to act on behalf of the Shire in this matter in accordance with their quoted fees.

Carried: 7/0 Absolute Majority

Council Resolution**Moved: Cr LEE****Seconded: Cr WOO****Res. No: 53/21**

In accordance with Section 5.42 (1) and 5.44 of the Local Government Act 1995 (WA)(CI) Council delegates the following authority to the Chief Executive Officer:

- To make payments on behalf of Council in accordance with Council Signatory/Authorization of EFT Procedure
- To sign cheques on behalf of council for an amount not exceeding \$100,000 s6.10 (d);
- To incur expenditure and to issue official orders not exceeding \$100,000 for non-capital expenditure s6.10 (d);
- To decide free of charge use of community facilities in accordance with CS2 – Use of Community Facilities Policy of Council;
- Power of entrance, etc. in relation to road works;
- To write off debts or rates incorrectly raised & other bad debts up to \$200;
- To approve budget variations/new budget items not exceeding \$100,000;
- To obtain reassessment of the value of rateable property in the event of property improvement or property subdivision;
- To invest money held by council not required for immediate use s6.14;
- To arrange appropriate insurance in respect of all council properties;
- To negotiate terms and conditions of property leases;
- To negotiate terms and conditions and enter into lease agreements on Shire Houses where the weekly rent does not exceed \$600 per week;
- To dispose of property with no book value;
- To reimburse to an owner or occupier where property is damaged through the performance of a function of the local government to the maximum amount of \$2,000;
- To give notice to an occupier and or owner requiring them to do something in relation to land specified in Schedule 3.1 – Powers Under Notices to Owners or Occupiers of Land of the Local Government Act (WA) (CI) 1995
- To arrange for works to be carried out where the owner or occupier does not carry out required action in relation to land, and to recover the costs as a debt;
- To issue certificates of the local government pursuant to section 23 of the Strata Titles Act 1985 (WA)(CI).
- To change leases for the cost of insurance cover in respect to leased properties;
- As the principal Accounting Officer of Council, to prepare the annual financial reports;
- To affix the common seal of the Shire of Christmas Island as required; and
- In relation to recurrent expenditure, to pay amounts above the \$100,000 limit for:
 - Wages and salaries
 - Pay As You Earn taxation
 - Fringe Benefits taxation
 - insurance premiums
 - Electricity charges
 - Lease payments
 - MRWA projects
 - Superannuation
- To contract works or capital projects that have been previously approved by a resolution of Council
- Within the provisions of Section 3.50 (1) (1a) (2) (4) (8) of the Local Government Act 1995 (WA) (CI) to:

- 1) To close any thoroughfare that the SOCI manages for the passage of vehicles, wholly or partially, for a period not exceeding four (4) weeks;
- 2) To close any thoroughfare that the SOCI manages for the passage of vehicles, wholly or partially, for a period exceeding four (4) weeks

Carried: 7/0 Absolute Majority

4 CLOSURE OF MEETING

The Shire President closed the meeting at 4.35pm

5 DATE OF NEXT ORDINARY MEETING: 27 July 2021



SHIRE OF CHRISTMAS ISLAND

SUBMISSION TO	Ordinary Council Meeting 27 July 2021
AGENDA REFERENCE	10.1.1
SUBJECT	Annual Budget 2021/22
LOCATION/ADDRESS/APPLICANT	N/A
FILE REFERENCE	3.1.1
INTEREST DISCLOSURE	Nil
DATE OF REPORT	21 July 2021
AUTHOR	David Price, CEO
SIGNATURE OF AUTHOR	SIGNED

RECOMMENDATIONS

1. Council adopts the 2021/22 Annual Budget of the Shire of Christmas Island and Note 18 as presented to the Ordinary Council Meeting of the 27 July 2021.
2. A materiality level of plus/minus 10% or plus/minus \$10,000 (whichever is the greater) to define significant variance in budget estimates and monthly reports is endorsed.
3. Council adopts the accounting policies contained within the budget.
4. The Shire President/Deputy President and Councillors' allowances to be paid as follows:
 - a) Pursuant to section 5.98 of the *Local Government Act 1995*, council adopts the following annual fees for payment of elected members in lieu of individual meeting attendance fees:

Shire President	\$25,342
Councillors	\$16,367
 - b) Pursuant to section 5.98(5) of the *Local Government Act 1995*, council adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:

Shire President	\$36,957
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 - c) Pursuant to section 5.98A (1) of the *Local Government Act 1995*, council adopts the following annual local government allowance to be paid in addition of the annual meeting allowance (25%):

Deputy President	\$9,239.25
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BACKGROUND

Under section 6.2 of the Local Government Act 1995 (WA)(CI) Council is required to adopt the budget for 2021/22 by no later than 31 August 2021.

Council and Management team had a number of budget meetings over the period April – July 2021 to consider the draft budgets.

Considerable effort has been made by staff to cut costs and identify additional revenue sources to achieve as close as possible to a balanced budget. The final budget in its required format can now be presented as a balanced budget

COMMENT

The key components of the proposed budget are as follows:

- A balanced budget
- 2.5% increase to rates and garbage charges.
- 2% increase to salaries and wages.
- 0.5% increase to super.
- No increase to district allowance.
- Transfer from reserve of approximately \$442,000 for asset development.
- Transfer of surplus to reserve of approximately \$625,000.

STATUTORY ENVIRONMENT

Section 6.2(1) of the Local Government Act 1995 (WA)(CI) requires the adoption of the budget by no later than 31 August in each financial year, or such extended time as the Minister allows.

FINANCIAL IMPLICATIONS

Once the budget is adopted, the Shire will be able to raise revenue from rates and service charges as well as implement its planned program of activities and asset development.

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

An absolute majority is required.

ATTACHMENT

10.1.1.1 Budget 2021/22 to be tabled.



SHIRE OF CHRISTMAS ISLAND

SUBMISSION TO	Ordinary Council Meeting 27 July 2021
AGENDA REFERENCE	10.1.2
SUBJECT	Community Assistance Grants
LOCATION/ADDRESS/APPLICANT	N/A
FILE REFERENCE	1.3.1
INTEREST DISCLOSURE	Nil
DATE OF REPORT	7 July 2021
AUTHOR	David Price, CEO
SIGNATURE OF ACTING CEO	SIGNED

RECOMMENDATIONS

1. **The Chief Executive Officer is authorised to make payments to those organisations listed under “Proposed” in Attachment 10.1.2.1 including the request from the Islamic Council Christmas Island in Attachment 10.1.2.2 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.**

BACKGROUND

Council has a budget for community assistance grants of \$60,000.

The Donations to Community Organisations, Other Groups and Persons Policy (EM2) provides direction as to how any such donations are decided and managed. Council decides the general amount available through the budget process. As a general rule, donations decided by either Council are only made once it is confirmed that the activity is occurring. This report provides recommendations to Council for donations from the budgeted community assistance fund.

COMMENT

In accordance with the EM2 Policy, the Shire called for applications for community assistance by public notices in May 2021. Applications totalling \$77,280 have been received. Please refer to attachment 10.1.2.1.

A late application was received from the Islamic Council Christmas Island for \$1,000 for the Hari Raya Haji celebrations. Attachment 10.1.2.2

STATUTORY ENVIRONMENT

The Local Government Act 1995 (WA) (CI) and financial regulations apply in relation to the issue of establishing a budgetary basis for funding through the community assistance program.

POLICY IMPLICATIONS

As noted above, EM2 - Donations to Community Organisations, Other Groups and Persons Policy applies.

FINANCIAL IMPLICATIONS

The financial implications have been addressed via the adoption of the 2021/22 budget.

STRATEGIC IMPLICATIONS & MILESTONES

Social Environment Strategy action 1.7 – “Work with local businesses, business associations and community groups to increase funding and resources available for community programs.”

Social Environment Strategy action 2.1 – “Continue to improve the Shire’s support of community groups in relation to community events and celebrations.”

CONSULTATION

No consultation is required. The community has had the opportunity to apply for assistance by notice and the provision of application forms in the three community languages. Feedback from Councillors has been obtained.

VOTING REQUIREMENTS

A simple majority is required.

ATTACHMENT

10.1.2.1 Community Assistance Grants 2021/22

10.1.2.2 Islamic Council Christmas Island request



SHIRE OF CHRISTMAS ISLAND

SUBMISSION TO	Ordinary Council Meeting 27 July 2021
AGENDA REFERENCE	10.1.3
SUBJECT	WALGA Local Government Conference 2021
LOCATION/ADDRESS/APPLICANT	N/A
FILE REFERENCE	2.6.3
INTEREST DISCLOSURE	None
DATE OF REPORT	23 June 2021
AUTHOR	David Price, CEO
SIGNATURE OF CEO	SIGNED

RECOMMENDATION

That Council –

1. **nominate the following elected members 1....., 2....., 3....., 4....., 5....., 6..... to attend the 2021 Annual West Australian Local Government Association (WALGA) conference to be held at the Perth Convention Centre from 19 - 21 September inclusive, and**
2. **nominate two elected members 1....., 2..... as voting delegates and two elected members 1....., 2..... as proxy delegates to register for the forthcoming 2018 conference.**

BACKGROUND

The annual 2021 Western Australian Local Government Conference (WALGA) is scheduled for the 19th, 20th and 21th of September 2021

The conference normally attracts over 400 delegates from Local Governments around Western Australia as well as various exhibitors and guest speakers. Council attended the 2019 annual conference. The 2020 conference was cancelled due to COVID-19.

The 2021 conference is to be held at the Crown Perth.

There is also an opportunity for Council to meet with WALGA members of the Kimberly Zone which Council is a member of and attended the meeting and dinner last year.

Registration of both voting delegates (x 2) and proxy delegates (x 2) is essential for voting purposes at the conference with the registration of voting and proxy delegates closing with WALGA 1st September 2021. Voting delegates may be either elected members or serving officers however the CEO is of the view that voting by serving officers should only be undertaken as a last resort when there is a shortage of attending elected members.

COMMENT

- Council to decide if and who will attend the 2019 annual conference.
- Council nominated Cr **FOO** Kee Heng, Cr Azmi **YON**, Cr Gordon **THOMSON**, Cr Philip **WOO**, Cr Nora KOH and Cr Vincent **SAW** and the CEO to attend the

2019 Annual West Australian Local Government Association (WALGA) conference.

- Council to decide who it will nominate as voting delegates and proxy voting delegates to the 2021 annual conference.
- Council nominated two elected members, Cr **FOO** and Cr **YON** as voting delegates for the 2019 conference.
- Registration for conference ends 1st September 2021
- Opportunity to arrange other meetings/training while in Perth.
- Council to decide if it proposes any agenda items for the conference.

The CEO can complete the required Registration and Nomination form following Councils resolution and can also arrange meetings and training where available with the Department of Local Government and Communities between 22nd to 24th September 2021.

STATUTORY ENVIRONMENT

Registration of delegates x 2 (and proxies x 2) in accordance with WALGA constitution.

POLICY IMPLICATIONS

There are no significant policy implications arising from this matter.

FINANCIAL IMPLICATIONS

Budget provision to be made in Councils 2021/22 financial year for airfares, registration and travel allowance in accordance with previous budget provision for elected members and the CEO in 2021/22. Full delegate registration for the conference is \$1,200.00 p/delegate, with a registration deadline of 1st September 2021. The Conference Gala Dinner is scheduled for Monday 20th September 2021 at an additional cost of \$165 p/delegate.

STRATEGIC IMPLICATIONS

There are no significant strategic implications arising from this matter.

VOTING REQUIREMENTS

A simple majority is required.



SHIRE OF CHRISTMAS ISLAND

SUBMISSION TO	Ordinary Council Meeting 27 July 2021
AGENDA REFERENCE	10.1.4
SUBJECT	Revised Organisational Chart 2021
LOCATION/ADDRESS/APPLICANT	N/A
FILE REFERENCE	1.4.3
INTEREST DISCLOSURE	None
DATE OF REPORT	9 July 2021
AUTHOR	David Price , CEO
SIGNATURE OF CEO	SIGNED

RECOMMENDATIONS

Councils endorse the new 2021 Organisational Chart.

BACKGROUND

The annual Review of the Organisational Chart provides an opportunity to review the current functions and responsibilities within the Shire's Structure and Operations.

COMMENT

The attached Revised Organisational chart for 2021 Identifies a refocus Manager for Governance, Research, Policy and Grants to Planning, Governance and Policy, together with the establishment of a Research and Grants Officer position at Level 7.

The Research and Grants Officer position is initially for a 3 year contract and reviewed annually thereafter and would be advertised in accordance with the Shire's Employment Policy.

The Organisational Chart also shows an extra employee in the Project Team who was employed under the Shire's Employment Policy.

The Joint consultative Committee has been consulted on the changes.

STATUTORY ENVIRONMENT

POLICY IMPLICATIONS

There are no policy implications arising from this recommendation

FINANCIAL IMPLICATIONS

The financial implications arising from this recommendation are factored into the 21/22 Budget

STRATEGIC IMPLICATIONS & MILESTONES

VOTING REQUIREMENTS

Simple majority is required.

ATTACHMENT

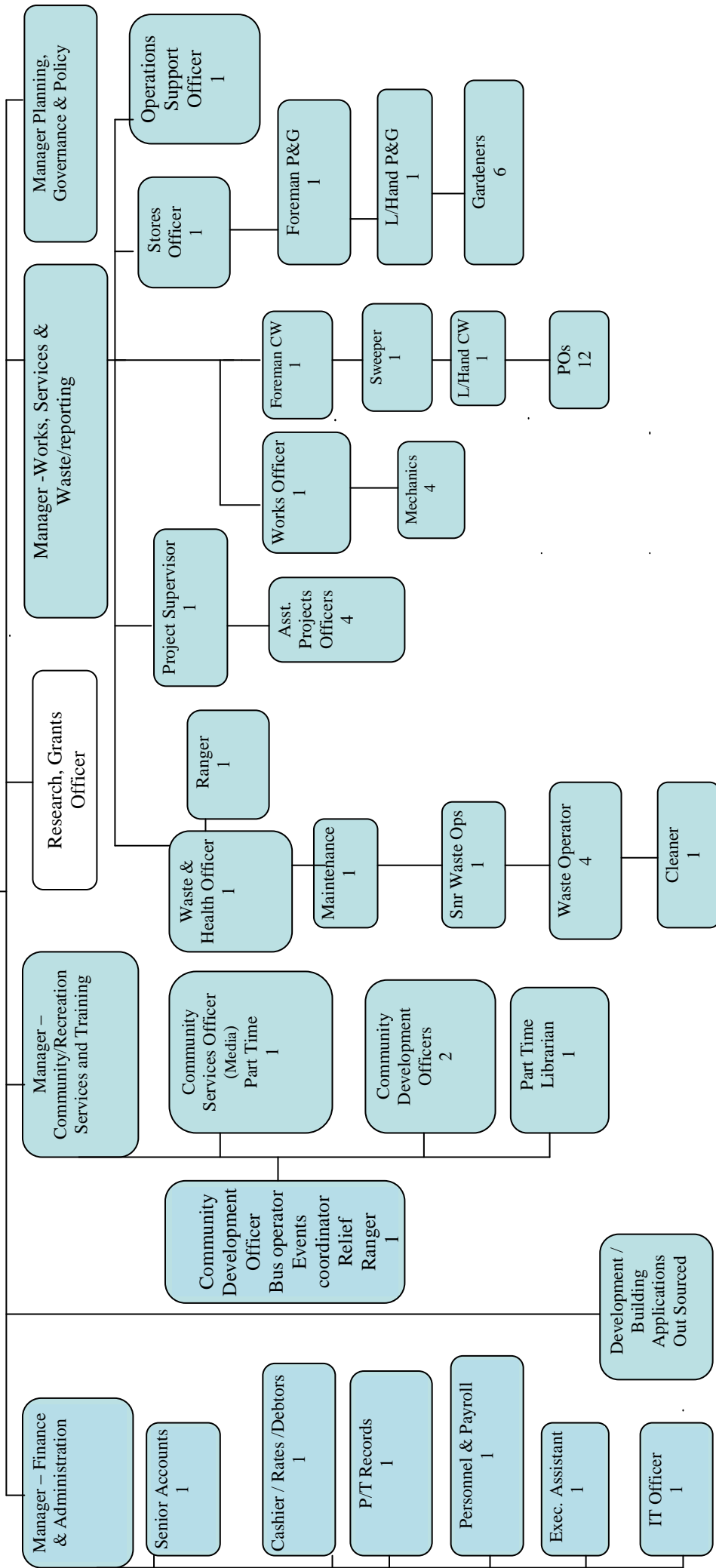
10.1.4.1 2020 Organisational Chart

DRAFT SHIRE OF CHRISTMAS ISLAND
ORGANISATION STRUCTURE
 2021 version 1

COUNCIL

Chief Executive Officer

Abbreviations	
CW	Civil Works
P&G	Parks and Gardens
PO	Plant Operator
L/Hand-	Leading Hand





SHIRE OF CHRISTMAS ISLAND

SUBMISSION TO	Ordinary Council Meeting 27 July 2021
AGENDA REFERENCE	10.1.5
SUBJECT	Proposed Amendment to the Light Industrial Area
LOCATION/ADDRESS/APPLICANT	
FILE REFERENCE	1.5.11
INTEREST DISCLOSURE	
DATE OF REPORT	9/06/21
AUTHOR	David Price
SIGNATURE OF CEO	SIGNED

RECOMMENDATION

- a) Council endorses the SOCI recommendations in response to:
- the 14 April 2021 Phosphate Resources Ltd. (PRL) submission and
 - the 6 May 2021 Eco Crab Industries (ECI) submission
- both made in relation to the *March 2021 Proposed Amendment to the Light Industrial Area*.
- b) The SOCI to issue attachment 10.1.1.2. to PRL and attachment 10.1.1.3. to ECI as formal response to their respective submission.
- c) Council endorses the *June 2021 Proposed Amendment to the Light Industrial Area* (The Report) and its proposed Actions as input into the Christmas island Strategic Assessment (CISA) Land Use Plan (LUP), the Review of the *2015 Local Planning Strategy* and ultimately the formulation of the Local Planning Scheme No.3 (LPS No.3).
- d) The SOCI to issue the endorsed Report to the DITRDC as SOCI's formal input into the CISA Land Use Plan for the LIA, Hospital, Taman Sweetland Circuit and Phosphate Hill Historic areas.
- e) The SOCI to formally engage with the DITRDC to progress Actions 1 and 2 on page 8 of the Report.

BACKGROUND

The *March 2021 Proposed Amendment to the Light Industrial Area* was advertised for comments through Public Notice 03/21 issued 24 March 2021 closed 14 April 2021.

COMMENT

Two formal submissions were received in response to the Public Notice.

- 1) Phosphate Resources Ltd. made a submission on the 14 April 2021. (see full submission attached with SOCI's responses and recommendations)
- 2) Eco Crab Industries on the 6 May 2021. (see full submission attached with SOCI's responses and recommendation)

STATUTORY ENVIRONMENT

The SOCI was advised on the 18 May 2021 by the Western Australian Planning Commission (WAPC) Secretary that the Commission had considered the Shire's 22 April 2021 report of review under regulation 67 of the ***Planning & Development (Local Planning Schemes) Regulations 2015(WA)(CI) (LPS Regulations)*** and advised that the commission had agreed with the report two recommendations as follow:

“pursuant to ***Regulation 66(3)(a)(iii) of the Planning and Development (Local Planning Schemes) Regulations 2015 (WA)(CI)*** to make a recommendation to the Western Australian Planning Commission that the Shire of Christmas Island Local Planning Scheme No. 2 be repealed and a new scheme be prepared in its place”; and

“pursuant to ***Regulation 66(3)(b)(iii) of the Planning and Development (Local Planning Schemes) Regulations 2015 (WA)(CI)*** to make a recommendation to the Western Australian Planning Commission that the Shire of Christmas Island Local Planning Strategy 2015 should be repealed and a new strategy prepared in its place”

The ***June 2021 Proposed Amendment to the Light Industrial Area*** intent and key maps will inform and be included in the Draft Local Planning Strategy No.3

POLICY IMPLICATIONS

The Report is designed to consolidate the review of the 2015 Planning Strategy and maintain (as much as feasible) alignment with the CISA process.

FINANCIAL IMPLICATIONS

There is suitable allocation to input into the CISA process and review the Scheme in the current budget

STRATEGIC IMPLICATIONS & MILESTONES

1. Issue attachments 10.1.1.2 and 10.1.1.3. to PRL and ECI respectively
2. Issue the Report to the DITRDC as SOCI's formal input into the CISA Land Use Plan
3. Incorporate the Report's intent and key maps in the Draft Local Planning Strategy No.3

VOTING REQUIREMENTS

Simple Majority

ATTACHMENTS

- 10.1.5.1 ***SOCI's response to Eco Crab Industries 6 May 2021 Submission***
- 10.1.5.2 ***SOCI's response to Phosphate Resources Ltd. 14 April 2021 Submission***
- 10.1.5.3 ***June 2021 Proposed Amendment to the Light Industrial Area***

Item	Eco Crab Industries 6 May 2021 Submission	SOCI Response	Recommendation
1	I (Tanya Cross) have read and passed the planning document around to those involved with our organisation. This planning document is of substantial interest to us as we believe there is a certainly need for a Light Industrial Area for Christmas Island, and Eco Crab Industries in particular.	The Shire notes Eco Crab Industries' (ECI) recognition of the need for a Light Industrial Area (LIA) on CI and its interest in establishing itself there.	Nil
2	Overall, the plan seems sound as it will free up space in the tourism precinct near our headquarters,	ECI operates on a Public Reserve to the Shire. The surrounding areas are zoned Public Purpose (Religious) Commercial or Residential. Tourism is not permitted in that precinct.	Nil
	however here are some points to raise.		
3	Container storage - This plan sets aside land for container storage. It also provides easy access for container storage, without having to drive through Poon San. This sounds like a win-win. However, would transporting containers up and down the hill frequently increase truck activity, pollution and noise?	<p>The Shire notes ECI's support for the proposed container storage area and its access route by-passing Poon Saan.</p> <p>The location of the container storage area will inevitably induce a new container traffic pattern on the Island commensurate in size with the existing and future volume of freight generated by businesses and residents alike.</p> <p>For this reason, the Shire sees the direct eastern route to Murray Road as essential to minimise truck activity, pollution and noise on residential areas.</p>	Nil
4	Land Swap - While land swap seems very logical, government bureaucracies like to keep the status quo and keep hold of their own land. This biggest barrier is that the Federal Government will not approve the land swap, or delay it for long periods.	<p>The Shire is well aware of the many challenges associated with Crown Land dealings on CI.</p> <p>This said it cannot preclude the possibility of a positive and constructive land redistribution arrangement with the Commonwealth to improve/increase light industrial land offerings seen as an essential component to facilitate and expand the island's economic outlook.</p> <p>The Shire hopes this key objective will be accepted by the Commonwealth thus resulting in a fruitful new land arrangement outcome.</p>	Nil

5	<p>Therefore, it is important to provide as much feedback as possible to SOCI that this is a good idea. That means individual submissions and particularly submissions from people in business and tourism. I think it would be good for the Administrator to hear all these views as well.</p>	<p>The Shire appreciates and notes ECI's positive suggestion that the LIA land reconfiguration through land swap is a "good idea".</p> <p>The Shire sees the formal and official Public Notice vehicle to seek comments from all interested parties as the most appropriate, efficient, transparent and fair process to gather support, new ideas, constructive suggestions and or criticism from the CI residents, the business community and the public service alike.</p> <p>The Shire responses to submissions is also an open and public process through the workings of the elected Shire Council.</p> <p>It must finally be appreciated that absence of comments can only be interpreted by the Shire as a form of implicit approval or endorsement.</p>	<p>Nil</p>	
6	<p>Crab Migration - The new Quarry Rd section (in red on diagram C) should have grids or a crab bridge installed near the new proposed roundabout with Murray Rd and further up the hill near the present Quarry Rd. According to the current planning document, the crab migration corridor and "ecological and heritage corridor" are both dead ends - all of the crabs have to cross the road to migrate down the hill. This is not only of concern to the conservation of the red crabs but also poses increased risk of traffic hazards.</p>	<p>The Shire has purposely re-established the notion of crab migration into the LIA planning agenda in response to the overwhelming community backing to encourage/facilitate crab migration.</p> <p>The Shire recognises the need to consider practical environmental and traffic safety measures such as gridded passages or bridges at the implementation/construction stage to reduce the conflictual condition between traffic and crab migration along Phosphate Hill Road near the hospital, further down in the vicinity of the proposed Murray Road runabout and possibly on the eastern section of Quarry Road.</p>	<p>Show desirable locations for engineered crab migration crossings on the proposed LIA road system</p>	

7	<p>Noise and pollution - Will there be any noise or pollution concerns in the future residential area above Taman Sweetland Ct owing to proximity with the industrial area?</p>	<p>The Shire has recognised the need to have a physical buffer (estimated at 75m) between light industrial lots 1 & 6 and the hospital or the nearest future residential area east of Taman Sweetland Circuit as, in part, a noise impact mitigation planning measure.</p> <p>It is worth noting that noise emissions are controlled under the <i>WA Environmental Protection (Noise) Regulations 1997</i> and pollution levels are subject to the <i>WA Environmental Protection Act 1986</i></p>	Nil	
8	<p>We suggest making an appointment to talk to the residents of Taman Sweetland Ct given them the opportunity to raise any concerns and/or suggestions regarding this.</p>	<p>As asserted in response 5 the Shire has formally invited, through Public Notice, the entire CI community to provide feedback on the merit or otherwise of the March 2021 Proposed Amendment to the LIA.</p> <p>The CI community (inclusive of the Taman Sweetland residents) will have, in the forthcoming months, another opportunity to raise concerns and/or suggestions regarding the LIA when the Shire fulfill its mandatory obligation to advertise its new Local Planning Strategy as part of the mandatory Shire Town Planning Scheme No.2 Review.</p>	Nil	

4	<p>This is due to the challenging topography of the area, steep gradient, environmental issues and the potential for future ground stability issues.</p>	<p>The review is proposing an alternative alignment to that of the TPS No.2 to minimise gradient steepness.</p> <p>Plate L on page 19 also illustrates a larger area to be assessed under the CISA than what is required to accommodate the road reserve in order to address ground stability and environmental issues during the construction of the road in the future.</p>	<p>As advised by Main Roads WA and the WA Local Government Association the SOCI to consider Austroads 2021- Guide to Road Design part 3: Geometric Design as the appropriate tool for future detail engineering road design works.</p> <p>The Guide's Section 8.5 Grades sets the maximum negotiable grade for heavy vehicles at 15% being satisfactory on low volume roads only and with extremely slow speed downhill.</p> <p>In order to achieve greater detail engineering design flexibility, the proposed road reserve varies from 30m to 50m to ensure that vertical and horizontal curve combinations, intersection arrangements, drainage requirements and ground stability can be adequately achieved.</p>	
5	<p>A. Point 13. Conclusion and proposed Actions Points - 1, 2;</p> <p>(1) As previously indicated PRL sees little value in the establishment of a formal working framework between the DITRDC, the Shire and PRL on mine site relinquishment outside of those that exist in our mining lease.</p>	<p>The 6/11/2020 PRL submission regarding the Shire Strategic Directions stated: " PRL are working through a long term relinquishment program, and currently submit 3 year plans to the Commonwealth. Priority areas should be identified by SOCI & Commonwealth as input into the longer term relinquishment program."</p>	<p>The Shire November 2020 recommendation:</p> <p><u>"Add new paragraph to the Strategic Planning Response: A formal working framework between the DITRDC, the SOCI and CIP/PRL should be established to identify priority areas as input into CIP longer term relinquishment program"</u></p> <p><u>remains valid, is relevant to points 6, 7, 8,11 & 12 below and should be upheld.</u></p>	

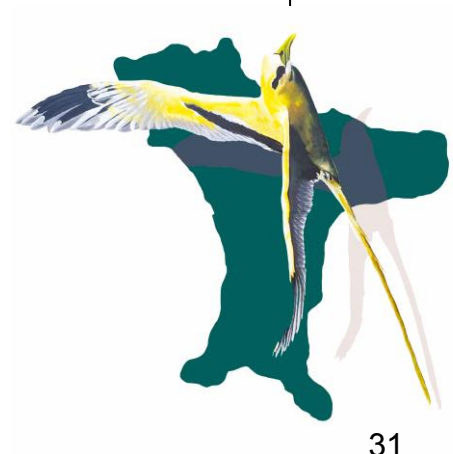
6	<p>There are existing legal arrangements under the mining lease between the Commonwealth and PRL which adequately address the mine site relinquishment process. These are supported by service delivery arrangements between the Commonwealth and the WA Department of Mines, Industry Regulation and Safety.</p>	<p>The Shire recognises PRL's legal obligations governing the progressive relinquishment of mining areas.</p> <p>The current system, where the Shire is not officially represented, is considered inadequate acknowledging it has not generated to this day any investment post relinquishment outside Hidden Garden.</p> <p>In the meantime, relinquished areas are revegetating thus unnecessary increasing environmental obstacles for future development.</p>	<p>Refer to item 5 recommendation</p>
7	<p>In terms of the Shire's interest in mining land for economic development purposes we are always open to discussion on an ongoing basis, as has been the practice in the past.</p>	<p>The Shire notes and welcomes PRL's disposition to discuss relinquishment issues centring on economic development on an on-going basis.</p> <p>It is merely proposing to formalise (and be associated with) a collaborative dialogue with the Commonwealth and PRL on relinquishment matters and priorities, at regular and set times, to prosecute what has been proposed by PRL back in November 2020 (ref. response item 5 above)</p>	<p>Refer to item 5 recommendation</p>
8 27	<p>Public comment processes such as these, also provide a suitable forum for PRL to provide input and feedback on the Shires land planning activities.</p>	<p>Noted however this process should not be considered as a substitute to the objective of item 5 recommendation</p>	<p>Refer to item 5 recommendation</p>

9	<p>(2) With respect to the relinquishment of ML 136 and 135, PRL has already brought forward the timeframe for relinquishment of ML 135, at the Shire's request to 2021/2022 financial year. This is despite our focus on priority remediation and relinquishment sites in other areas of the Island.</p>	<p>The Shire notes and welcomes PRL's commitment to relinquish ML 135 in the 2021/2022 financial year.</p> <p>This could allow the Shire to make a subsequent request to the Minister to enable the creation of the southern section of the LIA revised road alignment inclusive of the segment through Reserve 47475 licenced to Acker Pty Ltd.</p> <p>It will also activate the release of land in the LIA southern section for the much-needed storage of sea containers across the island and the port area in particular.</p>	<p>The Shire resolve to prepare the necessary GIS diagrams with the view to make a request to the Minister to dedicate land for the southern section of the LIA revised road alignment under the WA Land Administration Act 1997 Section 56.</p>
10	<p>ML 136 presents PRL with a range of challenges. The site is a mix of legacy (Commonwealth) and PRL mining, with deep pinnacle fields, and resulting access and safety issues. PRL has already (at the request of the Shire) relinquished part of the site to the north of the Acker Lease. (We suggest that Plate D should be updated to show the remaining mining lease as indicated on plate K).</p>	<p>The Shire acknowledges the higher level of technical and legal challenges associated with the relinquishment of ML 136.</p> <p>Plate D is a background diagram titled: <i>LIA Land Interests - early arrangement</i> (i.e. before 2010) and therefor does not warrant updating.</p> <p>Plate K was added at the request of PRL to reflect the current shapes of ML 135 and ML 136.</p>	<p>Amend the title of Plate D to: <i>LIA Land Interests prior 2010</i>.</p>

11	<p>Depending on the agreed finished landform remediation is also likely to be very time consuming and potentially costly to both PRL and the Commonwealth to complete, for the reasons stated above. Given these factors, the remainder of ML 136 is currently planned for relinquishment, at some point in the future after we complete the current priority areas.</p>	<p>The relinquishment of ML 136 remains central to the efficient and orderly development of the LIA who, in turn, constitutes an essential building block for the short and medium term economic development of the island by private parties.</p> <p>The Shire, through its planning process, is offering an ultimate road and land use layout for ML 136 considered optimum and achievable to inform simultaneously PRL and the Commonwealth, hopefully accelerate the relinquishment process and prioritise Commonwealth public works decision making that would create jobs and economic activities around the construction of the road with potential benefits to PRL, Acker Pty Ltd and the Shire.</p>	<p>Refer to item 5 recommendation. The Shire to elevate with the Commonwealth the relinquishment of ML 136 as a top priority.</p>
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12	<p>B. 8. Proposed reconfiguration of Reserve 47475</p> <p>(1) PRL understands one of the Shire's objectives is the creation of a direct road link between the port and the LIA to improve travel time and minimise heavy traffic through the Poon Saan residential areas. It makes sense, however the 2010 LIA Outline Development Plan for the road realignment was subject to further detailed design.</p> <p>Based upon the data we have available to us on the proposed route, we believe there could be significant construction costs given the topography of the route and gradient.</p> <p>This could also result in limitations to the type of vehicles that use the road. We encourage the Shire to undertake further detailed design on the road before committing to the amendment given road access is a critical part of the proposed LIA design change.</p>	<p>The average gradient for the Murray Rd. to Quarry Rd. road is understood to be around 11.5%. Provision is made for increased Road Reserve width allowing greater future engineering design flexibility for heavy vehicles and in particular container carriers.</p> <p>As demonstrated in plate B points d) & f) p.9 the question of minimising road cost has been central the Shire's agenda in reviewing the LIA layout and significant cost savings have been achieved.</p> <p>Whilst important, high road cost is not unusual for CI and should not translate into a justification for delay or worst inaction. Also refer to the response for item 3.</p>	<p>Refer to item 5 recommendation.</p> <p>Create a new plate illustrating the physical parameters (vertical distances, horizontal distances and average gradient) for the road segment between Murray Road and Quarry Road in the context of surrounding existing contours and Road Reserves widths.</p>
	C. 5. Proposal to amend the LIA		
13 30	<p>(1) Based upon our knowledge of the site we believe that part of the proposed Sea Container Laydown area may conflict with the current heritage reserve area to the north east of the airport reserve.</p>	<p>The Shire is aware some 0.8 ha. at the eastern end of the proposed lot 17 (ref. plate C p.10) overlaps with the Heritage listed Phosphate Hill Area.</p> <p>This does not depart from the current Light Industrial zoning overlap in the TPS No.2. The Shire expects the CISA process to resolve this overlap issue and intends advocating to significantly increase the Phosphate Hill Historic Area westward into the Ecological/Heritage Corridor north of lots 16 & 17.</p>	<p>Reconfigure the eastern end of lot 17 to exactly reflect the TPS No.2 geometry.</p> <p>Create a new plate to show the LIA in the context of the Phosphate Hill Historic Area to illustrate the overlap between part of lot 17 and the Commonwealth heritage listed Phosphate Hill Historic Area.</p>

Proposed Amendment to the Light Industrial Area



**SHIRE OF
CHRISTMAS ISLAND**

June 2021

Content:	page
2010 ODP review & rationale to amend the LIA	3
Conclusions and proposed Actions	8
Plate A. 2010 LIA Outline Development Plan	9
Plate B. LPS 2 map - Improvement possibilities	10
Plate C. Proposed amended LIA	11
Plate D. LIA Land Interests prior 2010	12
Plate E. 2013 LIA Proposed Subdivision	13
Plate F. SoCI Freehold Deposited Plan	14
Plate G. Current Tenure & Proposed Cadastre	15
Plate H. Proposed Reconfiguration of R 47475	16
Plate I. Proposed SoCI / UCL Land Swap	17
Plate J. Proposed future Land Tenure	18
Plate K. Mining Lease requiring relinquishment	19
Plate L. Murray Rd. to Quarry Rd. road layout	20
Plate M. Impact on Phosphate Hill Historic Area	21
Plate N. Proposed CISA Land Use Plan	22

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2010 Outline Development Plan (ODP) review & rationale to amend the LIA

1. Document Purpose

This document provides the rationale for improvements to the 2010 LIA Outline Development Plan to ultimately inform the mandatory Review of the 2015 Shire of Christmas Island *Local Planning Strategy* (LPS) and *Local Planning Scheme No.2* (LPS No.2) in accordance with the requirements of the *WA Planning and Development Act 2005 – Planning and Development (Local Planning Schemes) Regulations 2015*.

As much as feasible the review of the LPS aims at occurring concurrently with the *Christmas island Strategic Assessment* (CISA) process and appropriately input in the establishment of the CISA Land Use Plan (LUP).

In effect the Shire of Christmas Island (SOCI) is determined to ensure, with the Commonwealth's assistance, that the CISA LUP can translate seamlessly into the forthcoming Local Planning Scheme No.3 thus fulfilling the critical objective of reducing bureaucratic procedures whilst considerably increasing certainty and confidence for prospective early investors expected to boost the island economy.

2. 2010 ODP for the Light Industrial Area (LIA)

In 2010 the then Attorney General's Department commissioned engineering firm GHD to produce the *Report for Christmas Island Light Industrial Area Outline Development Plan - Dec. 2010*. (ref. [plate A p. 9](#)) The layout of the LIA, as shown in the *Christmas Island North map 2 of the Shire Local Planning Scheme No.2*, was established under the guidance of such ODP.

3. ODP translation in the LPS No.2

For most of it the ODP layout was transferred accurately into the LPS No.2 map (ref. [plate B p. 10](#)) however the interface between the LIA and the hospital was overlooked. Admittedly the LPS No.2 did not provide for:

- a) the recommended "environmental/crab corridor + buffer" to separate the industrial area from the hospital/urban areas and
- b) the need to reserve additional land for the expansion of the hospital.

4. Further Improvements to the LPS No.2 map

The detailed analysis of the LPS No.2 map has identified the following areas warranting further potential amendment:

- c) increase the road reserve at the junction with Murray Road to allow for a safe runabout connection;
- d) realignment of the northern road to minimise construction cost by following the nearby existing tracks;
- e) adherence as much as possible to the main feature of the cadastre (shown as existing cadastre line);
- f) elimination of the direct road link to the southern area to avoid extreme construction cost and consolidate the ecological/heritage corridor;
- g) reconciliation between zoning and cadastre on east side of Reserve 47475 and
- h) intersection geometric modification to prioritise truck movements from the port to the LIA southern section.

5. Proposal to amend the LIA

The proposed improvements identified in items a) to f) above have been translated and mapped in [plate C p. 11](#). This represents a revised ODP layout

The expectation that urban development can occur between the hospital and the Taman Sweetland circuit (LPS No.2 & CISA LUP) and the south-east east truncation of the hospital reserve to create the buffer/crab migration corridor are reinforcing the need for making provision to extend the hospital reserve northward.

This was explicitly illustrated in the 2010 ODP and consideration should be given to ensure such principle is maintained in the LPS No.3.

The adherence to the existing ex-mining track as the optimum alignment to the northern road is significantly important as it avoids unnecessary earthworks and allows a simplified and efficient cadastral design because:

- it uses most existing geometric features of the SOCI freehold asset to generate lots 6 to 11;
- it generates a more efficient use of the road with access on the south side for lots 6 to 12 and access on the northern side for larger lots 1 to 3
- it does not preclude the planned connection with the southern section of the LIA via the east.

There is limited land for the dedicated storage of sea containers at the port and across the island generally. This affects the port operation and concerns many medium to small businesses resulting in the unwanted semi-permanent parking of sea containers in the commercial, tourism and residential areas. Consequently, this impacts on the visual and functional character of many precincts at a time where the island is seeking to increase its tourism profile and image as a recognised economic engine post mining and immigration.

The large and relatively flat southern section of the LIA has the potential to resolve this on-going challenge as it can be set aside for the purpose of sea container common storage managed by the SOCI on lot 16 and possibly under the care, management and control of the Christmas Island Port on lot 17. These lots would remain directly connected to the port via the east side of the LIA. Lot 16 is set back some 25m from Phosphate Hill Road to provide a vegetation buffer/separation with the industrial use

The elimination of the road, directly linking the northern and southern sections of the LIA in the 2010 ODP, does not fundamentally compromise the accessibility of the LIA southern section. Furthermore, it represents a considerable cost saving benefit that would be better used for the early development of the Port to LIA road and the activation of the southern section itself.

6. Land ownership

The LIA former and present land tenure arrangements ([ref. plates D,E,F on p. 12,13,14](#)) have somehow modestly evolved since 2010 with the excision from the SOCI area of a relatively large lot for the purpose of establishing the headquarters of the IOT Power Authority and the development by the SOCI, at considerable cost in 2017, of 3 small industrial lots on the opposite side of Quarry Road.

7. Land Tenure and proposed Cadastre

The current land tenure within and around the LIA ([ref. plate G p. 15](#)) is showing the interrelationship between Unallocated Crown Land (UCL in orange) Commonwealth Reserves (pink) Road reservations (light beige) and freehold land holdings (pale yellow).

The proposed adjusted LIA subdivision layout (red lines) has been superimposed on the existing land tenure map to finalise its optimum geometric integration with the existing cadastre and illustrate its impact of the existing land tenure.

8. Proposed reconfiguration of Reserve 47475

The central objective of the ODP has and continue to be the creation of a direct road link between the port and the LIA to improve travel time and minimise heavy traffic through the Poon Saan residential areas. As mentioned above the southern section of the LIA is reliant on such road link that traverses Reserve 47475 currently licenced by the Commonwealth for the exclusive usage of Acker Pty. Ltd.

The geometric reconfiguration of Reserve 47475 ([ref. plate H p. 16](#)), is therefore envisaged in order for the road to be created as a legal entity. It is suggested the proposed reconfiguration should not affect the current operation of Acker Pty. Ltd. Acker Pty. Ltd. licence to use Reserve 47475 has expired on the 13th of December 2020. SOCI is seeking agreement in principle from Acker Pty. Ltd. and the Commonwealth to achieve the proposed reconfiguration as a matter of priority to ensure the new licence will allow the early creation of the public road.

9. Proposed SOCI / UCL Land Swap

The LIA overall subdivision structure based on the adjusted ODP is reliant on the exchange of multiple land parcels or land swap between the SOCI and the Crown ([ref. plate I p.17](#)). The plan cannot be progressed without additional ULC allocation and a number of adjustments made to the SOCI's Lot 9001 through such land swap.

Again, The SOCI is seeking agreement in principle from the Commonwealth to achieve such land swap during the LPS No.2 review process and the finalisation of the CISA LUP.

10. Possible future Land Tenure

The possible future land tenure arrangement ([ref. plate J p.18](#)) indicates what could be the overall land tenure layout for the LIA as a result of the proposed land swaps illustrated in the previous [plates H & I](#). The future land tenure may be achieved through several stages. The rationalisation of Reserve 47475 as proposed is seen as the necessary first step in such process.

11. Mining lease over a portion of the LIA

As illustrated in [plate K p.19](#) a significant portion of the reconfigured LIA remains affected by the current mining lease whilst Christmas Island Phosphates (CIP) has, to date, no declared intention to further extract material in that location.

The orderly consolidation of the LIA is dependent on the formalisation of the proposed road network through the SOCI's ability to request to the WA Minister for Planning Land and Heritage to "dedicate Crown land as road" pursuant to **Section 56 Dedication of Land as road (2) WA Land Administration Act 1997 (CI)**.

Noting the land aspects of the **WA Mining Act 1978 (CI)** overrides the **WA Land Administration Act 1997 (CI)** it is clear that the SOCI's request to dedicate Crown land as road is subject to the removal or relinquishment of the relevant mining areas affecting the LIA.

CIP has made suggestion the SOCI and DITRDC should identify priority areas as input into CIP longer term relinquishment program. This position was formalised through the SOCI endorsed **August 2020 LPS Strategic Directions** in **Direction 7**. Consequently, the two areas shown in [plate K p. 19](#) are required by the SOCI to be prioritised for relinquishment by CIP to ultimately allow the due process of dedicating Crown land as road to proceed.

11. Murray Road to Quarry Road link

The notion of a road link between Murray Road and Quarry Road was featured in the 2010 LIA Outline Development Plan and consolidated accordingly in the LPS No.2. This direct road link between the port and the LIA to improve travel time and minimise heavy vehicle traffic through the Poon Saan residential areas remains a key infrastructure feature of the planning instrument for the LIA.

A proposed road layout is shown in [plate L p.20](#).

This diagram illustrating the road physical parameters with an average grade of 11.28% over 815m was forwarded to Main Roads WA and the WA Local Government Association who referred to *Austroroads 2021- Guide to Road Design part 3: Geometric Design* as the appropriate tool for future detail engineering road design works.

The Guide's *Section 8.5 Grades* sets the maximum negotiable grade for heavy vehicles at 15% being satisfactory on low volume roads only and with extremely slow speed downhill.

In order to achieve greater detail engineering design flexibility, the proposed road reserve varies from 30m to 50m to ensure that vertical and horizontal curve combinations, intersection arrangements, drainage requirements and ground stability can be adequately achieved.

12. Commonwealth Heritage

The *Phosphate Hill Historic Area* ([ref. plate M p. 21](#)) appears on the Commonwealth Heritage List (Class Historic – Listed Place 22/06/2004 – Place ID 105297 – Place File 9/03/001/00009). Plate M confirms that an overlap exists between the amended LIA layout and the *Phosphate Hill Historic Area*. This overlap is identical to the existing overlap between the LPS No.2 approved by the Minister in 2016 and the *Phosphate Hill Historic Area*. With the elimination of the road segment between the northern section and southern section of the LIA ([ref. plate B p.10](#)) the opportunity exists, as part of the

CISA process, to increase the *Phosphate Hill Historic Area* westward all the way to Phosphate Hill Road as shown on plate M. This would protect the entirety of the historic deep hand-dug pinnacle field as illustrated on [plate C p. 11](#), and further consolidate the area as a Heritage & Ecological corridor.

12. Proposed CISA Land Use Plan for the LIA

As expressed in **section 1** the ultimate purpose of re-examining the LIA 2010 ODP and the LIA Scheme map is to ensure, through the mandatory planning review process, optimum adequacy of the planning instruments with the intent to appropriately inform the CISA Land Use Plan.

Based on the planning and land tenure rationale developed in **sections 2 to 10** the SOCI is proposing to amend the LIA shapes as shown in [plate N p. 22](#). These shapes are consistent with the recommended amended layout for the LIA ([ref. plate C p. 10](#)).

It is worth noting the northern portion of shape **I3** is larger than the anticipated cadastre thus ensuring broader environmental assessment to cover the possible adjustment of topographic features beyond the Road Reserve providing additional flexibility during road construction and beyond lots 1 to 3 opposite the National Park also providing additional flexibility for the earthworks to establish these lots.

The review process of the LIA as also provided an opportunity for a minor improvement to the urban development potential of shape of **U4** by including as Urban Development the totality of land adjacent to Taman Sweetland Circuit.

Conclusions and proposed Actions

The LIA has not experienced significant changes in the last decade. However, the early development of the LIA remains the primary building block in the context of the envisaged economic development of the Island for the next 30 years and its related 5000 population target under the CISA LUP. The proposed land tenure amendments to the LIA illustrated above are subject to the following applied legislations and associated actions:

WA Mining Act 1978 (CI) Section 16 Power to proclaim Mineral Fields (3) stipulates that *“No Crown land that is in a mineral field shall be leased, transferred in fee simple, or otherwise disposed of under the provisions of the Land Administration Act 1997, without the approval of the Minister”*.

Action 1:

In accordance with the SOCI endorsed August 2020 LPS Strategic Directions – Direction 7: *“A formal working framework between the DITRDC, the SOCI and CIP/PRL should be established to identify priority areas as input into CIP longer term relinquishment program.”*
The mining relinquishment working framework between the three parties should be activated as a matter of immediate priority.

Action 2:

Based on a formal accord reached between the DITRDC, the SOCI and CIP/PRL through Action 1, the Minister can approve the early relinquishment of Mining Lease Areas A & B as illustrated in **plate D p.10** thus clearing the way for the application of the Land Administration Act 1997(CI)

WA Land Administration Act 1997 (CI) Section 14 Minister to consult local governments before exercising certain powers in relation to Crown land stipulates: *“Before exercising in relation to Crown land any power conferred by this Act, the Minister must, unless it is impracticable to do so, consult the local government within the district of which the Crown land is situated concerning that exercise.”*

Section 56 Dedication of Land as road (2) stipulates: *“If a local government resolves to make a request under subsection (1), it must a) in accordance with the regulations prepare and deliver the request to the Minister; and b) provide the Minister with sufficient information in a plan of survey, sketch plan or document to describe the dimensions of the proposed road.”*

Action 3:

The SOCI Council endorses the LIA proposed future land tenure plan as illustrated in **plate J p.16** and resolve to make a request to the Minister to enable the creation of the LIA new road.

Action 4:

The SOCI produces the LIA projected land tenure GIS shape file and transmit it to the DITRDC for the purpose of the CISA LUP and the DPHL thus allowing for the LIA land tenure case to be created in the DPLH system and progressed accordingly.

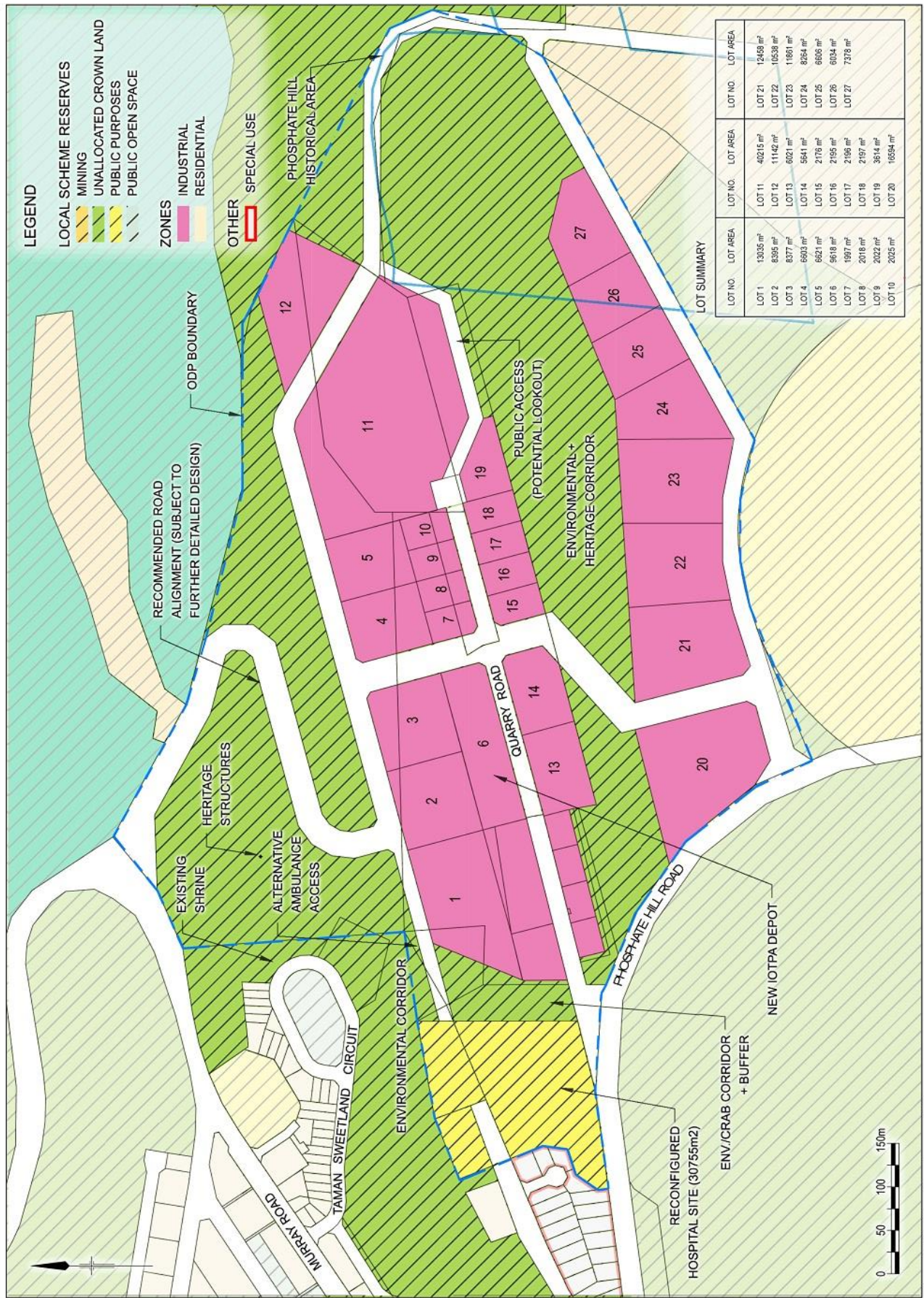
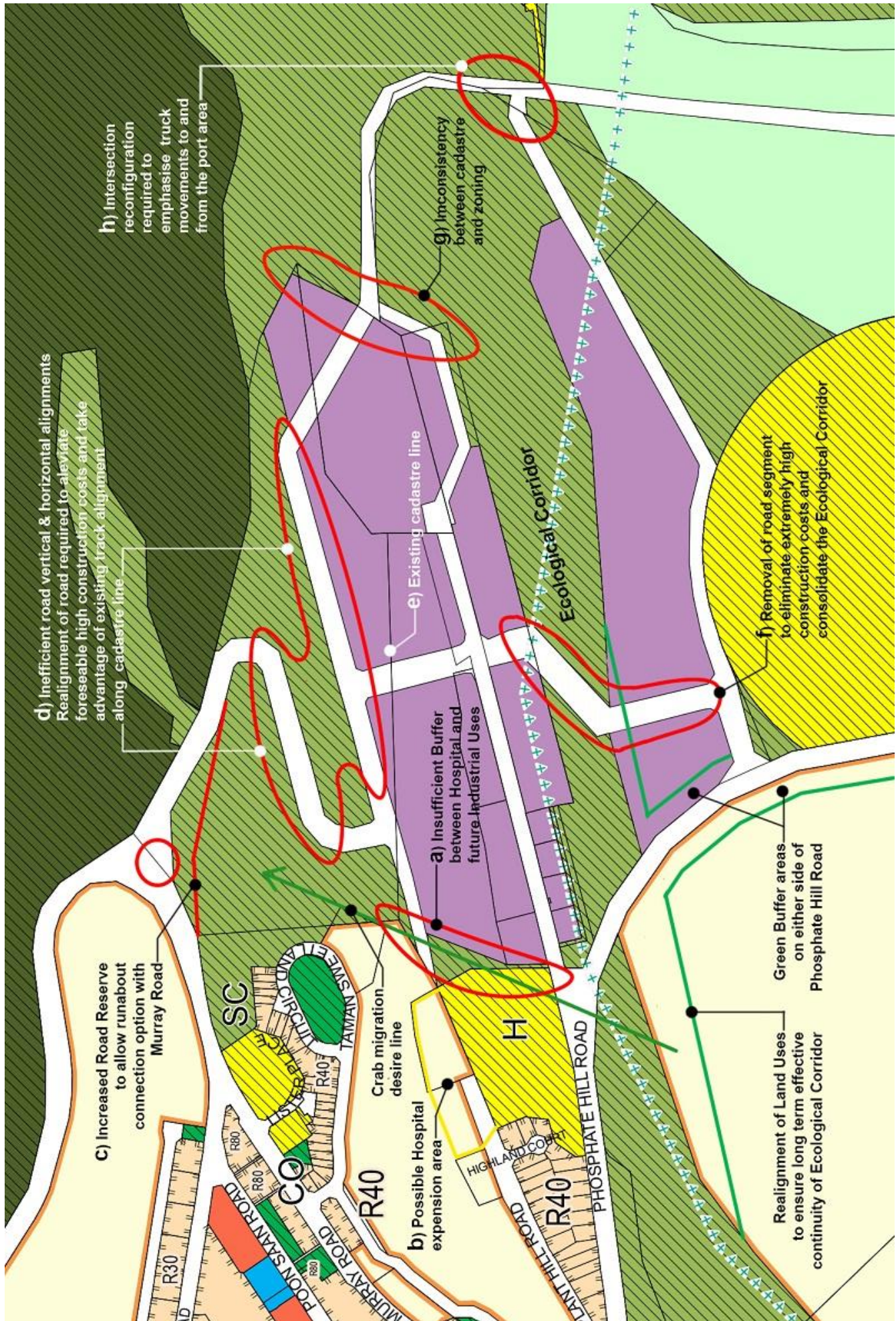
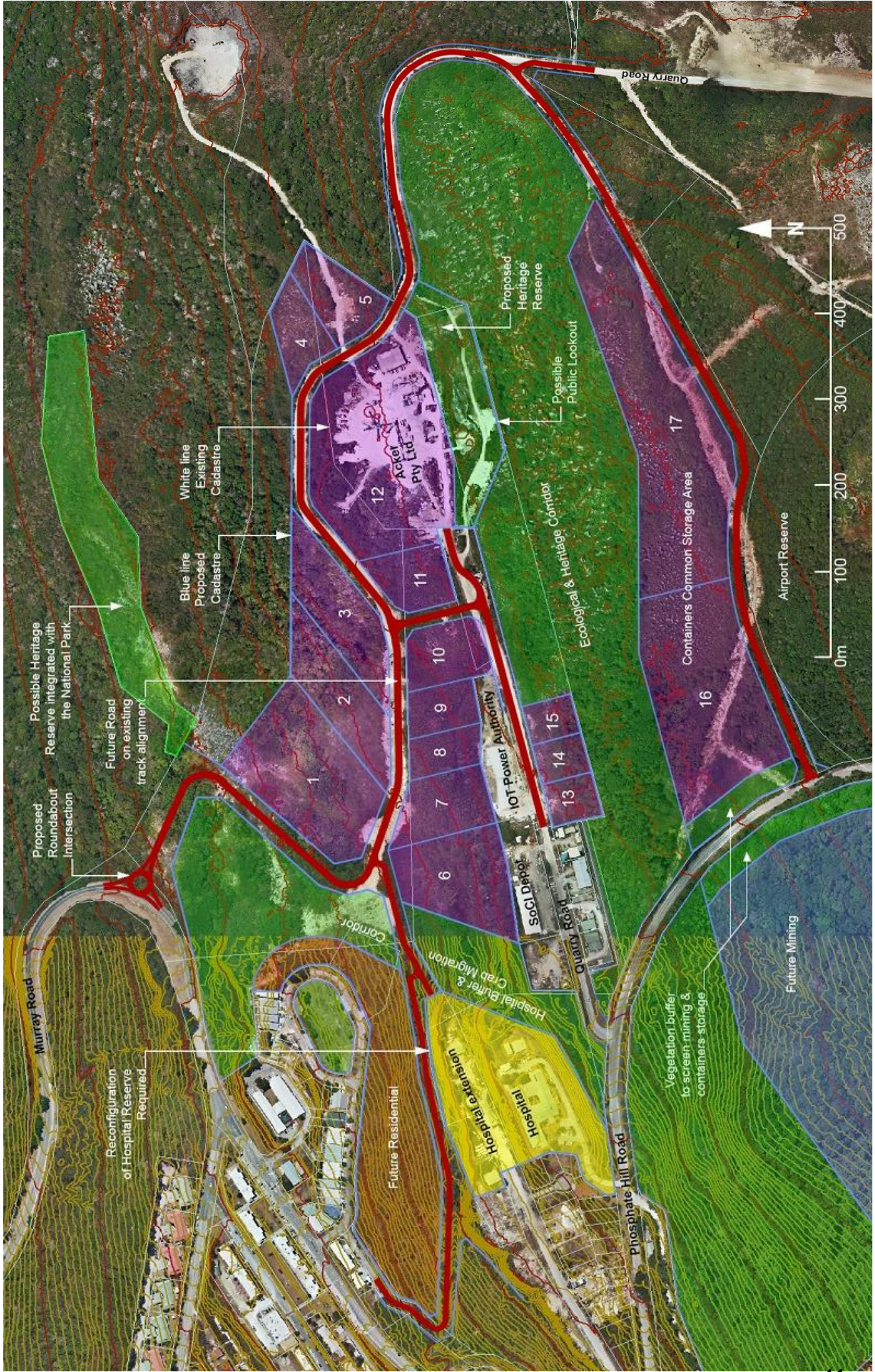


Figure 5: Outline Development Plan

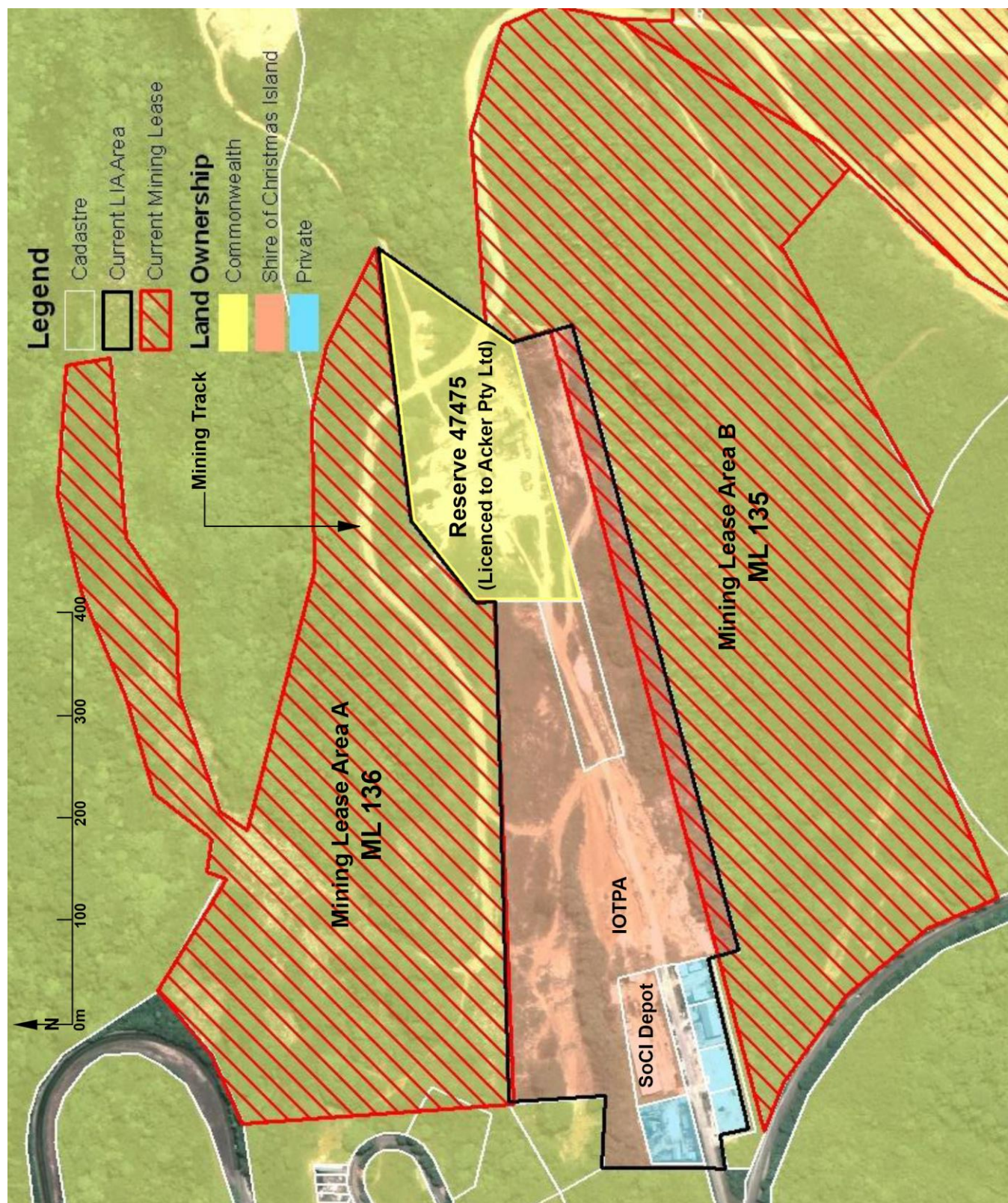
A – 2010 LIA Outline Development Plan



B – LPS 2 map - Improvement possibilities



C - Proposed amended LIA

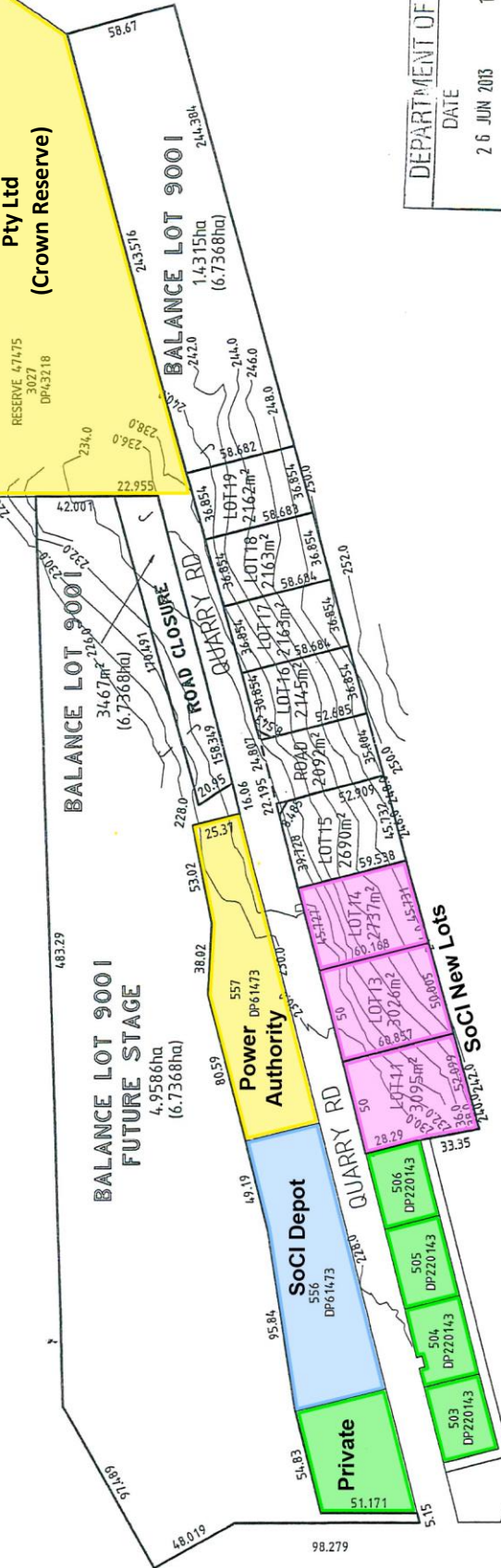


D - LIA Land Interests prior 2010

AREAS

LOT 555 AREA= 8.6172ha
 ROAD CLOSURE AREA= 3467m²
 TOTAL AREA = 8.9639ha
 AREA OF PROPOSED LOTS + ROAD = 2.2271ha
 AREA OF BALANCE LOT 9001 = 6.7368ha
 TOTAL AREA = 8.9639ha
 ALL AREAS AND DISTANCES TO BE VERIFIED BY SURVEY.

**Acker
 Pty Ltd
 (Crown Reserve)**



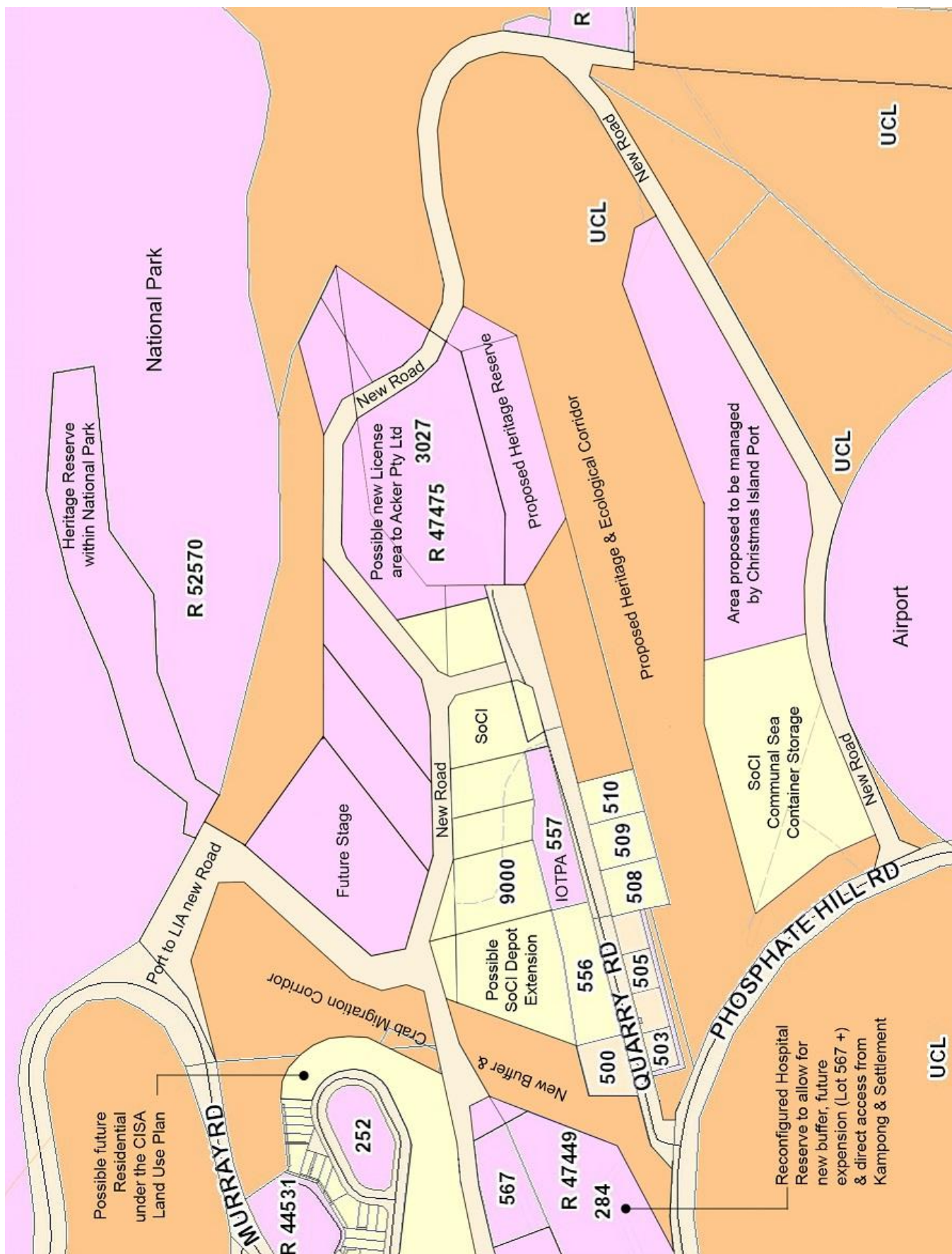
DEPARTMENT OF PLANNING
 DATE 26 JUN 2013
 FILE 14 0 2 4 4

NOTE: A RE-ESTABLISHMENT SURVEY HAS NOT BEEN COMPLETED
 THEREFORE ALL IMPROVEMENTS SHOULD NOT BE CONSIDERED FINITE.
 UNDERGROUND SERVICES DRAWN DIAGRAMMATICALLY FROM DIAL BEFORE YOU DIG INFORMATION.

DWG NUMBER. 12266		TITLE	
DATE. 07/06/2013		PROPOSED SUBDIVISION OF	
DATUM. AHD		LOT 555 ON DP61473	
COORDS. MGA ZONE 48		QUARRY ROAD, PHOSPHATE HILL	
CONTOUR INTERVAL. 2.00m		STAGE 1	
SURVEYOR. G. HOSKINS		CLIENT.	
SCALE. 1:2500		PORTER ENGINEERING	
WHEN PLOTTED A3		DRAWN. N. MUST	
CHECKED. W. FRANCE		AMENDMENTS	
DATE			

**BROOK
 MARSH LTD.**
 LICENSED SURVEYORS
 PH 9398 2441
 FAX 9450 125
 PO. BOX 91 GOSBELLS 6990
 EMAIL: brookmarsh@ozemail.com.au

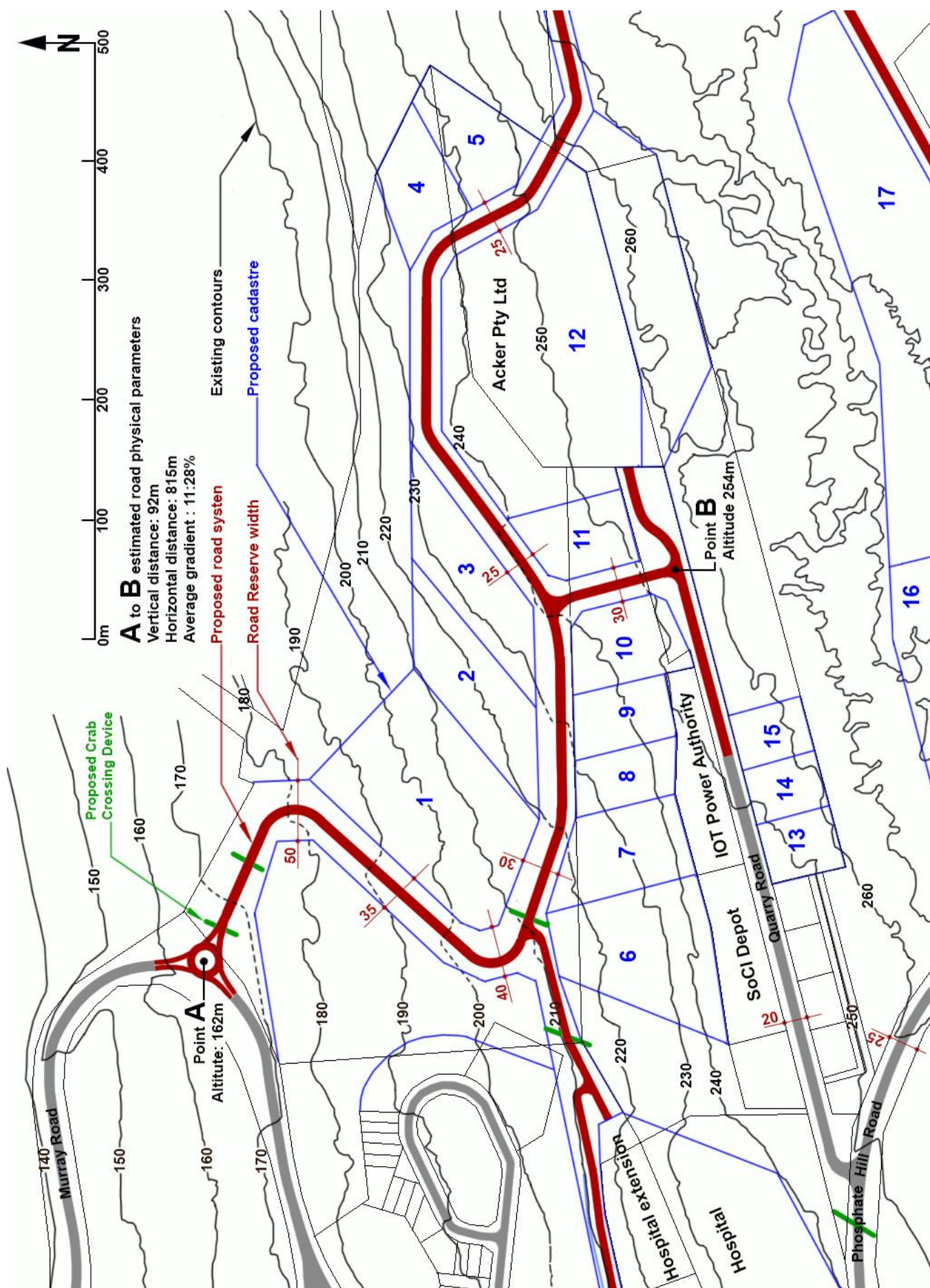
E - 2013 LIA Proposed Subdivision



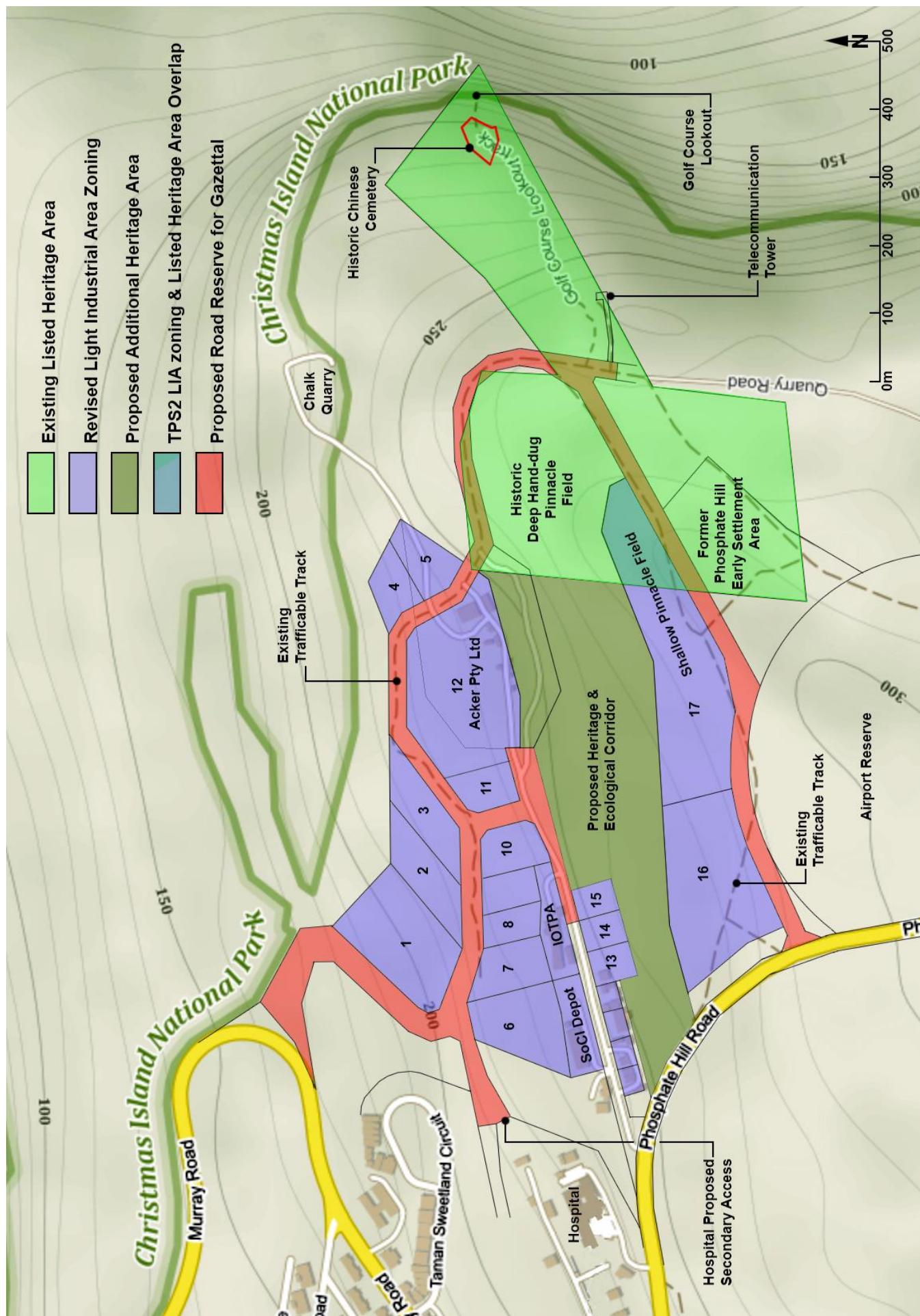
J – Proposed future Land Tenure



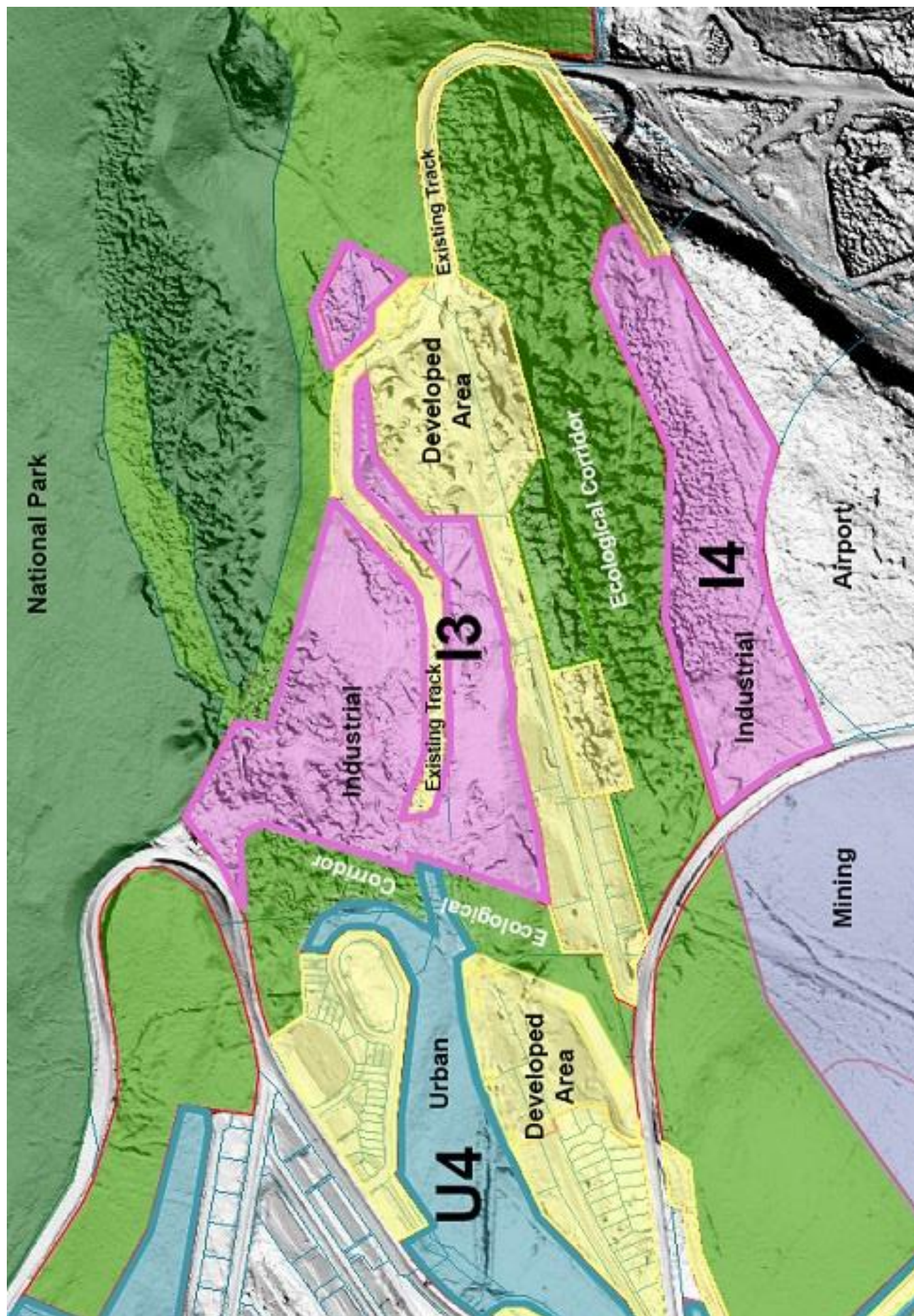
K – Mining lease requiring relinquishment



L – Murray Rd. to Quarry Rd. road layout



M – Impact on Phosphate Hill Historic Area



N – Proposed CISA Land Use Plan



SHIRE OF CHRISTMAS ISLAND

SUBMISSION TO	Ordinary Council Meeting 27 July 2021
AGENDA REFERENCE	10.2.1
SUBJECT	Schedule of Accounts - June 2021
LOCATION/ADDRESS/APPLICANT	N/A
FILE REFERENCE	3.1.14
INTEREST DISCLOSURE	None
DATE OF REPORT	7 July 2021
AUTHOR	Gan So Hon, Manager Finance & Admin
SIGNATURE OF AUTHOR	SIGNED
SIGNATURE OF CEO	SIGNED

RECOMMENDATION

That Council approves the expenditure as presented in June 2021 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 30 June 2021: **\$307,965.56**

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 - June 2021.

“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 Meeting 27 July 2021
AGENDA REFERENCE	10.2.2
SUBJECT	Outstanding Rates/Debtors Report 30 June 2021
LOCATION/ADDRESS/APPLICANT	N/A
FILE REFERENCE	3.1.9
INTEREST DISCLOSURE	Nil
DATE OF REPORT	15 July 2021
AUTHOR	Gan So Hon, Manager Finance & Admin
SIGNATURE OF AUTHOR	SIGNED
SIGNATURE OF CEO	SIGNED

RECOMMENDATION

The report is noted.

BACKGROUND

Policy and legislation require regular reports to Council about the extent of debt to the Shire and any actions to be taken or to recover unpaid monies.

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, funding agreements, the provision of private works or other fee for service and payment has not been made within 45 days of issuance of invoice, notice or agreement. A debt does not include instalment arrangements, unless the final instalment is overdue by 45 days or more.

COMMENT

As at 30 June 2021, the Shire was owed \$738,176. The breakdown of monies owed is as follows:

Payment Type	Total owed	Amounts under \$200	Amounts over \$200	Debts written off in preceding quarter	Debts referred to debt collection or subject to negotiated settlement/ Other
	\$	\$ & No.	\$ & No.	\$ & No.	\$ & No.
Rates & Services	271,479 44	523 8	270,956 36	Nil	Nil
Others	386,597 23	701 5	318,273 17	Nil	67,623 1
Private works	80,100 1	Nil	80,100 1	Nil	Nil

STATUTORY ENVIRONMENT

Section 6.13 of the Local Government Act 1995 (WA) (CI) and regulations 19A & 19B of the LG Financial Management Regulations apply. In relation to rates and service charge debts in excess of 3 years, Council must make at least 1 attempt to recover unpaid monies by court action before exercising the power to compulsory sell the property.

POLICY IMPLICATIONS

Council's FI – 5 Debt Recovery Policy applies. The policy sets out the scheme for pursuing debts via letters of demand and local court action. The CEO has delegated authority to pursue debt recovery and to write off debts under \$200. Council has the sole authority to write off debts over \$200.

FINANCIAL IMPLICATIONS

There are some costs to Council in pursuing debts, eg summons. However, Council can also apply interest penalties on outstanding debts and court fees, thereby mitigating these costs.

STRATEGIC IMPLICATIONS & MILESTONES

Objective 1 of the Governance environment is to "Provide good governance in line with the requirements of the LGA 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.

CONSULTATION

No consultation is required. Debtors will be contacted direct about their debts in accordance with the policy.

VOTING REQUIREMENTS

A simple majority is required.

ATTACHMENTS

Nil



SHIRE OF CHRISTMAS ISLAND

SUBMISSION TO	Ordinary Council Meeting 27 July 2021
AGENDA REFERENCE	10.2.3
SUBJECT	Assets Write Off 2020/21
LOCATION/ADDRESS/APPLICANT	N/A
FILE REFERENCE	3.1.17
INTEREST DISCLOSURE	None
DATE OF REPORT	15 July 2021
AUTHOR	Gan So Hon, Manager Finance & Admin
SIGNATURE OF AUTHOR	SIGNED
SIGNATURE OF CEO	SIGNED

RECOMMENDATION

Council approves to write off the assets of 2020/21 as set out in the attachment to this report.

BACKGROUND

To finalise the books and accounts for the year ended 30 June 2021, a resolution is required from the Council to write off the assets.

Attached is a list of assets to be written off for the financial year 2020/21. The Managers have recommended that these assets to be written off.

COMMENT

The assets are classified as follows:

- A Asset with purchase price < \$5k. To be written off as per FM Reg 17A(5)
- C Commonwealth Property

STATUTORY ENVIRONMENT

Local Government Act 1995 (WA) (CI) and Local Government (Financial Management) Regulation

POLICY IMPLICATIONS

There are no significant policy implications arising from this matter.

FINANCIAL IMPLICATIONS

The Asset Register will be decreased by \$6,339,345.00

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

Absolute majority is required.

ATTACHMENTS

- 10.2.3.1 Attachment - Assets Write Off 2020/21.

ASSETS WRITE OFF FINANCIAL YEAR 2020/21

ASSET#	DESCRIPTION	DEPT	PURCHASE DATE	VALUE	DEPRECIATION	NET VALUE	REMARKS
OF1249	Photocopier Ricoh Aficio MP5002SP	71	14-08-12	1,100.00	(1,100.00)	0.00	A
OF1252	Photocopier Ricoh Aficio MP5002SP-Lwr Comm Svs Office	82	12-05-14	3,000.00	(2,627.95)	372.05	A
FP0117	Smith Point (Jalan Pantai) Kampong-Access Stairs (Concrete Gun Replacement)	111	31-12-07	26000	(3,793.06)	22206.94	C
BD0070/2	Sports Hall (Gaze Road) Settlement-Skate Park-Steel Skate Equipment	112	29-05-01	5800	(2,826.10)	2973.90	C
BD00703	Sports Hall (Gaze Road) Refurbishment	112	12-07-17	3145	(3,145.00)	0	C
BD0080	Golf Club House	112	13-09-94	442,000.00	(133,165.36)	308,834.64	C
BD0080/2	Golf Course Links-Green Keeper Shed	112	13-09-94	39,000.00	(5,454.67)	33,545.33	C
BD0089	Lily Beach Toilet	112	30-06-14	15000	(10,001.92)	4998.08	C
BD0090	Poon Saan Cinema-Kiosk	112	30-06-14	18000	(5,536.62)	12463.38	C
BD0090/1	Poon Saan Cinema-Toilet Blocks	112	30-06-14	40000	(12,303.78)	27696.22	C
FP0103	Lily Beach (Lily Beach Road) Settlement-Gazebo-Timber & Metal	112	24-08-01	24000	(7,199.88)	16800.12	C
FP0103/1	Lily Beach (Lily Beach Road) Settlement-Tank (PVA Water Tank)	112	30-06-15	2000	(299.87)	1700.13	C
FP0103/2	Lily Beach (Lily Beach Road) Settlement-Boardwalk-Timber	112	30-06-15	111000	(32,387.46)	78612.54	C
FP0103/3	Lily Beach (Lily Beach Road) Settlement-Boardwalk-Timber	112	30-06-15	6000	(2,918.21)	3081.79	C
FP0103/4	Lily Beach (Lily Beach Road) Settlement-Boardwalk-Timber	112	30-06-15	13000	(3,793.06)	9206.94	C
FP0116	Ethel Beach Boat Ramp (Concrete)	112	01-07-07	74000	(10,795.71)	63204.29	C
FP0116/1	Ethel Beach Settlement-Lookout	112	30-06-15	14000	(204.12)	13795.88	C
OF1248	Photocopier Ricoh Aficio MP5002SP	113	14-08-12	1,100.00	(1,100.00)	0.00	A
EL0489	Digital Duplicator Risograph EZ370A with A3 Drum & RZ Stand N Type-Media	114	08-08-12	3,000.00	(2,416.76)	583.24	A
MP0072	Rotaslasher 100HP Gearbox Spring Steel Bar Chain Guard	121	16-02-04	900.00	(900.00)	0.00	A
NF0330	Information Shelter Colour Bond Roof With Lockable Windows (Post Office)	121	17-03-00	1,400.00	(1,400.00)	0.00	A
NF0460	Transport Tank 10000L/H/D Skid Platform/Pump/Dribble Bar/Fan Spray/Fittings	121	03-01-03	2,500.00	(2,500.00)	0.00	A
FP0127	Kampong Flats (Jalan Pantai) Kampong-Fencing (Steel Palisade Fencing)	121	23-02-14	30500	(2,224.80)	28275.2	C
SD0004	Arenga Close Catchment-Drainage Pits & Outlets	121	30-06-15	290000	(21,154.05)	268845.95	C
SD0004/1	Arenga Close Catchment-750mm Diameter Drainage Pipe	121	30-06-15	118500	(5,877.80)	112622.2	C
SD0004/2	Arenga Close Catchment-300mm Diameter Drainage Pipe	121	30-06-15	21000	(1,041.60)	19958.4	C
SD0004/3	Arenga Close Catchment-600mm Diameter Drainage Pipe	121	30-06-15	100500	(4,984.96)	95515.04	C
SD0004/4	Arenga Close Catchment-375mm Diameter Drainage Pipe	121	30-06-15	59000	(2,926.41)	56073.59	C
SD0004/5	Arenga Close Catchment-Concrete Structure (Head Walls)	121	30-06-15	16000	(1,167.03)	14832.97	C
SD0005	Boong Trading-Upper Incline Catchment-Drainage Pits & Outlets	121	30-06-15	120000	(11,554.34)	108445.66	C
SD0005/1	Boong Trading-Upper Incline Catchment-225mm Diameter Drainage Pipe	121	30-06-15	5000	(583.41)	4416.59	C
SD0005/2	Boong Trading-Upper Incline Catchment-300mm Diameter Drainage Pipe	121	30-06-15	7200	(840.30)	6359.7	C
SD0005/3	Boong Trading-Upper Incline Catchment-375mm Diameter Drainage Pipe	121	30-06-15	14500	(1,692.30)	12807.7	C

SD0005/4	Boong Trading-Upper Incline Catchment-450mm Diameter Drainage Pipe	121	30-06-15	45000	(5,251.93)	39748.07	C
SD0005/5	Boong Trading-Upper Incline Catchment-600mm Diameter Drainage Pipe	121	30-06-15	2000	(233.30)	1766.7	C
SD0005/6	Boong Trading-Upper Incline Catchment-Open Drain	121	30-06-15	4800	(560.10)	4239.9	C
SD0006	Cocos Padang-Rocky Point Catchment-Drainage Pits & Outlets	121	30-06-15	65000	(6,258.55)	58741.45	C
SD0006/1	Cocos Padang-Rocky Point Catchment-300mm Diameter Drainage Pipe	121	30-06-15	9000	(1,050.26)	7949.74	C
SD0006/2	Cocos Padang-Rocky Point Catchment-375mm Diameter Drainage Pipe	121	30-06-15	7800	(910.20)	6889.8	C
SD0006/3	Cocos Padang-Rocky Point Catchment-450mm Diameter Drainage Pipe	121	30-06-15	4800	(560.10)	4239.9	C
SD0006/4	Cocos Padang-Rocky Point Catchment-600mm Diameter Drainage Pipe	121	30-06-15	9800	(1,143.66)	8656.34	C
SD0007	Drumsite Catchment-Drainage Pits & Outlets	121	30-06-15	362000	(42,249.69)	319750.31	C
SD0007/1	Drumsite Catchment-150mm Diameter Drainage Pipe	121	30-06-15	1000	(116.53)	883.47	C
SD0007/2	Drumsite Catchment-225mm Diameter Drainage Pipe	121	30-06-15	9600	(1,120.35)	8479.65	C
SD0007/3	Drumsite Catchment-230mm Diameter Drainage Pipe	121	30-06-15	4000	(466.70)	3533.3	C
SD0007/4	Drumsite Catchment-300mm Diameter Drainage Pipe	121	30-06-15	60000	(7,002.62)	52997.38	C
SD0007/5	Drumsite Catchment-375mm Diameter Drainage Pipe	121	30-06-15	75000	(8,753.30)	66246.7	C
SD0007/6	Drumsite Catchment-450mm Diameter Drainage Pipe	121	30-06-15	16000	(1,867.28)	14132.72	C
SD0007/7	Drumsite Catchment-600mm Diameter Drainage Pipe	121	30-06-15	34000	(3,968.10)	30031.9	C
SD0007/8	Drumsite Catchment-900mm Diameter Drainage Pipe	121	30-06-15	32500	(3,793.06)	28706.94	C
SD0008	Fuel Tanks-Police Padang-Lower Incline Catchment-Drainage Pits & Outlets	121	30-06-15	120000	(7,702.86)	112297.14	C
SD0008/1	Fuel Tanks-Police Padang-Lower Incline Catchment-225mm Diameter Drainage Pipe	121	30-06-15	2000	(192.46)	1807.54	C
SD0008/2	Fuel Tanks-Police Padang-Lower Incline Catchment-300mm Diameter Drainage Pipe	121	30-06-15	3000	(288.69)	2711.31	C
SD0008/3	Fuel Tanks-Police Padang-Lower Incline Catchment-375mm Diameter Drainage Pipe	121	30-06-15	3800	(365.80)	3434.2	C
SD0008/4	Fuel Tanks-Police Padang-Lower Incline Catchment-600mm Diameter Drainage Pipe	121	30-06-15	61000	(5,873.43)	55126.57	C
SD0008/5	Fuel Tanks-Police Padang-Lower Incline Catchment-1200 x 900mm Diameter Drainage	121	30-06-15	80000	(7,702.86)	72297.14	C
SD0008/6	Fuel Tanks-Police Padang-Lower Incline Catchment-Open Drain	121	30-06-15	25000	(2,407.01)	22592.99	C
SD0009	Kampong Catchment-Drainage Pits & Outlets	121	30-06-15	153000	(14,731.86)	138268.14	C
SD0009/1	Kampong Catchment-150mm Diameter Drainage Pipe	121	30-06-15	900	(86.57)	813.43	C
SD0009/2	Kampong Catchment-300mm Diameter Drainage Pipe	121	30-06-15	17000	(1,636.71)	15363.29	C
SD0009/3	Kampong Catchment-375mm Diameter Drainage Pipe	121	30-06-15	34500	(3,321.80)	31178.2	C
SD0009/4	Kampong Catchment-600mm Diameter Drainage Pipe	121	30-06-15	29500	(2,840.40)	26659.6	C
SD0009/5	Kampong Catchment-Open Drain	121	30-06-15	6800	(654.60)	6145.4	C
SD0010	Murray Road Catchment-Drainage Pits & Outlets	121	30-06-15	65000	(4,741.35)	60258.65	C
SD0010/1	Murray Road Catchment-300mm Diameter Drainage Pipe	121	30-06-15	1800	(131.21)	1668.79	C
SD0010/2	Murray Road Catchment-375mm Diameter Drainage Pipe	121	30-06-15	6800	(495.90)	6304.1	C
SD0010/3	Murray Road Catchment-600mm Diameter Drainage Pipe	121	30-06-15	20000	(1,458.76)	18541.24	C
SD0011	Power Station-Irvine Hill Road Catchment-Drainage Pits & Outlets	121	30-06-15	24000	(1,400.43)	22599.57	C
SD0011/1	Power Station-Irvine Hill Road Catchment-300mm Diameter Drainage Pipe	121	30-06-15	18000	(1,733.02)	16266.98	C
SD0011/2	Power Station-Irvine Hill Road Catchment-375mm Diameter Drainage Pipe	121	30-06-15	3800	(365.80)	3434.2	C
SD0011/3	Power Station-Irvine Hill Road Catchment-450mm Diameter Drainage Pipe	121	30-06-15	3000	(288.69)	2711.31	C
SD0011/4	Power Station-Irvine Hill Road Catchment-600mm Diameter Drainage Pipe	121	30-06-15	6600	(635.35)	5964.65	C
SD0012	Quarry Road-Plant Hill Road Catchment-Drainage Pits & Outlets	121	30-06-15	111000	(7,125.23)	103874.77	C
SD0012/1	Quarry Road-Plant Hill Road Catchment-300mm Diameter Drainage Pipe	121	30-06-15	6000	(577.58)	5422.42	C
SD0012/2	Quarry Road-Plant Hill Road Catchment-375mm Diameter Drainage Pipe	121	30-06-15	13000	(1,251.62)	11748.38	C
SD0012/3	Quarry Road-Plant Hill Road Catchment-600mm Diameter Drainage Pipe	121	30-06-15	96000	(9,243.53)	86756.47	C
SD0013	Short Street-Triadic Crescent Catchment-Drainage Pits & Outlets	121	30-06-15	105000	(6,740.07)	98259.93	C
SD0013/1	Short Street-Triadic Crescent Catchment-225mm Diameter Drainage Pipe	121	30-06-15	6000	(577.58)	5422.42	C
SD0013/2	Short Street-Triadic Crescent Catchment-300mm Diameter Drainage Pipe	121	30-06-15	15000	(1,444.25)	13555.75	C
SD0013/3	Short Street-Triadic Crescent Catchment-600mm Diameter Drainage Pipe	121	30-06-15	15000	(1,444.25)	13555.75	C

SD0013/4	Short Street-Triadic Crescent Catchment-600mm Diameter Drainage Pipe	121	30-06-15	10000	(962.73)	9037.27	C
SD0014	Silver City-Mid Incline Catchment-Drainage Pits & Outlets	121	30-06-15	306000	(16,071.23)	289928.77	C
SD0014/1	Silver City-Mid Incline Catchment-150mm Diameter Drainage Pipe	121	30-06-15	600	(31.33)	568.67	C
SD0014/10	Silver City-Mid Incline Catchment-Open Drain	121	30-06-15	82000	(4,306.51)	77693.49	C
SD0014/2	Silver City-Mid Incline Catchment-375mm Diameter Drainage Pipe	121	30-06-15	21500	(1,129.01)	20370.99	C
SD0014/3	Silver City-Mid Incline Catchment-450mm Diameter Drainage Pipe	121	30-06-15	35500	(1,864.42)	33635.58	C
SD0014/4	Silver City-Mid Incline Catchment-525mm Diameter Drainage Pipe	121	30-06-15	4000	(209.96)	3790.04	C
SD0014/5	Silver City-Mid Incline Catchment-600mm Diameter Drainage Pipe	121	30-06-15	3000	(157.41)	2842.59	C
SD0014/6	Silver City-Mid Incline Catchment-750mm Diameter Drainage Pipe	121	30-06-15	354000	(18,592.18)	335407.82	C
SD0014/7	Silver City-Mid Incline Catchment-900mm Diameter Drainage Pipe	121	30-06-15	36500	(1,917.00)	34583	C
SD0014/8	Silver City-Mid Incline Catchment-Concrete Structure (Head Walls)	121	30-06-15	213000	(11,186.73)	201813.27	C
SD0014/9	Supermarket-Gaze Road Catchment-Drainage Pits & Outlets	121	30-06-15	5600	(294.05)	5305.95	C
SD0015	Supermarket-Gaze Road Catchment-100mm Diameter Drainage Pipe	121	30-06-15	112500	(13,130.07)	99369.93	C
SD0015/1	Supermarket-Gaze Road Catchment-150mm Diameter Drainage Pipe	121	30-06-15	1000	(96.23)	903.77	C
SD0015/2	Supermarket-Gaze Road Catchment-225mm Diameter Drainage Pipe	121	30-06-15	700	(67.31)	632.69	C
SD0015/3	Supermarket-Gaze Road Catchment-300mm Diameter Drainage Pipe	121	30-06-15	6800	(654.60)	6145.4	C
SD0015/4	Supermarket-Gaze Road Catchment-375mm Diameter Drainage Pipe	121	30-06-15	7000	(673.86)	6326.14	C
SD0015/5	Supermarket-Gaze Road Catchment-450mm Diameter Drainage Pipe	121	30-06-15	3800	(365.80)	3434.2	C
SD0015/6	Supermarket-Gaze Road Catchment-600mm Diameter Drainage Pipe	121	30-06-15	700	(67.31)	632.69	C
SD0015/7	Supermarket-Gaze Road Catchment-Open Drain	121	30-06-15	19500	(1,877.55)	17622.45	C
SD0015/8	Supermarket-Gaze Road Catchment-Concrete Covered Spoon Drain	121	30-06-15	11000	(1,059.10)	9940.9	C
SD0016	Taman Sweetland Catchment-Drainage Pits & Outlets	121	30-06-15	135000	(12,998.66)	122001.34	C
SD0016/1	Taman Sweetland Catchment-375mm Diameter Drainage Pipe	121	30-06-15	11000	(481.35)	10518.65	C
SD0016/2	Taman Sweetland Catchment-450mm Diameter Drainage Pipe	121	30-06-15	150000	(6,564.97)	143435.03	C
SD0016/3	Taman Sweetland Catchment-600mm Diameter Drainage Pipe	121	30-06-15	83000	(3,632.46)	79367.54	C
SD0016/4	Taman Sweetland Catchment-750mm Diameter Drainage Pipe	121	30-06-15	71000	(3,107.38)	67892.62	C
SD0016/5	Taman Sweetland Catchment-900mm Diameter Drainage Pipe	121	30-06-15	398000	(17,419.25)	380580.75	C
SD0016/6	Taman Sweetland Catchment-Drainage Redirection	121	30-06-15	3800	(166.25)	3633.75	C
SD0017	Upper Poon Saan Catchment-Drainage Pits & Outlets	121	30-06-15	346000	(33,315.38)	312684.62	C
SD0017/1	Upper Poon Saan Catchment-225mm Diameter Drainage Pipe	121	30-06-15	2000	(192.46)	1807.54	C
SD0017/2	Upper Poon Saan Catchment-300mm Diameter Drainage Pipe	121	30-06-15	18000	(1,733.02)	16266.98	C
SD0017/3	Upper Poon Saan Catchment-375mm Diameter Drainage Pipe	121	30-06-15	102000	(9,821.16)	92178.84	C
SD0017/4	Upper Poon Saan Catchment-600mm Diameter Drainage Pipe	121	30-06-15	57000	(5,488.28)	51511.72	C
SD0017/5	Upper Poon Saan Catchment-Open Drain	121	30-06-15	68000	(6,547.41)	61452.59	C
SD0018	Wharf Catchment-Drainage Pits & Outlets	121	30-06-15	106500	(12,429.69)	94070.31	C
SD0018/1	Wharf Catchment-150mm Diameter Drainage Pipe	121	30-06-15	1000	(116.53)	883.47	C
SD0018/2	Wharf Catchment-250mm Diameter Drainage Pipe	121	30-06-15	900	(104.89)	795.11	C
SD0018/3	Wharf Catchment-300mm Diameter Drainage Pipe	121	30-06-15	25500	(2,976.10)	22523.9	C
SD0018/4	Wharf Catchment-375mm Diameter Drainage Pipe	121	30-06-15	19500	(2,844.69)	16655.31	C
SD0018/5	Wharf Catchment-600mm Diameter Drainage Pipe	121	30-06-15	28500	(4,157.73)	24342.27	C
SD0018/6	Wharf Catchment-900mm Diameter Drainage Pipe	121	30-06-15	40000	(5,835.53)	34164.47	C
SD0018/7	Wharf Catchment-Open Drain	121	30-06-15	15000	(2,188.20)	12811.8	C
TOTAL				6,339,345.00	(679,517.71)	5,659,827.29	TOTAL
						6,339,345.00	

A ASSET WITH PURCHASE PRICE < \$5k. TO BE WRITTEN OFF AS PER FM REG 17A(5)

C COMMONWEALTH PROPERTY



SHIRE OF CHRISTMAS ISLAND

SUBMISSION TO	Ordinary Council Meeting 27 July 2021
AGENDA REFERENCE	10.4.1
SUBJECT	Tender for the Purchase Vehicles
LOCATION/ADDRESS/APPLICANT	N/A
FILE REFERENCE	
INTEREST DISCLOSURE	NIL
DATE OF REPORT	01 July 2021
AUTHOR	Graeme Hedditch, Work & Services Manager
SIGNATURE OF AUTHOR	SIGNED
SIGNATURE OF CEO	SIGNED

RECOMMENDATIONS

That Council call tenders for the Purchase of surplus vehicles and equipment as detailed in the report.

BACKGROUND

Number of Vehicles and Plant are to be put up for Tender. A stock take and review of assets have also been undertaken which has identified a number of items that will be up for Sale.

It is recommended that Tenders be called for the Purchase of the items as follows:

Description	Comment
Toyota Dual Cab Hilux 4x4 Diesel Utility	2021/22 Budget
Toyota Dual Cab Hilux 4x4 Diesel Utility	2021/22 Budget
Toyota Dual cab Hilux 4x4 Diesel Utility	2021/22 Budget
Toyota Fortuner 4x4 Diesel	2021/22 Budget

STATUTORY ENVIRONMENT

Section 3.57 Local Government Act 1995 (WA) (CI) and Section 4 Local Government (Functions and General) Regulations 1996 apply.

FINANCIAL IMPLICATIONS

The estimated value of the plant and equipment is very difficult to ascertain due to there being a limited market on the island.

STRATEGIC IMPLICATIONS & MILESTONES

NIL

CONSULTATION

NIL

VOTING REQUIREMENTS

Simple majority



SHIRE OF CHRISTMAS ISLAND

SUBMISSION TO	Ordinary Council Meeting 27 July 2021
AGENDA REFERENCE	10.5.1
SUBJECT	WALGA CEO Model Template Policy Adoption
LOCATION/ADDRESS/APPLICANT	
FILE REFERENCE	
INTEREST DISCLOSURE	Nil
DATE OF REPORT	21 July 2021
AUTHOR	Chris Su
SIGNATURE OF AUTHOR	SIGNED
SIGNATURE OF CEO	SIGNED

RECOMMENDATIONS

That the Council adopt the *WALGA Model Template for CEO Recruitment and Termination* as the *Shire of Christmas Island Standards for CEO Recruitment and Termination* policy.

BACKGROUND

The Local Government (Administration) Amendment Regulations 2021 (CEO Standards Regulations) bring into effect section 22 of the *Local Government Amendment Act 2019* by introducing mandatory minimum standards that cover the recruitment, selection, performance review and early termination of local government Chief Executive Officers. These regulations were passed in February 2021 and are in effect presently.

The WA Department of Local Government, Sport and Cultural Industries' *2021 Guidelines for Local Government CEO Recruitment and Selection* (10.5.1.1 attachment) provides a framework for local governments to select a CEO in accordance with the principles of merit, probity, equity and transparency.

Accordingly this requires local governments in WA to review their policies in regards to these changes to ensure continued compliance with the legislation changes.

The WA Local Government Association (WALGA) has created a model template policy to ensure compliance with the new DPLH requirements under the new legislation.

COMMENT

WALGA provides model template policies to ensure compliance with new changes under legislation for their members. WALGA have made available the *Template for Standards for CEO Recruitment and Termination* to assist members in compliance under the new *Local Government (Administration) Amendment Regulations 2021 (CEO Standards Regulations)*.

Council officers have reviewed the template model and inserted the necessary particulars to mark it as proposed for use in the Shire of Christmas Island. No other information or clause has been altered from the WALGA model template.

STATUTORY ENVIRONMENT

The Local Government (Administration) Amendment Regulations 2021 (CEO Standards Regulations) bring into effect section 22 of the Local Government Amendment Act 2019.

FINANCIAL IMPLICATIONS**STRATEGIC IMPLICATIONS & MILESTONES****VOTING REQUIREMENTS**

A simple majority is required.

ATTACHMENT

10.5.1.1 - DLGSC CEO Standards and Guidelines

10.5.1.2 - Shire of CI Standards for CEO Recruitment, Performance and Termination



Department of
Local Government, Sport
and Cultural Industries



*Local Government
Act 1995 Review*
agile • smart • inclusive



LOCAL GOVERNMENT ACT REVIEW ►► DELIVERING FOR THE COMMUNITY

Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination

***Local Government (Administration) Amendment
Regulations 2021***

February 2021

Contents

Preface	1
Part 1 – Recruitment and Selection	2
Principles.....	2
Recruitment and Selection Standard	2
Recruitment and Selection Standard continued	3
Guidelines	3
Recruitment and selection process	3
Advertising.....	4
Selection panel and independent person	4
Independent human resources consultant.....	5
Council's responsibilities	6
Creating Diversity.....	6
Due Diligence.....	7
Selection	8
Employment contract	9
Appointment.....	9
Confidentiality	10
CEO induction.....	10
Principles.....	11
Performance Review Standard	11
Guidelines	11
Employment contract and performance agreement.....	11
Performance Criteria	12
Performance review panel.....	13
Independent consultant.....	13
Assessing performance.....	13
Addressing performance issues	14
Confidentiality	15
Part 3 – Termination	16
Principles.....	16
Termination Standard	16
Guidelines	16
Reason for termination.....	16
Opportunity to improve and mediation.....	18
Termination report.....	18

Confidentiality	18
Disclaimer	18



Preface

The *Local Government Legislation Amendment Act 2019* includes a requirement for model standards covering the recruitment and selection, performance review and termination of employment of local government Chief Executive Officers (CEOs). These reforms are intended to ensure best practice and greater consistency in these processes between local governments.

The accompanying guidelines outline the recommended practice for local governments in undertaking these processes. These guidelines will assist local governments in meeting the model standards prescribed in the *Local Government (Administration) Amendment Regulations 2021*.

The standards and guidelines have been developed by the Department of Local Government, Sport and Cultural Industries (Department), in consultation with representatives from the Public Sector Commission, the Ombudsman, the Western Australian Local Government Association (WALGA) and Local Government Professionals WA (LGPro). The Department gratefully acknowledges the participation and contribution of these representatives.

The Department notes that the content of these guidelines does not necessarily reflect the views or policies of the organisations or individuals that have been consulted.

Part 1 – Recruitment and Selection

One of the fundamental roles of the council is the employment of the local government's CEO. The CEO is responsible for implementing the council's strategic vision and leading the local government administration.

Principles

A local government must select a CEO in accordance with the principles of merit, equity and transparency. A local government must not exercise nepotism, bias or patronage in exercising its powers. Additionally, a local government must not unlawfully discriminate against applicants. Section 5.40 of the *Local Government Act 1995* (Act) lists a number of general principles of employment that apply to local governments.

Recruitment and Selection Standard

The minimum standard for recruitment and selection will be met if:

- S1.1** The council has identified and agreed to the qualifications and selection criteria necessary to effectively undertake the role and duties of the CEO within that particular local government context.
- S1.2** The council has approved, by absolute majority, the Job Description Form (JDF) which clearly outlines the qualifications, selection criteria and responsibilities of the position. The JDF is made available to all applicants.
- S1.3** The local government has established a selection panel to conduct the recruitment and selection process. The panel must include at least one independent person who is not a current elected member, human resources consultant, or staff member of the local government.
- S1.4** The local government attracts applicants through a transparent, open and competitive process (this is not necessary for vacancies of less than one year). The local government must advertise a vacancy for the position of CEO in the manner prescribed.
- S1.5** The local government has assessed the knowledge, experience, qualifications and skills of all applicants against the selection criteria.
- S1.6** The local government has verified the recommended applicant's work history, qualifications, referees and claims made in their job application.
- S1.7** The appointment is merit-based, with the successful applicant assessed as clearly demonstrating how their knowledge, skills and experience meet the selection criteria.

Recruitment and Selection Standard cont.

- S1.8** The appointment is made impartially and free from nepotism, bias or unlawful discrimination.
- S1.9** The council has endorsed by absolute majority the final appointment.
- S1.10** The council has approved the employment contract by absolute majority.
- S1.11** The local government re-advertises the CEO position and undertakes a recruitment and selection process after each instance where a person has occupied the position for ten (10) consecutive years.

Guidelines

Recruitment and selection process

The council of the local government should act collectively throughout the recruitment and selection process. To uphold the integrity of the process, the council must resist any attempt to influence the outcome through canvassing or lobbying.

The local government should carefully consider the role of the CEO. This includes the CEO's legislated powers and functions and their role as the head of the administrative arm of the local government. In determining the selection criteria for the position of CEO, it will be important for a local government to consider the needs of the community and the specific skills and experience that will be required of the CEO in that particular local government. The competencies the council looks for in its CEO should reflect the council's strategic community plan.

Once the essential skills and experience which form the selection criteria for the position have been established, the local government must set out the selection criteria (essential and desirable) and the responsibilities of the position in a Job Description Form (JDF). If emphasis is placed on certain selection criteria, this should be highlighted in the JDF so that applicants are aware of this. For example, some level of project management experience will usually be an important criterion, but if the local government is undertaking a major development such as a new recreation centre, added emphasis may need to be given to this criterion.

The JDF must be approved by an absolute majority of the council.

Advertising

The local government should ensure that applicants are clearly informed about the application process, such as the application requirements, the closing date for applications and how applications are to be submitted. It is essential that this process is transparent and that each step in the process is documented. Associated records must be kept in a manner consistent with the *State Records Act 2000* (WA).

It is a requirement that a local government is to give Statewide public notice if the position of CEO becomes vacant. Statewide public notice must contain:

- details of the remuneration and benefits offered;
- details of the place where applications are to be submitted;
- the date and time applications close;
- the duration of the proposed contract;
- a web address where the JDF can be accessed;
- contact details for a person who can provide further information; and
- any other relevant information.

In order to attract the best possible pool of applicants for the position of CEO, it is recommended that local governments use a diverse range of advertising methods, mediums and platforms (in addition to the advertising requirement under section 5.36(4) of the Act). For example:

- advertising on the local government's website;
- posting on online jobs boards (e.g. SEEK);
- sharing the advertisement via professional networks; and
- undertaking an executive search.

A local government must publicly advertise the CEO position if the same person has remained in the job for 10 consecutive years. This requirement does not prevent the incumbent CEO from being employed for another term, provided they are selected in accordance with the standards for recruitment and selection.

Selection panel and independent person

Local governments are required to establish a selection panel to conduct and facilitate the recruitment and selection process. The selection panel should be made up of elected members (the number of which is determined by the council) and must include at least one independent person. The independent person cannot be a current elected member, human resources consultant, or staff member of the local government. Examples of who the independent person could be include:

- former elected members or staff members of the local government;
- former elected members (such as a Mayor or Shire President) or staff members of *another* local government;
- a prominent or highly regarded member of the community; or
- a person with experience in the recruitment of CEOs and senior executives.

The panel are responsible for assessing applicants and making a recommendation to council regarding the most suitable applicant or applicants. The essence of the role of an independent panel member is to bring an impartial perspective to the process and reduce any perception of bias or nepotism.

It is essential that prior to a person's appointment to a selection panel they are informed of the duties and responsibilities of their role and that of the panel. It is recommended that local governments develop a policy or terms of reference to facilitate this process that incorporate the standards for recruitment at Division 2 of the *Local Government (Administration) Amendment Regulations (No.2) 2020*. A policy should include important information that outlines:

- The primary functions of the panel;
- Roles and responsibilities of panel members;
- Composition of the panel;
- Duration of term;
- Desirable criteria for appointment to the panel;
- A requirement that panel members sign a confidentially agreement and agree to the duties and responsibilities of their role; and
- Any other information the local government deems necessary for the panel to effectively carry out their role.

Independent human resources consultant

A local government should seek independent advice from a human resources consultant where the council lacks the capacity or expertise to facilitate the recruitment and selection process (or any aspect of it). A member of the human resources team within a local government should not be involved in the recruitment of a new CEO.

The consultant should not be associated with the local government or any of its council members. The consultant can be an independent human resources professional, recruitment consultant, or recruitment agency.

An independent human resources consultant can provide advice to the selection panel on how to conduct the recruitment process, or a local government may engage a consultant to support it in undertaking certain aspects of the recruitment process, such as one or more of the following:

- development or review of the JDF;
- development of selection criteria;
- development of assessment methods in relation to the selection criteria;
- drafting of the advertisement;
- executive search;
- preliminary assessment of the applications;
- shortlisting;
- drafting questions for interview;
- coordinating interviews;
- preparing the selection summary assessment and recommendation;

- arranging for an integrity check and/or police clearance; and
- assisting the council in preparing the employment contract.

The consultant is not to be directly involved in determining which applicant should be recommended for the position, their role is not one of decision-maker.

It is recommended that rigorous checks be conducted on any independent consultants before they are engaged to ensure they have the necessary skills and experience to effectively assist the council. Local government recruitment experience may be beneficial but is not a requirement.

The independent human resources consultant must be able to validate their experience in senior executive recruitment and appointments. It is important to note that if the local government uses a consultant or agency to assist in finding applicants, they will require an employment agent licence under the *Employment Agents Act 1976* (WA).

A good independent human resources consultant will bring expertise, an objective perspective and additional human resources to what is a complex and time-consuming process. Given the time and effort involved in finding a competent CEO, and the cost of recruiting an unsuitable CEO, there can be a good business case for spending money on a human resources consultant.

If a decision is made to engage an independent human resources consultant, it is imperative that the council maintains a high level of involvement in the process and enters into a formal agreement (contract) with them. In order to manage the contract efficiently, and ensure an effective outcome, regular contact with the consultant is required during the recruitment process. As with any contractor engagement, the local government must ensure their procurement and tender processes comply with the Act and the procurement policy of the local government.

Council's responsibilities

A human resources consultant cannot undertake the tasks for which the council is solely responsible. An independent consultant cannot and should not be asked to:

- Conduct interviews: This should be done by the selection panel. However, council may decide to interview applicants recommended by the selection panel. A consultant can provide support with interviews, providing advice on the recruitment and selection process and writing up recommendations. The consultant may also arrange referee reports and checks of applicants.
- Make the decision about who to appoint to the position of CEO: Only the council can make this decision, drawing upon advice from the selection panel.
- Negotiate the terms and conditions of employment: Noting that the consultant should be able to provide advice on remuneration constraints and other terms and conditions.

Creating Diversity

In order to ensure all applicants are given an equal opportunity for success, selection methods need to be consistent and objective. In a structured interview, each applicant should have the opportunity to answer the same primary questions with follow-up questions used to illicit further detail or clarification. Behavioural-based interview

questions are objective and gauge the applicants' suitability, reducing biases in assessment (see examples below).

Basing a selection decision on the results of a number of selection methods can help to reduce procedural shortcomings and ensure the best applicant is chosen. Psychometric, ability and aptitude testing are considered to be valid, reliable and objective. While applicants with extensive experience and reputable education may appear to be more qualified, an objective assessment of each person's ability and personal traits can help to provide a clearer picture of the applicant.

Where possible, it is recommended that local governments ensure diversity on the selection panel. This may be achieved by ensuring gender, ethnicity, age and experiential diversity is represented on the panel. Diversity is also a consideration when selecting an independent person for the selection panel, particularly where there is a lack of diversity on the council. A diverse selection panel will assist in making quality decisions regarding suitable applicants.

Individuals are often unaware of biases they may have. For this reason, it is helpful for the selection panel to undertake training about unconscious biases. Awareness of unconscious biases assists individuals in preventing those biases from interfering in their decision making. For example, if there are considerable discrepancies in the assessment scores between two panel members, discussion will be required to ensure bias has not influenced these scores. Allowing team members to acknowledge and recognise prejudices is essential to managing those biases. The following biases should be addressed:

- "Similar-to-me" effect - if interviewers share the same characteristics with the applicants or view those characteristics positively, they are more likely to score them highly;
- "Halo" effect – interviewers may let one quality (such as race, gender, looks, accent, experience, etc.) positively or negatively affect the assessment of the applicant's other characteristics.

Due Diligence

It is essential that the local government ensures that the necessary due diligence is undertaken to verify an applicant's qualifications, experience and demonstrated performance. This includes:

- verifying an applicant's qualifications such as university degrees and training certificates;
- verifying the applicant's claims (in relation to the applicant's character, details of work experience, skills and performance) by contacting the applicant's referees. Referee reports should be in writing in the form of a written report, or recorded and verified by the referee;
- requesting that an applicant obtains a national police clearance as part of the application process; and
- ensuring no conflicts of interests arise by looking to outside interests such as board membership and secondary employment.

A council may wish to contact a person who is not listed as an applicant's referee,

such as a previous employer. This may be useful in obtaining further information regarding an applicant's character and work experience, and verifying related claims. The applicant should be advised of this and be able to provide written comments to the council.

A search of social media and whether an applicant has an online presence may also assist in identifying potential issues. For example, an applicant may have expressed views which are in conflict with the local government's values. This should be made clear in the application information. To ensure the integrity of the recruitment process, a council must act collectively when performing due diligence.

Selection

Once the application period closes, the selection panel, or consultant on behalf of the selection panel, must assess applications and identify a shortlist of applicants to be interviewed.

In shortlisting applicants for the interview phase, the selection panel should consider the transferable skills of applicants and how these would be of value in the role of CEO. The selection panel should not overlook applicants who do not have experience working in the local government sector.

It is important that the assessment process is consistent for all applicants. For example, each applicant is asked the same interview questions which are related to the selection criteria and each are provided with the same information and undertake the same assessments.

Elected members should declare any previous association with an applicant or any potential conflict of interest at the time of shortlisting if they are part of the selection panel. Similarly, if the interviews involve the full council, the elected member should make an appropriate declaration before the interviews commence. If the potential conflict of interest is significant or a member's relationship with an applicant may result in claims of nepotism, patronage or bias, the council may need to consider whether to exclude the elected member from the process. The decision should be documented and recorded for future reference.

Selecting an applicant should be based on merit; that is, choosing an applicant that is best suited to the requirements of the position and the needs of the local government. This involves the consideration and assessment of applicants' skills, knowledge, qualifications and experience against the selection criteria required for the role. As part of the selection process, a council may consider it appropriate for each of the preferred candidates to do a presentation to council.

The appointment decision by the council should be based on the assessment of all measures used, including:

- assessment technique(s) used (e.g. interview performance);
- quality of application;
- referee reports;
- verification and sighting of formal qualifications and other claims provided by the applicant; and
- other vetting assessments used (e.g. police checks, integrity checks, etc.).

Employment contract

In preparing the CEO's employment contract, the council must ensure the contract includes the necessary provisions required under section 5.39 of the Act and associated regulations.

Section 5.39 of the Act provides that a CEO's employment contract must not be for a term exceeding five years. The term of a contract for an acting or temporary position cannot exceed one year.

Further, the employment contract is of no effect unless it contains:

- the expiry date of the contract;
- the performance review criteria; and
- as prescribed under regulation 18B of the Administration Regulations, the maximum amount of money (or a method of calculating such an amount) to which the CEO is to be entitled if the contract is terminated before the expiry date. The amount is not to exceed whichever is the lesser of:
 - the value of one year's remuneration under the contract; or
 - the value of the remuneration that the CEO would have been entitled to, had the contract not been terminated.

It is recommended that the council seeks independent legal advice to ensure that the contract is lawful and able to be enforced. In particular, advice should be sought if there is any doubt as to the meaning of the provisions of the contract.

Councils should be aware that CEO remuneration is determined by the Salaries and Allowances Tribunal and the remuneration package may not fall outside the band applicable to the particular local government.

The CEO's employment contract should clearly outline grounds for termination and the termination process in accordance with the standards in regulations.

The council of the local government must approve, by absolute majority, the employment contract and the person they appoint as CEO.

Appointment

A decision to make an offer of employment to a preferred applicant must be made by an absolute majority of council. If the preferred applicant accepts the offer and the proposed terms of the contract without negotiation, there is no further requirement for council to endorse the applicant and the contract. However, if there is a process of negotiation to finalise the terms and conditions of the contract, council is required to endorse the appointment and approve the CEO's employment contract by absolute majority. In both instances, the employment contract must be signed by all parties.

The council should notify both the successful individual and the remaining unsuccessful applicants as soon as possible before publicly announcing the CEO appointment.

The successful applicant should not commence duties with the local government as CEO until the employment contract has been signed.

The unsuccessful applicants (including those not interviewed) should be notified of the outcome of their application. It is recommended that the local government creates a template letter for unsuccessful applicants that can be easily personalised with the applicants' details and sent out quickly.

The council should keep a record of their assessment of the unsuccessful applicant(s) and provide the unsuccessful applicant(s) with the opportunity to receive feedback on their application, or interview performance if they were granted an interview. Should an unsuccessful applicant request feedback, it is recommended that a member of the selection panel provides this. If a recruitment consultant is used, they may undertake this task.

Confidentiality

The local government should ensure that all information produced or obtained during the recruitment and selection process is kept confidential. This includes applicants' personal details, assessment details, the selection report and outcome of the process. This ensures privacy requirements are met and maintains the integrity of the process. It is recommended that selection panel members and councillors sign a confidentiality agreement to ensure that they are aware of their obligations.

CEO induction

Local governments should ensure that they provide the CEO with all of the necessary information on the local government's processes, policies, procedures and systems at the commencement of the CEO's employment.

New CEOs are eligible to participate in the Local Government CEO Support Program which is a joint initiative of the Department and LG Pro to provide mentoring and general support to those appointed to the position of CEO in a local government for the first time. The program runs for six to nine months from the time a CEO is appointed and involves the CEO being matched with a mentor that best meets their needs.

The program provides the CEO with an opportunity (through meetings and on-going correspondence) to discuss a wide range of issues with their appointed mentor in the strictest confidence. The program is aimed at addressing the individual needs of the CEO. Examples of issues that may be covered include the following:

- Role of the CEO
- Governance
- Strategic and long-term planning
- Legislative framework
- Relationships and dealing with council members
- Risk management
- Resource management
- Managing the business of Council
- Family considerations

Part 2 – Performance Review

Principles

The standards regarding CEO performance review are based on the principles of fairness, integrity and impartiality.

Performance Review Standards

The minimum standard for performance review will be met if:

- S2.1** Performance criteria is specific, relevant, measurable, achievable and time-based.
- S2.2** The performance criteria and the performance process are recorded in a written document, negotiated with and agreed upon by the CEO and council.
- S2.3** The CEO is informed about how their performance will be assessed and managed and the results of their performance assessment.
- S2.4** The collection of evidence regarding performance outcomes is thorough and comprehensive.
- S2.5** Assessment is made free from bias and based on the CEO's achievements against documented performance criteria, and decisions and actions are impartial and transparent.
- S2.6** The council has endorsed the performance review assessment by absolute majority.

Guidelines

Section 5.38 of the Act provides that, for a CEO who is employed for a term of more than one year, the performance of a CEO is to be reviewed formally at least once in every year of their employment.

In addition to this minimum requirement, it is recommended that the council engages in regular discussions with the CEO regarding their performance against the performance criteria, including progress and ways that the CEO can be supported. Any changes to the CEO's performance agreement such as changes to the performance criteria should also be discussed, and agreed to, between the council and the CEO, as the matter arises.

Employment contract and performance agreement

Section 5.39, of the Act requires the employment contract to specify the performance criteria for the purpose of reviewing the CEO's performance. This will include ongoing permanent performance criteria. A local government may wish to have a separate additional document called a "performance agreement" which includes the

performance review criteria in the employment contract, additional criteria (e.g. the performance indicators in relation to specific projects) and how the criteria will be assessed. The performance agreement should be negotiated and agreed upon by the CEO and the council. The performance agreement may also set out the CEO's professional development goals and outline a plan to achieve these goals.

Performance Criteria

Setting the performance criteria is an important step. One of the CEO's key responsibilities is to oversee the implementation of council's strategic direction, and so it is important to align the CEO's performance criteria to the goals contained in the council's Strategic Community Plan and Corporate Business Plan. Accordingly, as these plans are updated, the CEO's performance criteria should be updated to reflect the changes.

In leading the administrative arm of a local government, the CEO is responsible for undertaking core tasks, the achievement of which will contribute to the effectiveness of the council. It is important that the outcomes associated with these tasks are measurable and clearly defined. These could be in relation to:

- service delivery targets from the council's Strategic Community Plan;
- budget compliance;
- organisational capability;
- operational and project management;
- financial performance and asset management;
- timeliness and accuracy of information and advice to councillors;
- implementation of council resolutions;
- management of organisational risks;
- leadership (including conduct and behaviour) and human resource management; and
- stakeholder management and satisfaction.

Performance criteria should focus on the priorities of the council and, if appropriate, can be assigned priority weighting in percentages. The council and CEO should set goals related to target outcomes for future achievement in the performance criteria. Goals should be specific, measurable, achievable, relevant and time-based.

Following the determination of the performance criteria and goals, the council will need to determine how to measure the outcomes of each criteria. It is important to relate performance indicators to the selection criteria used in selecting the CEO. For example, if the CEO has been selected due to their financial experience and ability to improve the local government's finances, indicators regarding improved revenue and reduced expenses are obvious starting points.

Considering the context within which the local government is operating is important. For example, if a significant financial event occurs, such as a downturn in the economy, financial performance indicators will likely need to be adjusted. It is important that such contextual factors are given appropriate weighting and that goals are flexible to allow regular adjustment. Adjustments may be initiated by either the CEO or the council. Councils need to be realistic in terms of their expectations of a CEO's performance and provide appropriate resources and support to facilitate the

achievement of performance criteria.

Performance review panel

It is recommended that the council delegates the CEO performance review to a panel (e.g. comprising certain council members and an independent observer). The panel has a duty to gather as much evidence as possible upon which to base their assessments. The role of the review panel includes developing the performance agreement in the first instance, conducting the performance review and reporting on the findings and recommendations of the review to council. It is also recommended that council develop a policy to guide the performance review process. A policy might include the composition of the panel, primary functions, the role and appointment of an independent consultant, and the responsibilities of review panel members.

Independent consultant

If a council lacks the resources and expertise to meet the expected standard of performance review, the council should engage an external facilitator to assist with the process of performance appraisal and the development of the performance agreement. The local government should ensure that the consultant has experience in performance review and, if possible, experience in local government or dealing with the performance review of senior executives. The consultant should not have any interest in, or relationship with, the council or the CEO.

With guidance from the performance review panel, a consultant can facilitate the following tasks:

- setting performance criteria;
- preparing the performance agreement;
- collecting performance evidence;
- writing the performance appraisal report;
- facilitating meetings between the performance review panel;
- assisting with the provision of feedback to the CEO;
- formulating plans to support improvement (if necessary); and
- providing an objective view regarding any performance management-related matters between the concerned parties.

Assessing performance

It is a requirement of the regulations that the process by which the CEO's performance will be reviewed is documented and agreed to by both parties. Council and the CEO must also agree on any performance criteria that is in addition to what is specified in the CEO's contract of employment. The option to include additional criteria for performance review purposes by agreement provides a degree of flexibility for both parties in response to changing circumstances and priorities.

It is essential that CEO performance is measured in an objective manner against the performance criteria alone. It is important that reviews are impartial and not skewed by personal relationships between the review panel and the CEO. Close personal relationships between the panel members and the CEO can be just as problematic as extremely poor relationships. Evidence of CEO performance may come from an array of sources, many of which the CEO themselves can and should provide to the

council as part of regular reporting. These sources include:

- achievement of key business outcomes;
- interactions with the council and progress that has been made towards implementing the council's strategic vision;
- audit and risk committee reports;
- workforce metrics (e.g. the average time to fill vacancies, retention rate, information about why people leave the organisation and staff absence rate);
- incident reports (e.g. results of occupational health and safety assessments, the number and nature of occupational health and safety incident reports, and the number and nature of staff grievances);
- organisational survey results;
- relationships (e.g. with relevant organisations, stakeholder groups, and professional networks); and
- insights from key stakeholders (this could be done by way of a survey to obtain stakeholder input).

It is important that, in addition to looking at the achievement of key performance indicators (KPIs), the council considers the following:

- How the CEO has achieved the outcomes. In particular, whether or not their methods are acceptable and sustainable.
- The extent to which current performance is contingent upon current circumstances. Has the CEO demonstrated skills and behaviours to address and manage changes in circumstances which have affected his or her performance? (for example, the impact of COVID-19.)
- What the CEO has done to ensure the wellbeing of staff and to maintain trust in the local government.

The council should consider the attention the CEO has given to ensuring equal employment opportunity, occupational health and safety, privacy, managing potential conflicts of interest, and complying with procurement process requirements.

Addressing performance issues

Once the CEO's performance has been assessed, it is essential that any areas requiring attention or improvement are identified, discussed with the CEO and a plan is agreed and put in place to address these. The plan should outline the actions to be taken, who is responsible for the actions and an agreed timeframe.

The performance review panel must decide on an appropriate course of action that will address the performance issue. This may include professional development courses, training, counselling, mediation, mentoring or developing new work routines to ensure specific areas are not neglected. The performance review panel should then arrange for regular discussion and ongoing feedback on the identified performance issues, ensuring improvements are being made.

It is important to keep in mind that a local government falling short of its goals is not always attributable to the CEO. External factors may have resulted in initial performance expectations becoming unrealistic. Failure to meet performance criteria does not necessarily mean the CEO has performed poorly and, for this reason,

performance and outcome should be considered separately. Where ongoing issues have been identified, the council will need to take a constructive approach and seek to develop the CEO's competency in that area.

While there are obligations on the council to manage the CEO in regard to their performance, when it extends into potential wrongdoing (misconduct), the council should be referring the matter to the Public Sector Commission or Corruption and Crime Commission. This provides an independent process to follow and ensures probity, natural justice and oversight of allegations.

Confidentiality

The council must ensure that accurate and comprehensive records of the performance management process are created. Any information produced must be kept confidential.

Part 3 – Termination

Principles

The standards for the termination of a local government CEO's employment (other than for reasons such as voluntary resignation or retirement) are based on the principles of fairness and transparency. Procedural fairness is a principle of common law regarding the proper and fair procedure that should apply when a decision is made that may adversely impact upon a person's rights or interests.

Termination Standards

The minimum standards for the termination of a CEO's contract will be met if:

- S3.1** Decisions are based on assessment of the CEO's performance as measured against the documented performance criteria in the CEO's contract.
- S3.2** Performance issues have been identified as part a performance review (conducted within the preceding 12 months) and the CEO has been informed of the issues. The council has given the CEO a reasonable opportunity to improve and implement a plan to remedy the performance issues, but the CEO has not subsequently remedied these issues to the satisfaction of the local government.
- S3.3** The principle of procedural fairness is applied. The CEO is informed of their rights, entitlements and responsibilities in the termination process. This includes the CEO being provided with notice of any allegations against them, given a reasonable opportunity to respond to those allegations or decisions affecting them, and their response is genuinely considered.
- S3.4** Decisions are impartial and transparent.
- S3.5** The council of the local government has endorsed the termination by absolute majority.
- S3.6** The required notice of termination (which outlines the reasons for termination) is provided in writing.

Guidelines

Reasons for termination

The early termination of a CEO's employment may end due to:

- poor performance;
- misconduct; or
- non-performance or repudiation of contract terms.

There is a difference between poor performance and serious misconduct. Poor performance is defined as an employee not meeting the required performance criteria or demonstrating unacceptable conduct and behaviour at work, it includes:

- not carrying out their work to the required standard or not doing their job at all;
- not following workplace policies, rules or procedures;
- unacceptable conduct and behaviour at work;
- disruptive or negative behaviour at work;
- not meeting the performance criteria set out in the employment contract and/or performance agreement unless these are outside the CEO's control;
- not complying with an agreed plan to address performance issues;
- failing to comply with the provisions of the *Local Government Act 1995* and other relevant legislation;
- failing to follow council endorsed policies.

Serious misconduct can include when an employee:

- causes serious and imminent risk to the health and safety of another person or to the reputation or revenue of the local government; or
- behaves unlawfully or corruptly; or
- deliberately behaves in a way that's inconsistent with continuing their employment.

Examples of serious misconduct can include:

- matters arising under section 4(a), (b) and (c) of the *Corruption, Crime and Misconduct Act 2003*;
- theft;
- fraud;
- assault;
- falsification of records;
- being under the influence of drugs or alcohol at work; or
- refusing to carry out appropriate and lawful resolutions of council.

Misconduct is also defined in section 4 of the *Corruption, Crime and Misconduct Act 2003* (WA). Under this Act, misconduct can be either serious or minor and the obligation to notify the Public Sector Commission (PSC) or the Corruption and Crime Commission (CCC) is paramount.

Termination on the basis of misconduct is covered by employment law. A local government should seek independent legal, employment or industrial relations advice prior to a termination. A council should also seek independent advice during the termination process including advice on the relevant employment legislation affecting CEO employment and the application of that legislation to their specific circumstances. This will ensure that a council complies with employment law during the entire termination process.

A local government is required to endorse the decision to terminate a CEO's employment by way of an absolute majority decision. A local government must certify that the termination was in accordance with the adopted standards in regulations.

Opportunity to improve and mediation

If a CEO is deemed to have been performing poorly, the council must be transparent and inform the CEO of this. It is important that the CEO is given an opportunity to remedy the issues within a reasonable timeframe as agreed between the CEO and the council. The council should clearly outline the areas in need of improvement, and with the CEO's input, determine a plan to address any issues. If a plan for improvement is put in place and the CEO's performance remains poor, then termination may be necessary. If a local government decides to terminate the employment of the CEO it must have conducted a performance review in the previous 12 months in accordance with section 5.38 of the Act.

Where the concerns or issues relate to problematic working relationships or dysfunctional behaviour, it is recommended that a council engages an independent accredited mediator to conduct a mediation between the parties. A mediation session may be useful in assisting parties to understand and address issues before the situation escalates to a breakdown in the working relationship (which affects the ability of the CEO to effectively perform their duties) and the subsequent termination of the CEO's employment.

Termination report

The council should prepare a termination report which outlines the reasons for termination, the opportunities and assistance provided to the CEO to remedy any issues, and an explanation of the CEO's failure to do so. Council must provide prior opportunities and support to the CEO to assist them in remedying the issues which form the basis of the termination. It is a requirement of the regulations that council must provide written notice to the CEO outlining the reasons for their decision to terminate. In addition, council must certify that the termination of the CEO's employment was carried out in accordance with the standards set out in regulations.

Confidentiality

Local governments should ensure that the termination process is kept confidential. The CEO is to be informed of their rights and entitlements. Notice of termination of employment is required to be given in writing. Where possible, the news of termination of employment should also be delivered in person. The CEO should be provided with a letter outlining the reasons for, and date of, the termination of their employment.

Before making any public announcements on the termination of the CEO, a council should ensure that the entire termination process is complete, including that the CEO has been informed in writing of the termination.

Disclaimer

It is outside the scope of these guidelines to provide legal advice, and local governments should seek their own legal advice where necessary. Guidance as to legal requirements and compliance in relation to the termination of employment is provided by the Fair Work Commission at www.fwc.gov.au, the Fair Work Ombudsman at www.fairwork.gov.au and the Western Australian Industrial Relations Commission at www.wairc.wa.gov.au.

Shire of Christmas Island

Standards for CEO Recruitment, Performance and Termination

July 2021



Table of Contents

Division 1 — Preliminary provisions	2
1. <i>Citation</i>	2
2. <i>Terms used</i>	2
Division 2 — Standards for recruitment of CEOs	3
3. <i>Overview of Division</i>	3
4. <i>Application of Division</i>	3
5. <i>Determination of selection criteria and approval of job description form</i>	3
6. <i>Advertising requirements</i>	3
7. <i>Job description form to be made available by local government</i>	3
8. <i>Establishment of selection panel for employment of CEO</i>	4
9. <i>Recommendation by selection panel</i>	4
10. <i>Application of cl. 5 where new process carried out</i>	5
11. <i>Offer of employment in position of CEO</i>	5
12. <i>Variations to proposed terms of contract of employment</i>	5
13. <i>Recruitment to be undertaken on expiry of certain CEO contracts</i>	6
14. <i>Confidentiality of information</i>	6
Division 3 — Standards for review of performance of CEOs	7
15. <i>Overview of Division</i>	7
16. <i>Performance review process to be agreed between local government and CEO</i>	7
17. <i>Carrying out a performance review</i>	7
18. <i>Endorsement of performance review by local government</i>	7
19. <i>CEO to be notified of results of performance review</i>	7
Division 4 — Standards for termination of employment of CEOs	8
20. <i>Overview of Division</i>	8
21. <i>General principles applying to any termination</i>	8
22. <i>Additional principles applying to termination for performance related reasons</i>	8
23. <i>Decision to terminate</i>	8
24. <i>Notice of termination of employment</i>	9

Shire of Christmas Island Standards for CEO Recruitment, Performance and Termination

Policy Purpose:

This Policy is adopted in accordance with section 5.39B of the *Local Government Act 1995*.

Division 1 — Preliminary provisions

1. Citation

These are the Shire of Christmas Island Standards for CEO Recruitment, Performance and Termination.

2. Terms used

(1) In these standards —

Act means the Local Government Act 1995;

additional performance criteria means performance criteria agreed by the local government and the CEO under clause 16(1)(b);

applicant means a person who submits an application to the local government for the position of CEO;

contract of employment means the written contract, as referred to in section 5.39 of the Act, that governs the employment of the CEO;

contractual performance criteria means the performance criteria specified in the CEO's contract of employment as referred to in section 5.39(3)(b) of the Act;

job description form means the job description form for the position of CEO approved by the local government under clause 5(2);

local government means the Shire of Christmas Island;

selection criteria means the selection criteria for the position of CEO determined by the local government under clause 5(1) and set out in the job description form;

selection panel means the selection panel established by the local government under clause 8 for the employment of a person in the position of CEO.

(2) Other terms used in these standards that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

Division 2 — Standards for recruitment of CEOs

3. Overview of Division

This Division sets out standards to be observed by the local government in relation to the recruitment of CEOs.

4. Application of Division

- (1) Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.
- (2) This Division does not apply —
 - (a) if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or
 - (b) in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 13(2).

5. Determination of selection criteria and approval of job description form

- (1) The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.
- (2) The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out —
 - (a) the duties and responsibilities of the position; and
 - (b) the selection criteria for the position determined in accordance with subclause (1).

6. Advertising requirements

- (1) If the position of CEO is vacant, the local government must ensure it complies with section 5.36(4) of the Act and the *Local Government (Administration) Regulations 1996* regulation 18A.
- (2) If clause 13 applies, the local government must advertise the position of CEO in the manner referred to in the *Local Government (Administration) Regulations 1996* regulation 18A as if the position was vacant.

7. Job description form to be made available by local government

If a person requests the local government to provide to the person a copy of the job description form, the local government must —

- (a) inform the person of the website address referred to in the *Local Government (Administration) Regulations 1996* regulation 18A(2)(da); or

- (b) if the person advises the local government that the person is unable to access that website address —
 - (i) email a copy of the job description form to an email address provided by the person; or
 - (ii) mail a copy of the job description form to a postal address provided by the person.

8. Establishment of selection panel for employment of CEO

- (1) In this clause —

independent person means a person other than any of the following —

- (a) a council member;
 - (b) an employee of the local government;
 - (c) a human resources consultant engaged by the local government.
- (2) The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.
 - (3) The selection panel must comprise —
 - (a) council members (the number of which must be determined by the local government); and
 - (b) at least 1 independent person.

9. Recommendation by selection panel

- (1) Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.
- (2) Following the assessment referred to in subclause (1), the selection panel must provide to the local government —
 - (a) a summary of the selection panel's assessment of each applicant; and
 - (b) unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.
- (3) If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —
 - (a) that a new recruitment and selection process for the position be carried out in accordance with these standards; and
 - (b) the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.
- (4) The selection panel must act under subclauses (1), (2) and (3) —

- (a) in an impartial and transparent manner; and
 - (b) in accordance with the principles set out in section 5.40 of the Act.
- (5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —
 - (a) assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and
 - (b) verified any academic, or other tertiary level, qualifications the applicant claims to hold; and
 - (c) whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.
- (6) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

10. Application of cl. 5 where new process carried out

- (1) This clause applies if the local government accepts a recommendation by the selection panel under clause 9(3)(a) that a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.
- (2) Unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria —
 - (a) clause 5 does not apply to the new recruitment and selection process; and
 - (b) the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

11. Offer of employment in position of CEO

Before making an applicant an offer of employment in the position of CEO, the local government must, by resolution of an absolute majority of the council, approve —

- (a) the making of the offer of employment to the applicant; and
- (b) the proposed terms of the contract of employment to be entered into by the local government and the applicant.

12. Variations to proposed terms of contract of employment

- (1) This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 11 negotiates with the local government a contract of employment (the negotiated contract) containing terms different to the proposed terms approved by the local government under clause 11(b).

- (2) Before entering into the negotiated contract with the applicant, the local government must, by resolution of an absolute majority of the council, approve the terms of the negotiated contract.

13. Recruitment to be undertaken on expiry of certain CEO contracts

- (1) In this clause —

commencement day means the day on which the *Local Government (Administration) Amendment Regulations 2021* regulation 6 comes into operation.

- (2) This clause applies if —

- (a) upon the expiry of the contract of employment of the person (the incumbent CEO) who holds the position of CEO —

- (i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and
- (ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day;

and

- (b) the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.

- (3) Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.
- (4) This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

14. Confidentiality of information

The local government must ensure that information provided to, or obtained by, the local government in the course of a recruitment and selection process for the position of CEO is not disclosed, or made use of, except for the purpose of, or in connection with, that recruitment and selection process.

Division 3 — Standards for review of performance of CEOs

15. Overview of Division

This Division sets out standards to be observed by the local government in relation to the review of the performance of CEOs.

16. Performance review process to be agreed between local government and CEO

- (1) The local government and the CEO must agree on —
 - (a) the process by which the CEO's performance will be reviewed; and
 - (b) any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.
- (2) Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.
- (3) The matters referred to in subclause (1) must be set out in a written document.

17. Carrying out a performance review

- (1) A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.
- (2) The local government must —
 - (a) collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and
 - (b) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

18. Endorsement of performance review by local government

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the council, endorse the review.

19. CEO to be notified of results of performance review

After the local government has endorsed a review of the performance of the CEO under clause 18, the local government must inform the CEO in writing of —

- (a) the results of the review; and
- (b) if the review identifies any issues about the performance of the CEO — how the local government proposes to address and manage those issues.

Division 4 — Standards for termination of employment of CEOs

20. Overview of Division

This Division sets out standards to be observed by the local government in relation to the termination of the employment of CEOs.

21. General principles applying to any termination

- (1) The local government must make decisions relating to the termination of the employment of a CEO in an impartial and transparent manner.
- (2) The local government must accord a CEO procedural fairness in relation to the process for the termination of the CEO's employment, including —
 - (a) informing the CEO of the CEO's rights, entitlements and responsibilities in relation to the termination process; and
 - (b) notifying the CEO of any allegations against the CEO; and
 - (c) giving the CEO a reasonable opportunity to respond to the allegations; and
 - (d) genuinely considering any response given by the CEO in response to the allegations.

22. Additional principles applying to termination for performance related reasons

- (1) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.
- (2) The local government must not terminate the CEO's employment unless the local government has —
 - (a) in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the performance issues) related to the performance of the CEO; and
 - (b) informed the CEO of the performance issues; and
 - (c) given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
 - (d) determined that the CEO has not remedied the performance issues to the satisfaction of the local government.
- (3) The local government must not terminate the CEO's employment unless the local government has, within the preceding 12 month period, reviewed the performance of the CEO under section 5.38(1) of the Act.

23. Decision to terminate

Any decision by the local government to terminate the employment of a CEO must be made by resolution of an absolute majority of the council.

24. Notice of termination of employment

- (1) If the local government terminates the employment of a CEO, the local government must give the CEO notice in writing of the termination.
- (2) The notice must set out the local government's reasons for terminating the employment of the CEO.





SHIRE OF CHRISTMAS ISLAND

SUBMISSION TO	Ordinary Council Meeting 27 July 2021
AGENDA REFERENCE	10.5.2
SUBJECT	Petty Cash Policy Adoption
LOCATION/ADDRESS/APPLICANT	
FILE REFERENCE	
INTEREST DISCLOSURE	Nil
DATE OF REPORT	21 July 2021
AUTHOR	Chris Su
SIGNATURE OF AUTHOR	SIGNED
SIGNATURE OF CEO	SIGNED

RECOMMENDATIONS

That the Council adopt the Petty Cash Policy provided

BACKGROUND

Council has had a long standing Petty Cash practice at the Shire to reimburse staff making purchases of less than \$50 for work related purposes. Staff are only able to buy things that aren't immediately available at a Shire store room or supply cabinet. All Petty Cash forms have always been counter-signed by a line manager, with receipt from purchases provided.

The RSM Auditors have observed that this is an acceptable practice and have requested that this be codified in a formal policy for documentation.

COMMENT

The Finance team have been consulted in the step-by-step procedure of writing the formal Petty Cash Policy. There is no change to the current practice; Council is documenting the process to satisfy the request of the Auditors.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996, Part 2 – General Financial management s.11(d)

FINANCIAL IMPLICATIONS

STRATEGIC IMPLICATIONS & MILESTONES

VOTING REQUIREMENTS

A simple majority is required.

ATTACHMENT

- 10.5.2.1 - FI2-1 Purchasing Petty Cash Policy
- 10.5.2.2 - Petty Cash Form

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

FI 2-1	PURCHASING – Petty Cash
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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
Delegation Level	Council, CEO
First endorsed by Council	24 July 2021
Resolution No.	XXXX
Adoption Conditions	Nil
Consultation	Nil required
Next Review Date	July 2023
File Reference	2.11.12

<u>Petty Cash Receipt</u>	
	No: _____
Recipient: _____	
Description: _____	

GL: _____	
Approved by: _____	
Signature of Recipient: _____	Date: _____
Total claim: _____	

<u>Petty Cash Receipt</u>	
	No: _____
Recipient: _____	
Description: _____	

GL: _____	
Approved by: _____	
Signature of Recipient: _____	Date: _____
Total claim: _____	



SHIRE OF CHRISTMAS ISLAND

SUBMISSION TO	Ordinary Council Meeting 27 July 2021
AGENDA REFERENCE	10.1.6
SUBJECT	Development of Lot 601
LOCATION/ADDRESS/APPLICANT	
FILE REFERENCE	6.1.25
INTEREST DISCLOSURE	Nil
DATE OF REPORT	19 th July 2021
AUTHOR	David Price
SIGNATURE OF CEO	SIGNED

RECOMMENDATION:

The Shire Council to seek comments from the community on the *proposed redevelopment of Lot 601* through Public Notice.

BACKGROUND

The Shire adopted on the Settlement Cinema Revised Masterplan at the Ordinary Council meeting held 22 September 2020

While that Masterplan covered the development of Lot 600 it did not show the development of Lot 601 which covers the as shown in attachment 10.1.6.1

The Shire received the Management Orders for Lots 600 and 601 on 31 May 2021.

COMMENT

The proposed redevelopment of Lot 601 is outlined in attachment 10.1.6.2

The Shire seeks comments for the community by Public Notice for 24 day during July/ August 2021.

STATUTORY ENVIRONMENT

The *Settlement Cinema Masterplan September 2020* remains consistent with the planning requirements relevant to the Public Open Space zoning associated with the area under consideration.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The funding for the redevelopment is contained within the 21/22 budget

STRATEGIC IMPLICATIONS & MILESTONES

VOTING REQUIREMENTS

Simple Majority

ATTACHMENT

10.1.6.1 – Identification of Lots 600 and 601

10.1.6.2 – Proposed redevelopment of Lot 601

10.1.6.3 – Management Orders for Lots 600 and 601

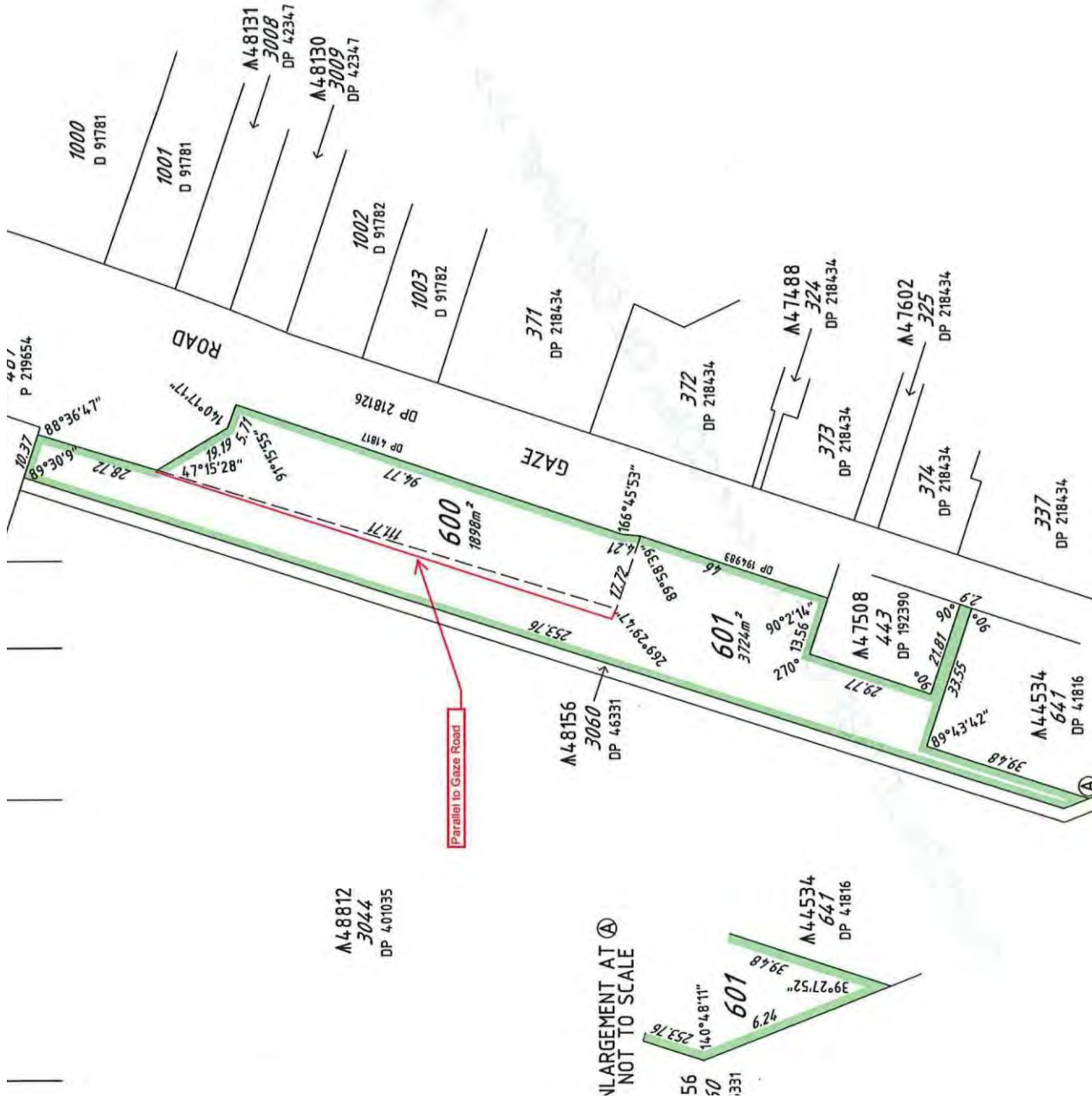
SETTLEMENT CINEMA MASTERPLAN

LAND TENURE (Management Order) OPTIONS¹

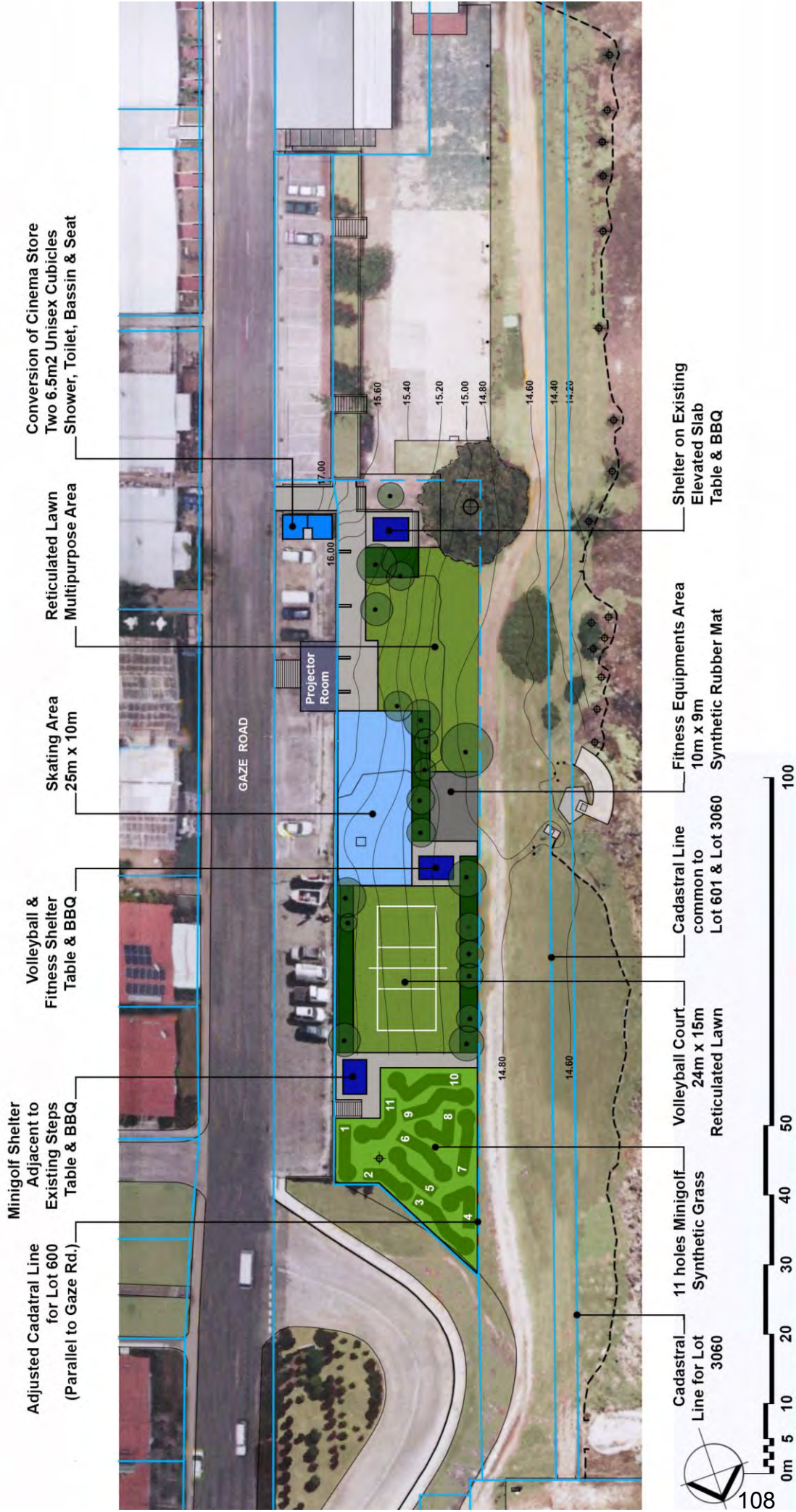


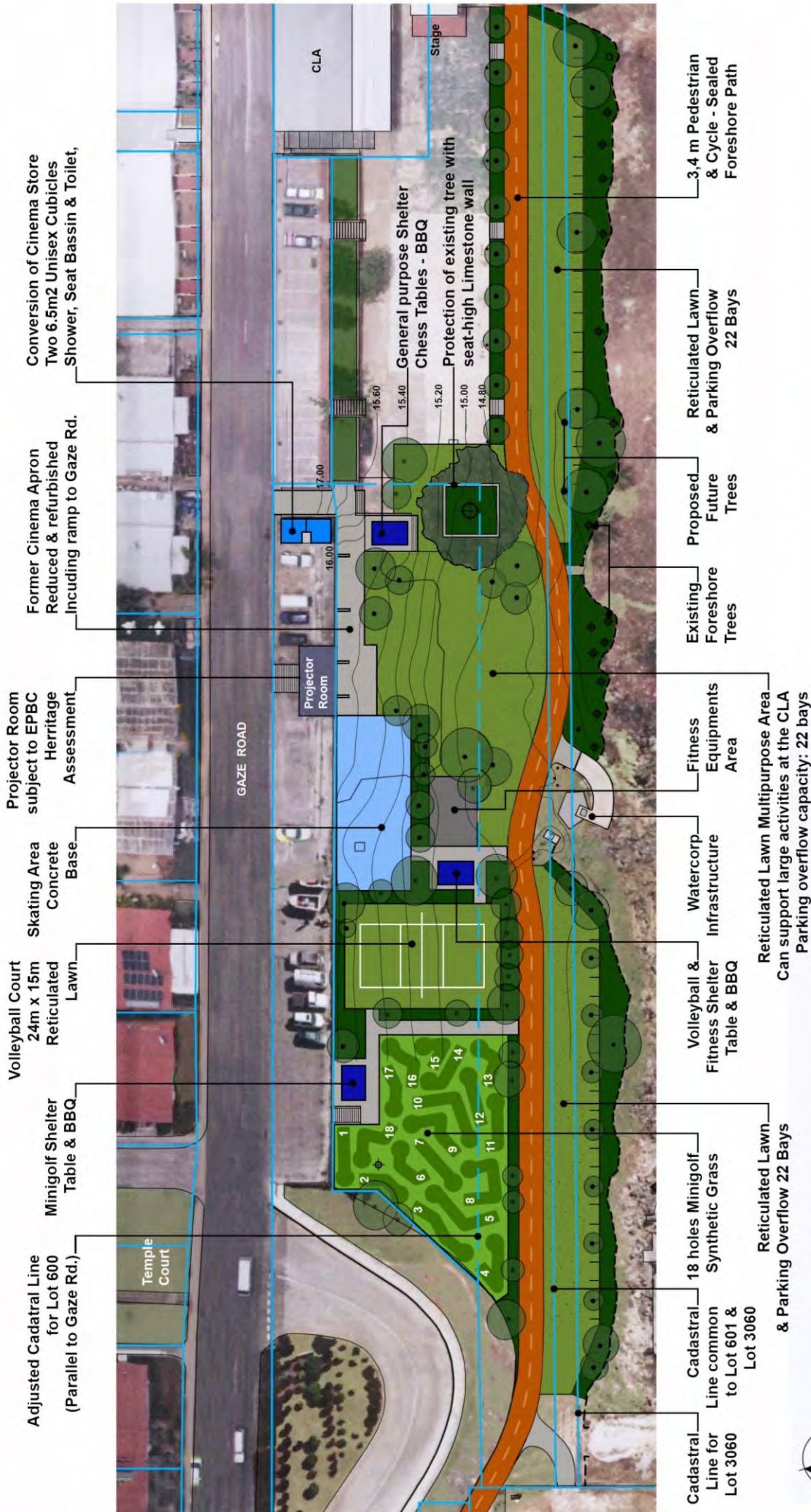
SHIRE OF
CHRISTMAS ISLAND

April 2020



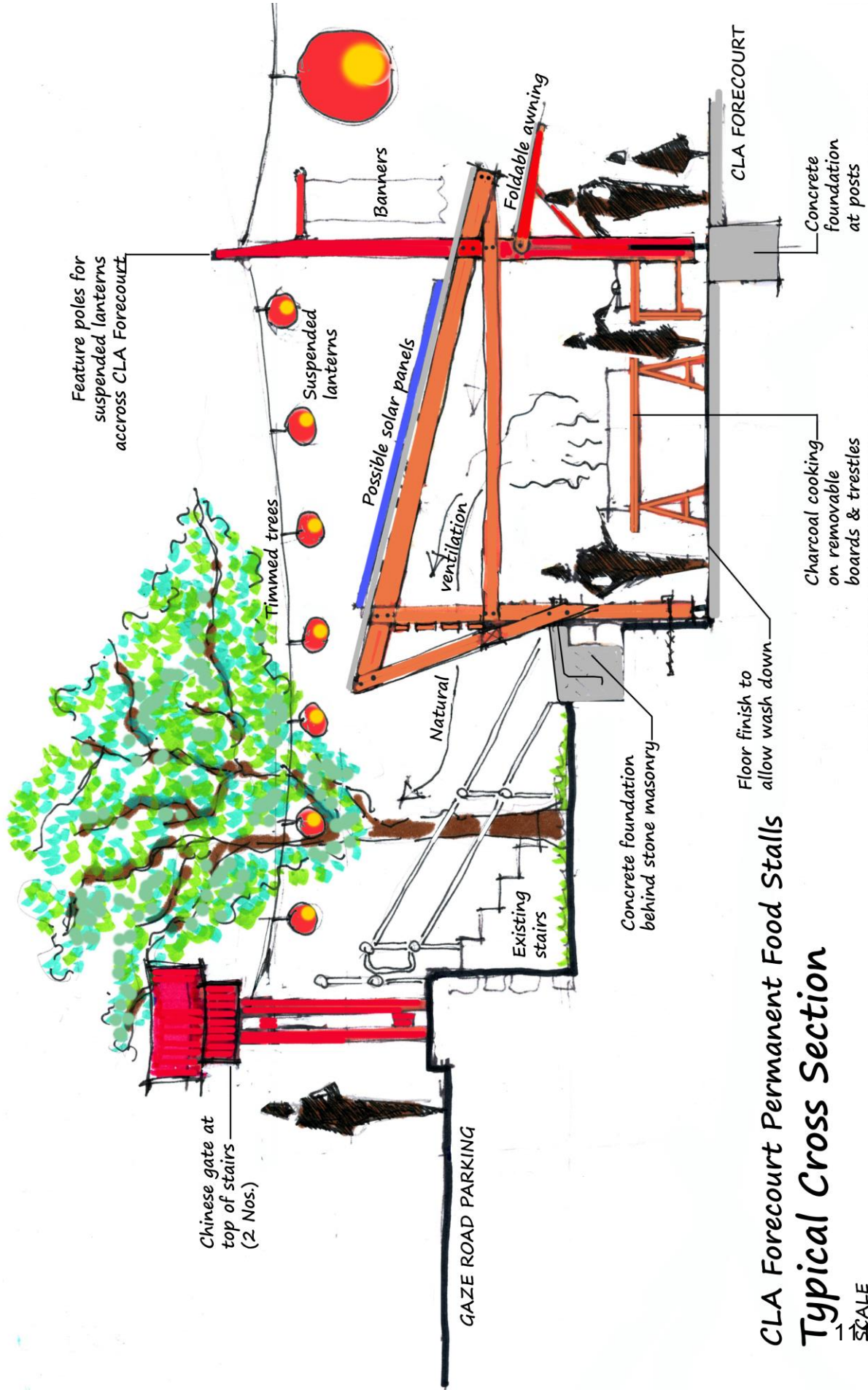
PURPOSE	SUBDIVISION
PLAN OF	LOTS 600 AND 601
DISTRICT	CHRISTMAS
TOWNSITE	LOT 3061
TRIM FILE	06278-2019
LOCAL AUTHORITY	SHIRE OF CHRISTMAS ISLAND
LOCALITY	CHRISTMAS ISLAND
REFERENCE	INDEX
DPLH FILE: 50344-2005	SEE SMARTPLAN
JOB: 1902107	
SCALE @A3: ALL DISTANCES ARE IN METRES	1:1000
SUBJECT TO SURVEY NOT FOR ALIENATION PURPOSES	
LODGED DATE: 16/12/2019	TYPE OF VALIDATION FULL AUDIT: MS
FEE PAID N/A	LEGAL COMPONENT CERTIFIED CORRECT
ASSESS No. N/A	16/12/2019 Lead Consultant Graphic Services
IN ORDER FOR DEALINGS	
SUBJECT TO	
FOR AUTHORISED LAND OFFICER DATE: 16/12/2019	
APPROVED	
DEPOSITED PLAN 418236	





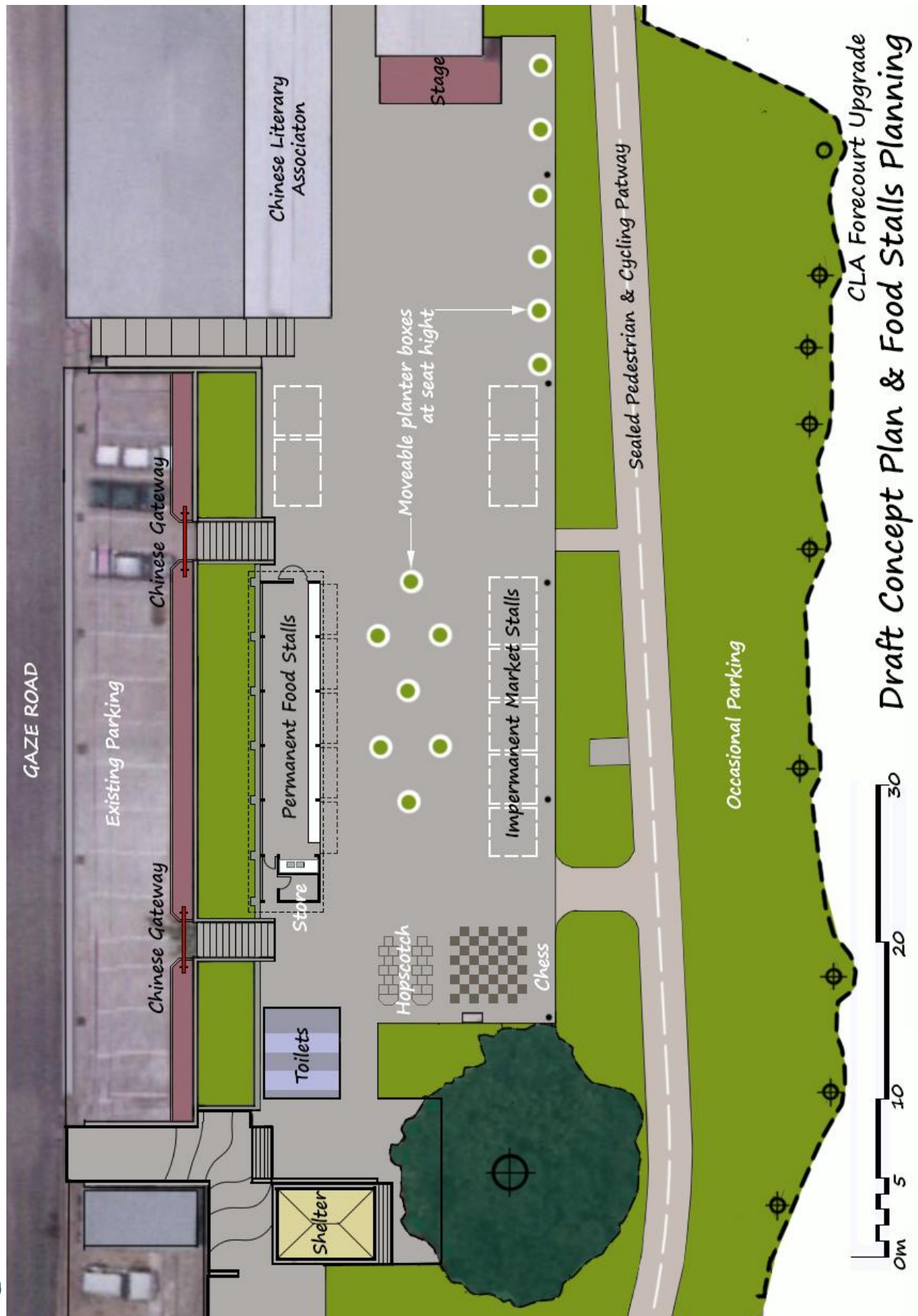


CLA Forecourt Upgrade Perspective View



CLA Forecourt Permanent Food Stalls
Typical Cross Section







Department of Planning,
Lands and Heritage

COPY

DATE RECEIVED:	22 JUN 2021
FILE <input type="checkbox"/> OR N/A <input type="checkbox"/>	
Copies to:	
RECORDS OFFICE ONLY	
FILE #:	6.1.25

Our ref: 50344-2005
Case No: 1902107
Enquiries: terri.newman@dplh.wa.gov.au
Ph 6552 4663

Shire of Christmas Island
PO BOX 863
CHRISTMAS ISLAND WA 6798

Dear Sir/Madam

Management Order granted to the Shire of Christmas Island – Gaze Road Recreation Area

I advise for your information that former Lot 660 on Deposited Plan 194845 has been redescribed as Lot 600 and 601 on Deposited Plan 418236 and has been set apart as Reserve 48155 for the purpose of Cultural, Recreation, Entertainment and Community Purposes and for purposes Ancillary or Beneficial to that purpose" with a Management Order (formerly Vesting Order) issued in favour of the Shire of Christmas Island.

Under the *Transfer of Land Act* document registration system, Management Orders are recorded on the Crown Land Title for the reserve and become effective on the date of lodgement.

The duplicate copy of the Management Order for the reserve and a print of the Crown Land Title have been enclosed.

Yours sincerely

Terri Newman
Senior State Land Officer
Land Use Management

31 May 2021

DUPLICATE

FORM LAA 1115

SECTION 46

COMMONWEALTH OF AUSTRALIA
TERRITORY OF CHRISTMAS ISLAND
LAND ADMINISTRATION ACT 1997 (W.A.) (C.I.)
TRANSFER OF LAND ACT 1893 (W.A.) (C.I.)

MANAGEMENT ORDER

RESERVE DESCRIPTION (NOTE 1)

Lot 600 on Deposited Plan 418236
Lot 601 on Deposited Plan 418236

EXTENT

Whole
Whole

VOLUME

0000
0000

FOLIO

000
000

MANAGEMENT BODY (NOTE 2)

Shire of Christmas Island of PO BOX 863 CHRISTMAS ISLAND WA 6798

CONDITIONS (NOTE 3)

Refer to Annexure (Form B1)

THE COMMONWEALTH MINISTER ORDERS THAT THE CARE, CONTROL AND MANAGEMENT OF THE ABOVE RESERVE BE PLACED WITH THE MANAGEMENT BODY DESCRIBED ABOVE FOR THE PURPOSE FOR WHICH THE LAND COMPRISING THE RESERVE IS RESERVED UNDER SECTION 41 OF THE LAND ADMINISTRATION ACT 1997 (W.A.) (C.I.), AND FOR PURPOSES ANCILLARY OR BENEFICIAL TO THAT PURPOSE TO THE CONDITIONS STATED ABOVE.

Dated this

4

day of

5

year

2021

ATTESTATION (NOTE 4)

SIGNED for and on behalf of
COMMONWEALTH OF AUSTRALIA by

The Administrator of the Territory of Christmas
Island delegated the Commonwealth Minister for
Regional Development and Territories
Powers under section 8G(3)(b) of the Christmas
Island Act 1958

The Administrator (signed)

Natasha Louise Griggs

In the presence of:

Witness (signed)

Name (print): STEPHEN JAMES ELLIST

Occupation: PUBLIC SERVANT

Address:

4 PAI CHU LU, CHRISTMAS ISLAND WA 6792

RESPONSIBLE AGENCY (NOTE 5)

Commonwealth of Australia

DUPLICATE

INSTRUCTIONS

1. If insufficient space in any section, Additional Sheet Form B1 should be used with appropriate headings. The boxed sections should only contain the words "See Annexure".
2. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by parties.
3. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialled by the person signing this document and their witnesses.

NOTES

1. RESERVE DESCRIPTION

Reserve number and details to be stated.
The Volume and Folio numbers to be stated.

2. MANAGEMENT BODY

State the full name and address of management body.

3. CONDITIONS

Detail the conditions specified by the Minister to be observed by the management body in its care control and management of the Reserve.

4. ATTESTATION

This document is to be executed by the Commonwealth of Australia represented by the Commonwealth Minister with responsibilities for Territories administering the *Land Administration Act 1997 (W.A.) (C.I.)* by virtue of section 8A of the *Christmas Island Act 1958 (Cth)* or a person to whom a power has been delegated to under subsection 8G(3) or 8G(4) as applicable of the *Christmas Island Act 1958 (Cth)*. This execution also includes the Commonwealth Minister with responsibilities for Territories' approval or his/her Commonwealth delegate's approval under section 16(3) of the *Mining Act 1978 (W.A.) (C.I.)*.

5. RESPONSIBLE AGENCY

State the name of the agency or department relevant to the management body. In some cases it may not be different to the management body but in other cases, for example, if the management body is pursuant to s46 (10(b)(i)) of the *Land Administration Act 1997 (W.A.) (C.I.)* a Minister to whom a specified Act is committed, the responsible agency may be the department that assists that Minister in the administration of that Act.

0723406 XE

05 May 2021 09:23:40 Perth



DUPLICATE

MANAGEMENT ORDER (XE)

LODGED BY: *Department of Planning
Lands + Heritage*

ADDRESS: *140 William St
PERTH WA 6000*

PHONE No: *6552 4663*

FAX No: *6118 8116*

REFERENCE No: *50344-2005*

ISSUING BOX No: *98C*

PREPARED BY: *Department of Planning
Lands and Heritage*

ADDRESS: *140 Williams St
PERTH WA 6000*

PHONE No: *6552 4663*

FAX No: *6118 8116*

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO
OTHER THAN LODGING PARTY

TITLES, LEASES, DECLARATIONS ETC LODGED
HEREWITH

- | | |
|----------|-----------------|
| 1. _____ | Received Items |
| 2. _____ | Nos. |
| 3. _____ | |
| 4. _____ | Receiving Clerk |
| 5. _____ | |
| 6. _____ | |

Registered pursuant to the provisions of the *TRANSFER OF LAND ACT 1893 (W.A.) (C.I.)* on the day and time shown above and particulars entered in the Register.

ADDITIONAL PAGE TO Management Order

Dated

1. Reserve Purpose

The Reserve is to be used for the purpose of "Cultural, Recreation, Entertainment and Community Purposes and for purposes ancillary or beneficial to that purpose" only.

2. Power to Lease or Sublease or Licence subject to conditions

Pursuant to section 46(3)(a) of the LAA (WA) (CI), the Management Body is granted the power to grant a lease or licence or consent to a sublease over any part of the Reserve, for a purpose that is consistent with the designated reserve purpose, for a term (including any option term) that is not to exceed in total 21 years subject to the prior approval in writing of the Minister under, and in compliance with, section 18 of the LAA (WA) (CI).

3. Conditions

- 3.1 The Management Body is responsible for all costs associated with any repairs, maintenance and removal of all improvements on the reserve.
- 3.2 The Management Body must allocate and use any premium, rental, fees, charges or other income it receives from all leases, subleases and licences in respect of the Reserve or any part of it (Reserve Funds) to maintain and repair all buildings and structures and to maintain the grounds and facilities of the Reserve and where there are surplus Reserve Funds other reserves within the locality and otherwise to satisfy its obligations and liabilities as management body of the Reserve.
- 3.3 The Management Body must provide to the Department within three (3) months of a request of the Minister, a report that details the amount and source of the Reserve Funds received and what the Reserve Funds have been expended on during that preceding financial year, and other periods as requested.
- 3.4 Any surplus of the Reserve Funds remaining at the end of each financial year shall be paid into a trust fund established by the Management Body pursuant to section 6.9(1) of the *Local Government Act 1995* or set aside by the Management Body and carried forward for future capital or major works required to the Reserve and other reserves within the locality. The Management Body shall include in the report(s) referred to in clause 3.2 above, details of any expenditure from the trust fund or from funds which have been carried forward by the Management Body and used for capital or major works to or on the Reserve and other reserves within the locality.
- 3.5 The Management Body is responsible for all improvements on the reserve that currently exist as well as those installed by or on behalf of the Management Body, including any parties subject to a lease or licence agreement. With the exception of improvements related to the provision of public services and the existing fuel pipes.

4. Definitions

In this Management Order the following terms have the following meaning:

Department means the department principally assisting the Minister in the administration of the LAA (WA) (CI) from time to time.

LAA means the *Land Administration Act 1997 (WA) (CI)*

Management Body means the person described in panel 2 of this Management Order.

Management Order means this management order comprising the Form LAA 1115 and any variation to it from time to time in accordance with section 46 of the LAA (WA) (CI).

Minister means means the Minister administering the LAA and includes the Minister's delegate if applicable

Reserve means the reserve described in panel 1 of this Management Order.

WESTERN



AUSTRALIA

REGISTER NUMBER	
600/DP418236	
DUPLICATE EDITION	DATE DUPLICATE ISSUED
N/A	N/A

RECORD OF QUALIFIED CERTIFICATE
OF
CROWN LAND TITLE
UNDER THE TRANSFER OF LAND ACT 1893 (WA)(CI)
AND THE LAND ADMINISTRATION ACT 1997 (WA)(CI)
NO DUPLICATE CREATED

VOLUME
LR3173

FOLIO
198

The undermentioned land is Crown land in the name of the COMMONWEALTH OF AUSTRALIA, subject to the interests and Status Orders shown in the first schedule which are in turn subject to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 600 ON DEPOSITED PLAN 418236

STATUS ORDER AND PRIMARY INTEREST HOLDER:
(FIRST SCHEDULE)

STATUS ORDER/INTEREST: RESERVE UNDER MANAGEMENT ORDER

PRIMARY INTEREST HOLDER: SHIRE OF CHRISTMAS ISLAND OF PO BOX 863 CHRISTMAS ISLAND WA 6798
(XE 0723406) REGISTERED 5/5/2021

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. 0723405 RESERVE 48155 FOR THE PURPOSE OF CULTURAL, RECREATION, ENTERTAINMENT AND COMMUNITY PURPOSES AND FOR PURPOSES ANCILLARY OR BENEFICIAL TO THAT PURPOSE REGISTERED 5/5/2021.
- 0723406 MANAGEMENT ORDER. CONTAINS CONDITIONS TO BE OBSERVED. WITH POWER TO LEASE FOR ANY TERM NOT EXCEEDING 21 YEARS, SUBJECT TO THE CONSENT OF THE MINISTER FOR LANDS. REGISTERED 5/5/2021.

- Warning:
- (1) A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required. Lot as described in the land description may be a lot or location.
 - (2) The land and interests etc. shown hereon may be affected by interests etc. that can be, but are not, shown on the register.
 - (3) The interests etc. shown hereon may have a different priority than shown.

-----END OF CERTIFICATE OF CROWN LAND TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP418236
PREVIOUS TITLE: LR3139-892
PROPERTY STREET ADDRESS: NO STREET ADDRESS INFORMATION AVAILABLE.

END OF PAGE 1 - CONTINUED OVER

ORIGINAL CERTIFICATE OF CROWN LAND TITLE
QUALIFIED

REGISTER NUMBER: 600/DP418236

VOLUME/FOLIO: LR3173-198

PAGE 2

LOCAL GOVERNMENT AUTHORITY:
RESPONSIBLE AGENCY:

SHIRE OF CHRISTMAS ISLAND
COMMONWEALTH OF AUSTRALIA

NOTE 1: J924711 CORRESPONDENCE FILE 50345-2005-01RO
NOTE 2: O723404 SUBJECT TO SURVEY - NOT FOR ALIENATION PURPOSES

LANDGATE USE ONLY << ORIGINAL >> LANDGATE USE ONLY

WESTERN



AUSTRALIA

REGISTER NUMBER	
601/DP418236	
DUPLICATE EDITION	DATE DUPLICATE ISSUED
N/A	N/A

RECORD OF QUALIFIED CERTIFICATE
OF
CROWN LAND TITLE

VOLUME
LR3173

FOLIO
199

UNDER THE TRANSFER OF LAND ACT 1893 (WA)(CI)
AND THE LAND ADMINISTRATION ACT 1997 (WA)(CI)
NO DUPLICATE CREATED

The undermentioned land is Crown land in the name of the COMMONWEALTH OF AUSTRALIA, subject to the interests and Status Orders shown in the first schedule which are in turn subject to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 601 ON DEPOSITED PLAN 418236

STATUS ORDER AND PRIMARY INTEREST HOLDER:
(FIRST SCHEDULE)

STATUS ORDER/INTEREST: RESERVE UNDER MANAGEMENT ORDER

PRIMARY INTEREST HOLDER: SHIRE OF CHRISTMAS ISLAND OF PO BOX 863 CHRISTMAS ISLAND WA 6798
(XE 0723406) REGISTERED 5/5/2021

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. O723405 RESERVE 48155 FOR THE PURPOSE OF CULTURAL, RECREATION, ENTERTAINMENT AND COMMUNITY PURPOSES AND FOR PURPOSES ANCILLARY OR BENEFICIAL TO THAT PURPOSE REGISTERED 5/5/2021.
- O723406 MANAGEMENT ORDER. CONTAINS CONDITIONS TO BE OBSERVED. WITH POWER TO LEASE FOR ANY TERM NOT EXCEEDING 21 YEARS, SUBJECT TO THE CONSENT OF THE MINISTER FOR LANDS. REGISTERED 5/5/2021.

Warning: (1) A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
Lot as described in the land description may be a lot or location.
(2) The land and interests etc. shown hereon may be affected by interests etc. that can be, but are not, shown on the register.
(3) The interests etc. shown hereon may have a different priority than shown.

-----END OF CERTIFICATE OF CROWN LAND TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP418236
PREVIOUS TITLE: LR3139-892
PROPERTY STREET ADDRESS: NO STREET ADDRESS INFORMATION AVAILABLE.

END OF PAGE 1 - CONTINUED OVER

ORIGINAL CERTIFICATE OF CROWN LAND TITLE
QUALIFIED

REGISTER NUMBER: 601/DP418236

VOLUME/FOLIO: LR3173-199

PAGE 2

LOCAL GOVERNMENT AUTHORITY:
RESPONSIBLE AGENCY:

SHIRE OF CHRISTMAS ISLAND
COMMONWEALTH OF AUSTRALIA

NOTE 1: J924711 CORRESPONDENCE FILE 50345-2005-01RO
NOTE 2: O066859 INTEREST ONLY DEPOSITED PLAN 415057 LODGED
NOTE 3: O723404 SUBJECT TO SURVEY - NOT FOR ALIENATION PURPOSES

LANDGATE USE ONLY << ORIGINAL >> LANDGATE USE ONLY