



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 26 September 2023** commencing at 7.00pm

David Price  
Chief Executive Officer

## AGENDA

- 1 Declaration of Opening of Meeting/Announcement of Visitor**
- 2 Record of Attendance/Apologies/Leave of Absence/Declaration of Financial/Proximity/Impartiality Interests**
  - 2.1 Attendance
  - 2.2 Leave of Absence
  - 2.3 Apologies
  - 2.4 Declaration of Interests
- 3 Response to Previous Public Questions Taken on Notice**
- 4 Public Question Time**
- 5 Applications for Leave of Absence**
- 6 Petitions/Deputations/Presentations**
- 7 Confirmation of Minutes of Previous Meetings/Business arising from the Minutes of Previous Meetings**
  - 7.1 Minutes of Ordinary Council Meeting held on 22 August 2023 (pg 1-7)
  - 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 (pg 8-31)
  - 9.2 Minutes of Fisheries Management Committee Meetings (pg 32-41)
- 10 Reports of Officers**
  - 10.1 Chief Executive Officer**
    - 10.1.1 Revised Organisational Chart 2023 (pg 42-43)
    - 10.1.2 Proposed Shire of Christmas Island – UCIW Enterprise Agreement 2023-2027 (pg 44-46)
  - 10.2 Director Finance & Administration**
    - 10.2.1 Schedule of Accounts – August 2023 (pg 47-53)
    - 10.2.2 Financial Statements – August 2023 (pg 54-59)
  - 10.3 Director Community/Recreation Services & Training**
  - 10.4 Director Works, Services & Waste**
    - 10.4.1 RFQ 10-23 Lily Beach Toilet Upgrade (pg 60-61)
    - 10.4.2 Supply & Delivery of Various Items of Plant (pg 62-64)
  - 10.5 Director Planning, Governance & Policy**
    - 10.5.1 Regulation 17 Review (pg 65-119)
    - 10.5.2 Christmas Island Singapore Strategy Review (pg 120-121)
- 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**
  - 13.1 2023 CEO Performance Review
- 14 Closure of Meeting**
- 15 Date of the next Ordinary Meeting**  
**24 October 2023**



## **UNCONFIRMED MINUTES**

**Ordinary Meeting of the Shire of Christmas Island held at the George Fam Chambers at 7.00pm on Tuesday 22 August 2023**

### **1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

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

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

1.2 Record of Attendance

Shire President

Deputy President

Councillors

Cr Gordon **THOMSON**

Cr Kee Heng **FOO**

Cr Philip **WOO**

Cr Hafiz **MASLI**

Cr Morgan Boon Hwa **SOH**

Cr Azmi **YON**

Director Planning, Governance & Policy/Minute Taker

Director Community/Recreation Services

Director Works, Services & Waste

Chris **SU**

Olivier **LINES**

Troy **DAVIS**

2.2 **Leave of Absence**

Cr Kelvin Kok Bin **LEE**

Cr Vincent Cheng Siew **SAW**

2.3 **Apologies**

Chief Executive Officer

David **PRICE**

2.4 **Declarations of Financial/Impartiality/Proximity Interest**

### **3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

### **4 PUBLIC QUESTION TIME**

4.1 Stephanie LAI, of 4 Jalan Ketam Merah, Drumsite, raised a question with the Council seeking clarification on the change in its stance regarding the WA Local Government Reforms. The query pertained to the shift from the Council's initial position of 'Full Reform,' as expressed during the Ordinary Council Meeting on October 25, 2022, to its subsequent stance during the Ordinary Council Meeting on June 24, 2023. The Council's proposal at the latter meeting indicated significant differences in the content and nature of the Ordinance related to the Local Government Reforms.

Shire President Gordon THOMSON explained that during the October 2022 Ordinary Council Meeting, the Council was adhering to a directive from the State Government. This directive required the Council to provide a response, as mandated by the Western Australian Minister for Local Government, from the available options it was presented with.

President THOMSON clarified that laws enacted in Western Australia automatically apply to Christmas Island unless there is a specific Commonwealth Ordinance to stand in their place instead. He highlighted that the default stance is that Western Australian laws have jurisdiction over Christmas Island. In situations where decisions necessitate the involvement of the Minister for a department within the Western Australian state, the Federal Minister for Territories assumes the responsibilities of that equivalent Western Australian State Minister.

President THOMSON emphasized that SOCI was bound by the necessity to follow a directive from the Western Australian Minister for Local Government, which required all local governments to submit a response from the provided options by the specified deadline in October 2022. The majority of the suggested reforms actually posed no issue for SOCI.

However, a concern emerged for SOCI when it came to the decision-making process of the WA Local Government Review Panel (the Panel), which would determine the allocation of Councillors for each local government area as part of the Local Government Reforms. The number of Councillors was expected to range between 5 and 7 for 'tier 3 population groups' such as Christmas Island.

Consequently, SOCI was mandated to submit its proposal to the Panel in October 2022, doing so under a sense of compulsion. President THOMSON acknowledged that the proposed Local Government Reforms, including the reduction in the number of elected members, were subject to determination by individuals in Western Australia. He noted that when governments enact reforms to laws, they usually engage in consultations with those who will be impacted by the reforms. This consultation process took place within Western Australia.

President THOMSON also highlighted that the ramifications of the Local Government Reforms would be more pronounced for larger Councils such as the City of Perth, while having less impact on smaller Councils like SOCI.

Shire President THOMSON provided an explanation for the Council's changed position on June 24, 2023. He clarified that the Council had been directed to nominate a range of 5 to 7 Councillors for the future composition of elected members on Christmas Island in October 2022 and did so. In compliance with this direction, SOCI chose to nominate the maximum number of 7 Councillors. The intention was to follow the Panel's decision in the event they determined that Christmas Island should have 7 Councillors moving forward.

However, the Panel informed SOCI that it could not determine the number of elected Councillors for the external territory of Christmas Island. They indicated that only the Minister for Territories in Canberra had the authority to decide the future number of Councillors in this context.

Shire President Gordon THOMSON reported that no consultation had been done by the Western Australians or the Commonwealth about these significant changes to take place with either Cocos (Keeling) Islands or Christmas Island residents regarding the Local Government Reforms.

These reforms were enacted by Western Australian Parliamentarians, with accessibility limited to residents of Western Australia. The Panel redirected the Council first to the Department of Infrastructure's Perth office and then to their Canberra office. The responsibility for creating a Commonwealth Ordinance to implement any proposed change in the number of elected members lay with the Canberra office.

In June 2023, the Department of Infrastructure informed SOCI that the Minister would be enacting an Ordinance regarding this matter. President Gordon THOMSON raised a point that if an Ordinance was to be enacted, there should be a consultation process involved. This would provide an opportunity for the Council to propose changes based on community input.

During the 14 June 2023 meeting with the Council in Canberra, the Department of Infrastructure conveyed that there would be a two-week window for SOCI to submit their proposed changes to the Minister for Territories. However, the Council found this

timeframe insufficient for their practice of engaging the public for important matters. The execution of the Council's *Community Consultation Policy* required more time than two weeks to be effectively enacted.

Given that SOCI had been directed to make a submission in October 2022, this decision by the Minister in 2023 provided an opportunity to make a comprehensive submission and did so after completion of the community consultation indicated in public notice 19/23 of June 30 2023.

On August 21st, 2023, the Hon. Minister for Territories Kristy McBAIN wrote to SOCI, indicating that a Commonwealth Ordinance would not be ready for the 2023 Local Government election. The Shire CEO had previously communicated to the Minister that due to this situation, the status quo of four candidates would be necessary to run without a ready Commonwealth Ordinance. The Minister acknowledged this in her letter.

The Minister has further informed SOCI that when the time is right, the number of elected members will be decreased to 7. Shire President Gordon THOMSON said that the Shire of Christmas Island is against the reduction in the number of Councillors and that numerous governance inquiries have highlighted the need for a more comprehensive consultative mechanism to be had by the Commonwealth.

The community of Christmas Island raised concerns about fisheries, leading to a change in approach. President THOMSON emphasized that credit was due to former Minister Nola MARINO, who acknowledged the inappropriateness of applying laws uniformly to the IOTs. This marked the first time that Islanders could vote on a proposed Ordinance.

Shire President THOMSON stated that the protests surrounding fisheries brought about this change, underscoring that governance requires the consent of the governed.

- 4.2 Stephanie LAI, of 4 Jalan Ketam Merah, Drumsite, asked why SOCI has not engaged the Western Australian Election Commission (WAEC) to conduct the 2023 local government elections?

Shire President Gordon THOMSON explained that according to the Local Government Act 1995 (WA)(CI), the default requirement is for the local government's CEO to oversee local government elections.

In response, Stephanie LAI shared that the Shire of Cocos (Keeling) Islands had chosen to involve the WA Electoral Commission (WAEC) in their election processes.

President THOMSON clarified that the decision to deviate from the default arrangement rests with each individual local government. He added that in an instance where an Acting CEO with limited experience in elections was in place, SOCI had sought assistance from the Department of Local Government, Sports and Cultural Industries in the past. It's important to note that elections are managed by the CEO, not the Council itself.

- 4.3 Stephanie LAI, of 4 Jalan Ketam Merah, Drumsite, asked in regards to the submissions received for public notice 19/23 community comments on local government law reform were accessible?

Shire President Gordon THOMSON advised that many persons including himself made submissions to the public notice to the CEO. Provided that he was unsure if those submissions were accessible noting that the Minister provided in her correspondence to the Shire of August 21<sup>st</sup> 2023 that she had received views not in support that she would not disclose.

Stephanie LAI commented that an application via a Freedom of Information Act request may be able to grant access.

Shire President THOMSON advised that the Shire can certainly receive FOI requests.

- 4.4 Millie BARRETT, residing at 89 Gaze Road, Settlement, inquired about the potential impact of reducing the number of Councillors on the island, seeking the Council's perspective on this matter.

Shire President Gordon THOMSON articulated his view that reducing the number of elected Councillors could not be perceived as an enhancement of democracy. He pointed out that there is an existing "democratic deficit" on Christmas Island, given that its residents lack the ability to vote for the lawmakers in Western Australia who formulate laws applicable to the island.

President Gordon THOMSON emphasized that a significant portion of his time, approximately 80%, is dedicated to advocating for Christmas Islanders on matters at the state level rather than strictly municipal concerns. He underscored that involving more individuals in the island's governance and advocacy efforts would yield more positive outcomes. A reduction in the number of Councillors from 9 to 7, or even as low as 5, would not contribute effectively to this goal.

President Gordon THOMSON elaborated on the role of the Shire of Christmas Island Community Consultative Committee. This committee consists of several Councillors, the CEO, the Director for Governance, and representatives from various community organizations such as the Malay Association of Christmas Island, Chinese Literary Association, CI Christian Fellowship, Phosphate Resources Limited, Union of Christmas Island Workers, Christmas Island Women's Association, Christmas Island Neighbourhood Centre, and Islamic Council of Christmas Island, among others. They convene monthly to become informed about matters related to state service provision and to offer input and feedback to the Minister. The CCC serves as a platform to discuss issues that the Council advocates for with the Government.

Shire President Gordon THOMSON stated that the impact of a reduction of elected people is antithetical to democracy. Through democratic institutions like the CCC, the people dedicate their time to advocate for the Island.

Millie BARRETT enquired where does the CCC meet?

Shire President Gordon THOMSON emphasized that the CCC convenes on a monthly basis at the Council. He stated that the CCC represents a significant broadening and enhancement of democratic participation in advocacy and emphasized the importance of not diminishing its role or impact.

- 4.5 Tracey KREPP of 32 Seaview Drive Silver City asked if any of the 177 submissions in favour of the Council's proposal or 18 that were against were in a petition?

Shire President Gordon THOMSON advised that none were in a petition, that they comprised of individual submissions.

Tracey KREPP of 32 Seaview Drive Silver City asked if there was standardised letter or pro-forma amongst the submissions?

Shire President Gordon THOMSON said that there was a pro-forma format to some of the submissions.

Tracey KREPP asked how the submissions were made?

Shire President Gordon THOMSON advised that some were in email and others in were in letters.

- 4.6 Millie BARRETT of 89 Gaze Road asked if the Councillors voted for the President and not the public?

Shire President Gordon THOMSON confirmed that to be accurate. He highlighted that prior to the current reforms, it was the responsibility of Councillors to determine the number of

Councillors and whether a President should be directly elected. He mentioned that larger councils often have elected Mayors and some councils are divided into wards, but smaller councils like Christmas Island don't have either.

The Local Government Reforms specifically stated that local governments of Christmas Island's size would not have wards or the direct election of a President. This is in line with what already happens on Christmas Island. The key objectives of the Shire were to prevent a reduction in the number of elected members and to retain the first-past-the- post voting system.

## 5 APPLICATIONS FOR LEAVE OF ABSENCE

Leave of Absence Application

### Council Resolution

**Moved: Cr YON**

**Seconded: Cr WOO**

**Res. No: 61/23**

That the Leave of Absence application by Cr Vincent Cheng-Siew SAW from 18<sup>th</sup> August – 2<sup>nd</sup> September 2023 be accepted.

**Carried: 6/0**

## 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 July 2023

Members considered the unconfirmed minutes.

### Council Resolution

**Moved: Cr MASLI**

**Seconded: Cr FOO**

**Res. No: 62/23**

That Council adopt the unconfirmed minutes of the 25 July 2023 Council Meeting.

**Carried: 6/0**

### 7.2 Business Arising from the Minutes of Previous Meetings

## 8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

8.1 Shire President Gordon THOMSON advised that CEO David PRICE had sent out a Community Notice on the local government elections and in it referred to the correspondence Council received from Minister for Territories Kristy MCBAIN on 21<sup>st</sup> August 2023.

The Minister for Territories advised that there would be two Commonwealth Ordinances created:

1. An Ordinance to confirm Christmas Island as a 'Tier 3 Local Government' in size with its population of 1782 at last census
2. An Ordinance to reduce the number of elected Councillors from 9 down to 7 for the 2025 election.

This will allow for the four Councillors elected in 2023 to serve their four year terms.

## 9 REPORTS OF COMMITTEES

## 10 REPORTS OF OFFICERS

### 10.1 Chief Executive Officer

## 10.2 Director Finance & Administration

### 10.2.1 Schedule of Accounts – July 2023

#### Council Resolution

**Moved: Cr FOO** **Seconded: Cr YON** **Res. No: 63/23**

That Council approves the expenditure as presented in July 2023 Schedule of Accounts

**Carried: 6/0**

### 10.2.2 Financial Statements – July 2023

#### Council Resolution

**Moved: Cr FOO** **Seconded: Cr YON** **Res. No: 64/23**

That Council receives the Financial Statements of July 2023 for the Municipal Fund.

**Carried: 6/0**

## 10.3 Director Community/Recreation Services & Training

## 10.4 Director Works, Services & Waste

### 10.4.1 RFQ 03-23 Supply of Guardrail and Components

#### Council Resolution

**Moved: Cr YON** **Seconded: Cr SOH** **Res. No: 65/23**

That Council accepts the quote from Blackwoods for the lump sum price of \$158,309.20 for the supply of guardrail and components for the repair of existing, unserviceable guardrail.

**Carried: 6/0**

## 10.5 Director Planning, Governance & Policy

## 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

### 13.1 Meeting to be closed under 5.23(2) LGA 1995 (WA)(CI)

#### Council Resolution

**Moved: Cr YON** **Seconded: Cr WOO** **Res. No: 66/23**

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

**Carried: 6/0**

### 13.1 CEO Performance Appraisal

#### Council Resolution

**Moved: Cr YON** **Seconded: Cr WOO** **Res. No: 67/23**

That Council –  
1. Commence the performance review of the CEO, in accordance with Clause 4 of the Contract of Employment between the Shire of Christmas Island and the CEO, to be completed

prior to the Ordinary Council Meeting scheduled for 26 September 2023.

2. That the Shire President write to the CEO formally advising of such in accordance with Clause 4 of the Contract of Employment between the Shire of Christmas Island and the CEO and;

3. That the CEO provides approved performance review documentation to Council in accordance with the procedure detailed in Clause 4 of the Contract of Employment between the Shire of Christmas Island and the CEO.

4. A CEO interview committee consisting of CRs Thomson, FOO and WOO be established to review the CEO's performance review documentation once the CEO has returned it to the President. The review committee is to report to the Ordinary Meeting of Council on 26 September 2023 on the outcome of the CEO's review including any recommendations for the consideration of Council.

5. The interview committee it to also discuss with the CEO of a possible extension of his current contract that expires 12<sup>th</sup> July next year, and if necessary, report to the Ordinary Meeting of Council on 26 September 2023 on the outcome of that discussion.

**Carried: 6/0**

### 13.2 Re-open the meeting

#### **Council Resolution**

**Moved: Cr YON**

**Seconded: Cr MASLI**

**Res. No: 68/23**

That the meeting be reopened to the public.

**Carried: 6/0**

### 14 CLOSURE OF MEETING

The Shire President closed the meeting at 7.50 pm

### 15 DATE OF NEXT MEETING: 26 September 2023





## SHIRE OF CHRISTMAS ISLAND

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SUBMISSION TO	Ordinary Council Meeting 26 September 2023
AGENDA REFERENCE	9.1
SUBJECT	Minutes of Community Consultative Committee Meetings
LOCATION/ADDRESS/APPLICANT	Nil
FILE REFERENCE	2.4.1
INTEREST DISCLOSURE	None
DATE OF REPORT	21/9/2023
AUTHOR	Chris Su, Director Planning, Governance & Policy
SIGNATURE OF AUTHOR	SIGNED
SIGNATURE OF CEO	SIGNED

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### RECOMMENDATION

That Council receive the confirmed minutes of the

- **Confirmed Minutes of the April 27<sup>th</sup> 2023 CCC Meeting**
- **Confirmed Minutes of the June 7<sup>th</sup> 2023 CCC Meeting**
- **Confirmed Minutes of the July 5<sup>th</sup> 2023 CCC Meeting**
- **Confirmed Minutes of the August 2<sup>nd</sup> 2023 CCC Meeting**
- **Unconfirmed Minutes of the September 6<sup>th</sup> 2023 CCC Meeting**

### BACKGROUND

The CCC has made considered and wide-spread community consultations throughout 2023. It is formed of Council and community group / individuals memberships taking a very broad cross section of the island to provide input into state service delivery and other island-wide matters.

### COMMENT

Confirmed minutes of the CCC meetings in 2023 year to date are presented.

The CCC has been actively engaged in its Airline Services research since October 2022. This research initiative was initiated in response to a request for assistance from Minister Kristy McBain in Canberra, which was made in September 2022 to the Shire President. The CCC has engaged with its membership in the community to gather information and insights related to airline services on Christmas Island and made a resolution to write to the Minister at its September 2023 CCC Meeting.

This has been the major work of the CCC in this time alongside the standing engagement with WA State Agencies.

### STATUTORY ENVIRONMENT

There are no statutory environment implications arising from this matter.

**POLICY IMPLICATIONS**

There are no significant policy implications arising from this matter.

**FINANCIAL IMPLICATIONS**

There are no significant financial policy implications arising from this matter.

**STRATEGIC IMPLICATIONS & MILESTONES**

There are no significant strategic implications arising from this matter.

**VOTING REQUIREMENTS**

A simple majority is required.

**ATTACHMENTS**

- 9.1.1 - Confirmed Minutes of the April 27<sup>th</sup> 2023 CCC Meeting
- 9.1.2 - Confirmed Minutes of the June 7<sup>th</sup> 2023 CCC Meeting
- 9.1.3 -Confirmed Minutes of the July 5<sup>th</sup> 2023 CCC Meeting
- 9.1.4 - Confirmed Minutes of the August 2<sup>nd</sup> 2023 CCC Meeting
- 9.1.5 - Unconfirmed Minutes of the September 6th 2023 CCC Meeting



**CONFIRMED MINUTES OF MEETING**

**Meeting of the Community Consultative Committee (CCC) of the Shire of Christmas Island held at the George Fam Centre at 4.30pm April 27<sup>th</sup> 2023**

**1 Declaration of Opening of Meeting / Announcement of Visitors**

1.1 Gordon THOMSON declared the meeting opened at 4.35pm

**2 Record of Attendance/Apologies/Leave of Absence/Declarations of Financial, Proximity or Impartiality Interest**

**Attendees:**

**Community Consultative Committee**

Shire President	Gordon THOMSON
Christian Fellowship	Stephanie SAMBELL
Union of Christmas Island Workers	Kelvin LEE
Christmas Island Phosphates	Joy WICKENDON
Council Representative	Hafiz MASLI
Christmas Island Tourism Assoc.	Simon PENN
Chinese Literary Association	Mel HAN
CI Neighbourhood Centre	Oliver LINES
Shire CEO	David PRICE

Committee Member / Minutes Chris SU

**Apologies**

Malay Association	Azmi Yon
Christmas Island Women’s Assoc.	Rosnah PAL

**Absent**

Islamic Council of CI	Farzian ZAINAL
Poon Saan Club	Suzane CHAN

**Observer**

Research and Grants Officer Karin LINES

**3. Confirmation of Previous Minutes**

3.1 Confirmation of 16<sup>th</sup> November 2022

<b>CCC Resolution –</b>		
<b>Moved: Kelvin LEE</b>	<b>Seconded: David WATCHORN</b>	<b>Res. No: CCC</b>
		<b>1/23</b>
That the CCC confirm that the minutes of the 16 <sup>th</sup> November Ordinary Meeting is a		

true and accurate record

Carried 10/0

### 3.3 Action Items

CCC reviewed the document describing the paper trail from 2019 to present in trying to obtain the Community Engagement Protocol from IOTA.

Chairperson THOMSON notes the Freedom of Information request made for the Australian Health Associates *Christmas Island Aged Care Report 2014* which yielded version 1 of the 17 versions of the *Christmas Island Aged Care Report*. Version 17 was the version made live by the Department.

The CCC recalled the 2019 visits from APP Architecture and the Department of Infrastructure's Special Projects Team for the *Christmas Island Residential Aged Care program*. They had a comprehensive engagement program with residents and local organisations who were thoroughly canvassed for their input. The APP Architecture and DIRD Special Projects Team advised that the process from this point on was firstly the development of a *Detailed Business Case* for the establishment of a CI RAC facility by 2022, with a view for possible funding 1 July 2023.

Follow ups from the CCC in 2022 revealed that the *Detailed Business Case* did not get funding approval; CCC secretariat has made enquiries as to acquiring the *Detailed Business Case* for our records. This has been unsuccessful to date.

The CCC discussed this pattern of lack-of-follow up with the present Christmas Island Strategic Assessment project with a late cancellation from the Department lead Amy NEALE on the project in March 2023 postponing her visit to Christmas Island. There seems to be documents in existence regarding the CISA Plan and Report, but these have not been made available to Christmas Island stakeholders as yet. Chairperson THOMSON summarised the Council's wish for the alignment of its own statutory *Town Planning Scheme / Local Planning Strategy* and the CI Strategic Assessments' *Land Use Plan*.

The CCC notes that the Strategic Assessment is the result of the Minister for Territories and the Minister for the Environment signing off on its commencement in 2019.

CCC discusses that potentially the cessation may have to do with available funding for the project? The CCC had praise for the IOTHS health service workers in the local aged care space.

The CCC noted that its airline services task request in September 2022 relayed from the Minister to the Shire President and chair of the CCC was to '*work with the community to understand the options possible in the present envelope of funding*' regarding the flight services.

Chairperson THOMSON summarises that the Shire is in contact with the Minister about getting projects developed for the island (ie Commonwealth Settlement Sports Hall redevelopment proposal).

**CCC Resolution –**

**Moved: David PRICE**

**Seconded: Joy WICKENDON**

**Res. No: CCC 2/23**

*That the CCC requests the Shire of Christmas Island identifies each and every report the Commonwealth has created dealing with Christmas Island community matters and whether or not there were reports made available or other community follow up made.*

Carried 10/0

**4. Agenda Business**

**4.1 Standing Item – Updates from CCC members for Airline Services Contract**

CCC discussed the idea of limiting baggage to two bags only. Identified a possible scenario where luggage still doesn't make it onboard even though the community had agreed to give up the right of a third bag. This would not be accepted by residents.

CCC member noted that there doesn't seem to be 'rhyme or reason' to people's bags being loaded. Some persons received three and others received zero. "Priority" tags seemed not guarantee uplift.

CCC members remarked that 'hand-carry' was the only sure bags making it to the island.

CCC members supposed that there would be internal Virgin records of how many bags were sold and this could be put against what is the amount in weight that can actually be carried on the flight.

CCC noted that businesses who used the freighter service for commercial purposes can pass on the freight costs to the end consumer.

Oliver LINES re-iterated that it would be difficult to walk back on a self-imposed two bag limit in the event that luggage continues to be offloaded.

David PRICE summarised that there was no easy solution and that we should wait until the Department's survey was released. If it is something that is identified as to what the community wants, then it should come with conditions. David PRICE suggests the survey be made to the CCC before it goes out.

**4.2 Public Housing Policy Changes**

CCC considers its role as a WA Service Delivery Agreement chamber for comment and feedback. Public Housing is a WA service that is delivered by the Commonwealth.

Chairperson THOMSON summarises the history of the CCC and the leading role the CCC made in recent years with the Fishing Regulations and the Christmas Island Marine Park being designed 'in record-time' with co-design

with the local community.

**CCC Resolution –**

**Moved: David PRICE**

**Seconded: Joy WICKENDON**

**Res. No: CCC 3/23**

*That the CCC support the public housing tenants' initiative to request the Minister to consult with them on a new set of public housing rules and that the CCC will participate in any forum with the Minister regarding Christmas Island Public Housing to help create a better fitting system for Christmas Island at the request of the public housing tenants.*

*That the CCC nominate Oliver LINES, Chris SU and Hafiz MASLI in any such forum*

Carried 10/0

**4.3 Service Delivery Agreement Review – Dept of Jobs, Tourism, Science and Innovation**

The CCC notes the agenda item and will await for Chris SU's presentation at the following meeting informing the CCC what JTSCI does for the WA economy, and how it could benefit Christmas Island if we had access to their expertise.

**5. General Business: Nil**

**6. Closure of Meeting: 6.10pm, next meeting TBA**



## CONFIRMED MINUTES OF MEETING

### Meeting of the Community Consultative Committee (CCC) of the Shire of Christmas Island held at the George Fam Centre at 4.30pm 7<sup>th</sup> June 2023

#### 1 Declaration of Opening of Meeting / Announcement of Visitors

- 1.1 Chairperson Gordon THOMSON declared the meeting opened at 4.35pm
- 1.2 Chairperson Gordon THOMSON welcomed the visitors from WA state agencies and IOTA.
- 1.3 Chair put to the committee that the Agenda items should be adjourned to maximise time for an urgent Patient Assistance Travel scheme issue raised by the public. CCC concurred.

#### 2 Record of Attendance/Apologies/Leave of Absence/Declarations of Financial, Proximity or Impartiality Interest

##### Attendees:

##### Community Consultative Committee

Shire President	Gordon THOMSON
Poon Saan Club	Jackie TEH
Malay Association	Azmi YON
Council Representative	Hafiz MASLI
Christmas Island Phosphates	Joy WICKENDON
CI Neighbourhood Centre	Oliver LINES
Christmas Island Women's Assoc.	Regine ANDERSON / Jessica SEET
Committee Member / Minutes	Chris SU

##### Apologies

Christian Fellowship	Stephanie SAMBELL
Union of Christmas Island Workers	Kelvin LEE
Chinese Literary Association	Mel HAN
Christmas Island Tourism Assoc.	Simon PENN
Shire CEO	David PRICE
Council Representative	Morgan SOH

##### Absent

Islamic Council of CI	Farzian ZAINAL
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##### WA State Agency Visitors

Equal Opportunity Commission	Steve GOODALL
	Greg WATSON
Office of Information Commissioner	Allison CUBBIN
Working with Children	Jo GIBBS
Consumer Protection	Angela ACHIKIAN
Consumer Protection	Lia SCHULTZ

**IOTA Visitors**  
Director of IOTA  
Acting Manager IOTHS

Ian **MCKENDRICK**  
Catherine **O'NEIL**

**3. Confirmation of Previous Minutes**

3.1 Confirmation of April 6<sup>th</sup> 2023 minutes

Item adjourned as per 1.3

**CCC Resolution –**

**Moved:**

**Seconded:**

**Res. No: CCC**

**3.3 Action Items**

Item adjourned as per 1.3

**4. Agenda Business**

**4.1 Standing Item – Updates from CCC members for Airline Services Contract**

Item adjourned as per 1.3

**4.2 Public Housing Policy Changes**

Item adjourned as per 1.3

**4.3 Service Delivery Agreement Review – Dept of Jobs, Tourism, Science and Innovation**

Item adjourned as per 1.3

**5. General Business:**

**5.1 PATS Feedback**

Chairperson Gordon THOMSON advises that a query has been received around the delivery of PATs services on island in terms of timing of flights for medical appointments.

Resident was dissatisfied with being booked 'short-turnaround' schedules for their medical appointments. This was a Tues-Fri or a Fri-Tues schedule. It was noted the Tues-Fri route was via Cocos both ways which was a significant impost of time.



Residents had put to Shire that direct flights on the 'week-turnaround' schedule were more agreeable for travel, especially when ill, injured, in recovery or as an escort to a person especially with mobility challenges.

Gordon THOMSON noted the current PATS policy was dated November 2019, and a review was needed.

IOTA Director Ian McKENDRICK advised that a review is going to be underway. Members of the *Health Advisory Council (HAC)* were going to seek community feedback on the existing policy in June.

IOTA Director Ian McKENDRICK advised that IOTA expects feedback on matters such as accommodation allowance, flight options and escort availability.

Ian McKENDRICK advised that there was no policy change to direct flight bookings at the present. The PATs office will book direct flights at the request of the patient. Noted that with the current PATs policy, that accommodation is paid on the most direct flights possible only.

CCC concurred this was a reasonable approach.

Azmi YON asked how will the people be engaged for their feedback?

Ian McKENDRICK advised engagements will be done with the *Health Advisory Council* and that the HAC was made up of community members.

Azmi YON asked if other means outside of the HAC were to be utilized?

Ian McKENDRICK advised a number of workshops would be held around the island with HAC and IOTHS members present. '*A roadshow of workshops are planned!*'

CCC discussed the need for these engagements to be wide-reaching and that the CCC make up itself was broad. CCC noted that previously the Commonwealth had funded the CCC and held its views on state service-delivery in high regard with acknowledgement of funding. The Commonwealth might review its community engagement policy to again interface with the CCC on state service-delivery more clearly.

Joy WICKENDON noted that the HAC had not been very high profile.

Regine ANDERSON asked if there would be interpreters at the community workshops and noted prayer times had to be taken into account.

Ian McKENDRICK advised that these be taken into account and thanked the CCC for their feedback.

Catherine O'NEIL says that the Patient Assistance Travel Scheme in the WA Country Health Service is robust. The IOT version is condensed.

Catherine O'NEIL summarized some of the community health works that IOTHS has completed in the recent past –

- a) Health Service had high COVID vaccination rates uptake, with similar high booster number uptake
- b) 616 locals participated in the recent 'Flu Jab' morning at the Post Office Padang
- c) 706 hours of Health and Community Care (HACC) services provided to seniors, mostly of Chinese and Malay background.
- d) World Elder Abuse Awareness day at Recreation Centre planned in the following week
- e) Weekly 'Mums and Bubs' sessions with nurses popular

Chris SU asked if a new dentist was assigned to IOTHS?

Catherine O'NEIL advised that IOTHS were expecting a new dentist to arrive soon, with a locum in the following month.

Azmi YON says the Malay Association of Christmas Island (MACI) acknowledges the work that IOTHS has been doing for the elderly people.

Chairperson Gordon THOMSON thanked Ian McKENDRICK and Catherine O'NEIL for attending, and said they were welcome anytime back at a CCC meeting.

Oliver LINES from CI Neighbourhood Centre acknowledged the IOTHS team work involved with the seniors, Stephanie, Risky, Angela, Annie, Janet and Kim Mun.

Chairperson Gordon THOMSON summarized that IOTHS is not a service delivery agreement with the WA State Government, it is directly operated by the Commonwealth of Australia.

Thanked Ian McKENDRICK for immediately addressing that concern of direct flight booking.

Catherine O'NEIL advised that route costs CI-Perth-CI and CI-CKI-Perth-CKI-Perth are the same.

## **5.2 Presentation by WA State Agencies**

### **Equal Opportunity Commission – Steven GOODALL, Greg WATSON**

Advised that there were some changes in legislation to recognize a broader range of items that one may make a claim of discrimination on, reflective of changing societal views. Greg WATSON of EOC advised that 163 recommended changes are being considered to the Equal Opportunity Act (WA) (1984).

EOC provided their contacts below for CCC reference

[Greg.Watson@eoc.wa.gov.au](mailto:Greg.Watson@eoc.wa.gov.au), [Stephen.Goodall@eoc.wa.gov.au](mailto:Stephen.Goodall@eoc.wa.gov.au)

## **Office of the Information Commissioner – Allison McCUBBIN**

Advised that their SDA is newly made as of this year. The Freedom on Information Act (WA)(1992) is in effect, so therefore it applies to all state agencies operating in the IOTs, and IOT local government bodies.

Allison McCUBBIN advised that this first trip was to develop awareness and education in the IOTs of their rights under the legislation.

Chairperson Gordon THOMSON clarifies that there is a difference between the Federal FOI Act, and the WA FOI Act for different agencies on Christmas Island.

Allison McCUBBIN concurs and advises that the FOI Commissioner in WA works closely with the Federal FOI Commissioner.

Allison McCUBBIN provided contact details below for CCC reference:  
[Alison.McCubbin@foi.wa.gov.au](mailto:Alison.McCubbin@foi.wa.gov.au)

## **Working With Children – Jo GIBBS**

Jo GIBBS provided background to changes to Working With Children checks from July 1 2023. Advised that anyone with a current WWC check will still be considered valid, but upon renewal, will have to pass the new standard of checks in the future.

There are six main changes to take effect. Jo GIBBS provided a handout to CCC members of these six changes.

Jo GIBBS provided contact details of below for CCC reference  
[Jo.Gibbs@communities.wa.gov.au](mailto:Jo.Gibbs@communities.wa.gov.au)

## **Consumer Protection – Angela ACHIKIAN, Lia SCHULTZ**

Angela ACHIKIAN and Lia SCHULTZ provided an overview of Consumer Protection services for IOTs. Chairperson Gordon THOMSON notes that Consumer Protection has served the island well in the past.

Scamwatch and Product and Safety are the main awareness programs at the moment. Consumer Protection noted a sharp rise in scam attempts nationwide, in particular with Optus and Medicare breaches as significant data loss events.

E-Scooters was a product safety matter under present review in WA.

Lia SCHULTZ advised that submission of Information Statements, a statutory document that incorporated associations are required to fulfill, are needed from many incorporated associations on CI. There was a similar low level of compliance in WA.

Consumer Protection advised that the *Building and Energy Division* of the Department of Commerce were taking in submissions on whether or not builders should be registered in the Indian Ocean Territories.

CCC discussed the meaning of builders' license registrations and noted that currently builders on Christmas Island were not required to be licensed under WA legislation. CP confirmed that consumer protection laws do, but not building registration licensing requirements.

**6. Closure of Meeting: 6.05pm, next meeting TBA**



## CONFIRMED MINUTES OF MEETING

### Meeting of the Community Consultative Committee (CCC) of the Shire of Christmas Island held at the George Fam Centre at 4.30pm 5<sup>th</sup> July 2023

#### 1 Declaration of Opening of Meeting / Announcement of Visitors

- 1.1 Chairperson Gordon THOMSON declared the meeting opened at 4.35pm

#### 2 Record of Attendance/Apologies/Leave of Absence/Declarations of Financial, Proximity or Impartiality Interest

##### Attendees:

##### Community Consultative Committee

Shire President	Gordon THOMSON
Poon Saan Club	Suzane CHAN
Malay Association	Azmi YON
Council Representative	Hafiz MASLI
Christmas Island Phosphates	Joy WICKENDON
CI Neighbourhood Centre	Oliver LINES
Christmas Island Women's Assoc.	Jessica SEET
Committee Member / Minutes	Chris SU

##### Apologies

Christian Fellowship	Stephanie SAMBELL
Union of Christmas Island Workers	Kelvin LEE
Chinese Literary Association	Mel HAN
Shire CEO	David PRICE
Council Representative	Vincent SAW

##### Absent

Islamic Council of CI	Farzian ZAINAL
Christmas Island Tourism Assoc.	Simon PENN

#### 3. Confirmation of Previous Minutes

- 3.1 Confirmation of April 6<sup>th</sup> 2023 minutes

##### CCC Resolution –

Moved: Hafiz MASLI

Seconded: Oliver LINES

Res. No: CCC4/2023

That the minutes of the April 6<sup>th</sup> 2023 Community Consultative Committee be accepted as a true and accurate record of the meeting.

Carried 8/0

### 3.2 Confirmation of June 7<sup>th</sup> 2023 draft minutes

<b>CCC Resolution –</b>		
<b>Moved:</b>	<b>Seconded:</b>	<b>Res. No: /2023</b>
That the minutes of the June 7 <sup>th</sup> Community Consultative Committee be accepted as a true and accurate record of the meeting.		
Carried 8/0		

Item not moved as the draft minutes of the June 7<sup>th</sup> CCC meeting were not presented at the meeting.

### 3.3 Action Items

	<b>Action Item</b>	<b>CCC Meeting</b>	<b>Action Officer</b>	<b>Status</b>
1.	DIRDC Community Engagement Protocol-DIRDC still has not responded to August 15 <sup>th</sup> 2019 request by CCC Secretariat for copy of DIRC's Community Engagement Protocol.	August 2019	Chris Su	Still awaiting from DITCRD
2	DIRD Aged Care Business Case requested by Shire in April 2022. DIRD had seemingly rejected a Detailed Business Case for an Aged Care Facility on Christmas Island that was produced by their internal projects team and APP Architects who were engaged as consultants.	April 2022	Chris Su	<b>Update – SOCI has made an FOI on Tuesday 4<sup>th</sup> July 2023. Will advise the outcome.</b>
3	Chris Su to develop presentation to CCC on Dept. of Jobs, Science, Tourism and Innovation funding of services proposal	April 2023	Chris Su	Complete
4	CCC resolved in April 2023 meeting to support the public housing tenants' initiative to request consultation with the Minister on a new set of public housing rules, and resolved to have Hafiz Masli, Chris Su and Oliver Lines as CCC representatives to assist in any such consultation.	April 2023	Chris Su, Oliver Lines, Hafiz Masli	No response received by the from the Minister's Office yet on the matter.
5	That the CCC requests the Shire of Christmas Island identifies each and every report the Commonwealth has created dealing with Christmas Island community matters and whether or not there were reports made available or other community follow up made.	April 2023	Chris Su	Ongoing. Two recent reports identified CI Mining to Forest Report, DMIRS,DIRD 2020 Water Environment Sustainability DEWR WA

#### **4. Agenda Business**

##### **4.1 Standing Item – Updates from CCC members for Airline Services Contract**

CCC noted that the Cocos Keeling Island Resource Centre is set to make the Minister approved Airline Services Contract survey online in the near future.

##### **4.2 Local Government Reforms Ordinance 2023**

The CCC reviewed *Public Notice 20-2023 Community Consultation Sought on Local Government Reform 2023*.

Chairperson Gordon THOMSON provided background into the WA Government initiative to make major changes to the local government sector in WA, and how these changes will impact Christmas Island and the Cocos (Keeling) Islands with our applied laws regime.

The Department of Infrastructure has informed Council that a Commonwealth Ordinance will be written to give effect to the changes that the WA Government seeks to institute in local governments of our size.

Chairperson Gordon THOMSON made the distinction that it was the Commonwealth level of government that could create an 'Ordinance.' CCC noted that Ordinances were very specific and overrode what legislation from WA would otherwise apply.

Local Government in the IOTs do not have this power to write Ordinances.

For local governments of 5000 or fewer, the WA Government was looking to reduce local government elected members to five or at the most seven. Christmas Island presently has nine elected members and the Shire of Cocos has seven.

The WA Government was also stipulating that for local governments of fewer than 5000 there should not be:

- Direct election of the mayor or president
- Creation of wards

The WA Government was implementing these options only for the largest of the Councils in WA, such as City of Perth and City of Stirling.

Chairperson Gordon THOMSON advised the CCC that in practice, the Shire of Christmas Island was already compliant with several of the proposed changes in the local government sector as these proposed changes were not going to affect local governments of 5000 or fewer.

The lack of ability to directly elect the mayor/president and the application of wards were not going to apply and are presently not applied.

CCC members discussed the different changes across the population tiers of local government, noting that Christmas Island belongs in the smallest band of less than 5000 persons. CCC noted that the election system was proposed to change back to Optional Preferential Voting from the present First Past the Post. CCC were advised that OPV was the election system in 2004 for one election and subsequently changed back to FPP the following election by the WA State Government.

Chairperson Gordon THOMSON put forward that local governments are required to consult their communities when major changes or plans are being made. Neither the WA Government nor the Commonwealth had any consultations with the community on these proposed local government reform changes being brought to the territory.

Chairperson Gordon THOMSON put forward that the Shire of Christmas Island has a strong history of community workshops, information sessions and advertised periods for its plans, schemes and projects. CCC members noted the many examples of public engagements on matters around fisheries, aged care, land planning, settlement sports hall refurbishment, etc.

Chairperson Gordon THOMSON put that the local council was the most transparent of all government levels in this respect as its monthly Council Meetings are open to all, and that minutes of Council Meetings are published online within 7 days to comply with the Local Government Act. Ratepayers could ask about how money is spent and the finance section will advise accordingly. This was contrasted to organisations such as the Indian Ocean Territories Regional Development Organisation (IOTRDO) who had no such obligations under the Incorporated Associations Act (WA)(2018) that they were formed under to publish meeting minutes nor be required to inform the public how it came to a decision when asked.

CCC noted that the IOTRDO's CI 2030 Plan was adopted without being put to the community for their comment. This is unlike the process that local governments are required by the Local Government Act (WA)(2015) to follow where advertised periods for public comment on many types of documents is statutory.

Chairperson Gordon THOMSON restated that it was the Shire's routine administrative task of seeking residents' feedback on proposals that would have significant impacts to life on Christmas Island.

Conversely it was noted that the Commonwealth had not engaged with residents at all on the creation of this legal instrument that once finalized, will result in a permanent alteration of the elected representation on Christmas Island.

Chairperson Gordon THOMSON restated that the Commonwealth had yet to seek input from CKI or CI residents on the very dramatic possibility of reducing elected members to as low as five. The Shire's proposed input to the Commonwealth has thus been put to the community for comment.



The Shire of Christmas Island and the Cocos (Keeling) Islands were given two weeks from the meeting with the Department in Canberra on 16<sup>th</sup> June to provide a submission on the matter. The CCC acknowledged that this passed on June 27<sup>th</sup> but the Shire insisted that the community needed more time than this.

#### **4.3 Service Delivery Agreement Proposal with Dept. of Jobs, Tourism, Science, and Innovation (JTSI)**

Chris SU presented on Action Item from April 2023 CCC Meeting on Proposal for an SDA with JTSI.

Find attached pdf of presentation.

<b>CCC Resolution –</b>		
<b>Moved: Chris SU</b>	<b>Seconded: Oliver LINES</b>	<b>Res. No: CCC5/2023</b>
That CCC endorse the proposal to have a service delivery agreement with the Department of Jobs, Tourism, Science and Innovation to the Shire for action.		
Carried 8/0		

#### **4.4 SOCI-National Parks Rat Bait Program**

CCC members were provided with copy of Public Notice 18-23, *Joint Rat Baiting Program*. Rat Bait made available to CCC members who requested; members asked to promote the free rat bait program to their constituents.

#### **5. General Business:**

#### **6. Closure of Meeting: 5.45pm next meeting TBA**



## CONFIRMED MINUTES OF MEETING

### Meeting of the Community Consultative Committee (CCC) of the Shire of Christmas Island held at the George Fam Centre at 4.30pm 2<sup>nd</sup> August 2023

#### 1 Declaration of Opening of Meeting / Announcement of Visitors

1.1 Chairperson Gordon THOMSON declared the meeting opened at 4.35pm

#### 2 Record of Attendance/Apologies/Leave of Absence/Declarations of Financial, Proximity or Impartiality Interest

##### Attendees:

##### Community Consultative Committee

Shire President

Shire CEO

Christian Fellowship

Poon Saan Club

Christmas Island Phosphates

CI Neighbourhood Centre

Christmas Island Women's Assoc.

Chinese Literary Association

Christmas Island Tourism Assoc.

Council Representative

Committee Member / Minutes

Gordon THOMSON

David PRICE

Stephanie SAMBELL

Suzane CHAN (voting)

Jacky TEH

Joy WICKENDON

Oliver LINES

Jessica SEET

Mel HAN

David MULHERON

Hafiz MASLI

Chris SU

##### Apologies

Union of Christmas Island Workers

Malay Association

Council Representative

Kelvin LEE

Azmi YON

Morgan SOH

##### Absent

Islamic Council of CI

Farzian ZAINAL

#### 3. Confirmation of Previous Minutes

3.1 Confirmation of July 5<sup>th</sup> 2023 minutes

##### CCC Resolution –

Moved: Hafiz MASLI

Seconded: Oliver LINES

Res. No: CCC6/2023

That the minutes of the July 5<sup>th</sup> 2023 Community Consultative Committee be accepted as a true and accurate record of the meeting.

### **3.2 Action Items**

CCC Chairperson Gordon THOMSON summarised the public housing meetings held at the Malay Club and Poon Saan Community Hall in April 2023 and the correspondence to the Minister following the meetings after. Updated that the Minister has responded, but has elected not to take up an invitation to speak with the public housing tenants to develop a housing policy together.

CCC Chairperson Gordon THOMSON noted the co-design process with the Department of the Environment regarding developments with the Christmas Island Marine Park had been efficient and had significant community buy-in.

## **4. Agenda Business**

### **4.1 Standing Item – Updates from CCC members for Airline Services Contract**

CCC discussed the baggage removals in August 2023.

Observed that 'nothing seems to have improved' following the CCC February 2023 meeting with Virgin and DITRDC staff.

Focus on the lack of consistency for Virgin to be able to secure priority bags on the flight.

### **4.2 Service Delivery Agreement Review – Dept of Jobs, Tourism, Science and Innovation**

June CCC resolution delivered to WA Dept. Premier and Cabinet and Territories Office Perth.

WA DPC advised that a '*scope of works*' document accompanies a request from the Commonwealth to create an SDA with a WA Agency. This details what services the Commonwealth would like to procure from that agency.

SOCI to develop a '*scope of works*' for CCC consideration.

### **4.3 Sea Country Solutions Research Project**

Could not proceed with vid-call with Sea Country Solutions because of technical difficulties.

#### **4.4 Northern Australia Infrastructure Fund Visit**

Chris SU presented to the CCC CI and CKI are now part of the NAIF program, and eligible to apply for loans for industrial sized development projects.

NAIF team including the CEO to visit CI August 15<sup>th</sup>-18<sup>th</sup>. There will be an opportunity to meet the NAIF team to learn more about the program, to be advised.

#### **4.5 IOTHS PATs Consultation**

A number of CCC members went to the IOTHS PATs consultations in July 2023.

It is confirmed now that –

- a) Patients can currently nominate their travel dates to the PATs desk.
- b) Non-approvals for Escorts and PATs flights to Perth can be escalated to the Health Service Manager for review independent of the doctor.

Both of the above were confirmed with a recent PATs consult for a CCC member.

### **5. General Business:**

#### **5.1 \$2 billion Social Housing Program**

Chris SU advised the CCC that the Government had announced in June 2023 a \$2 billion Social Housing Program across 'all states and territories' to be rolled out. SOCI contacted the Minister for Housing and Homelessness Julie Collins MP who responded that Christmas Island was not included in this program.

Chris SU has responded to ask if the Housing Australia Future Fund will be able to be applied to Christmas Island on 2/8/23.

### **6. Closure of Meeting: 5.45pm next meeting TBA**



## **UNCONFIRMED MINUTES OF MEETING**

**Meeting of the Community Consultative Committee (CCC) of the  
Shire of Christmas Island held at the George Fam Centre  
at 4.30pm Wednesday 6<sup>th</sup> September 2023**

### **1 Declaration of Opening of Meeting / Announcement of Visitors**

1.1 Chairperson Gordon THOMSON declared the meeting opened at 4.35pm

### **2 Record of Attendance/Apologies/Leave of Absence/Declarations of Financial, Proximity or Impartiality Interest**

#### **Attendees:**

#### **Community Consultative Committee**

Shire President

Shire Planning, Governance and Policy

CI Women's Association

Union of CI Workers

CI Christian Fellowship

CI Neighbourhood Centre

Shire Councillor

Poon Saan Club

Gordon **THOMSON**

Chris **SU**

Jessica **SEET**

Kelvin **LEE**

Stephanie **SAMBELL**

Oliver **LINES**

Hafiz **MASLI**

Suzane **CHAN**

#### **Apologies**

CI Tourism Association

Phosphates Resources Limited

Chinese Literary Association

Malay Association

Council Representative

Shire CEO

David **MULHERON**

Joy **WICKENDEN**

Mel **HAN**

Azmi **YON**

Morgan **SOH**

David **PRICE**

#### **Absent**

Islamic Council of CI

Farzian **ZAINAL**

### 3. Confirmation of Previous Minutes

#### 3.1 Confirmation of August 2<sup>nd</sup> 2023 minutes

<b>CCC Resolution –</b>		
<b>Moved: Hafiz MASLI</b>	<b>Seconded: Oliver LINES</b>	<b>Res. No: CCC7/2023</b>
<p>That the minutes of the August 2<sup>nd</sup> 2023 Community Consultative Committee be accepted as a true and accurate record of the meeting.</p> <p>Carried 8/0</p>		

#### 3.2 Confirmation of June 7<sup>th</sup> 2023 Meeting

<b>CCC Resolution –</b>		
<b>Moved: Chris SU</b>	<b>Seconded: Oliver LINES</b>	<b>Res. No: CCC8/2023</b>
<p>That the minutes of the June 7<sup>th</sup> Community Consultative Committee be accepted as a true and accurate record of the meeting.</p> <p>Carried 8/0</p>		

### 3.3 Action Items

	<b>Action Item</b>	<b>CCC Meeting</b>	<b>Action Officer</b>	<b>Status</b>
1.	DIRDC Community Engagement Protocol- DIRDC still has not responded to August 15th 2019 request by CCC Secretariat for copy of DIRC's Community Engagement Protocol.	August 2019	Chris Su	Still awaiting from DITCRD
2	DIRD Aged Care Business Case requested by Shire in April 2022. DIRD had seemingly rejected a Detailed Business Case for an Aged Care Facility on Christmas Island that was produced by their internal projects team and APP Architects who were engaged as consultants.  SOI made an FOI application in July 2023. Expected outcome in August 2023.	April 2022	Chris Su	DITRDC asked for extension on FOI request to 2 <sup>nd</sup> October 2023. This was provided.

4	CCC resolved in April 2023 meeting to support the public housing tenants' initiative to request consultation with the Minister on a new set of public housing rules, and resolved to have Hafiz Masli, Chris Su and Oliver Lines as CCC representatives to assist in any such consultation.	April 2023	Chris Su, Oliver Lines, Hafiz Masli	Chairperson THOMSON provided verbal report.  Chris SU to provide copy of letter in next meeting.
5	That the CCC requests the Shire of Christmas Island identifies each and every report the Commonwealth has created dealing with Christmas Island community matters and whether or not there were reports made available or other community follow up made.	April 2023	Chris Su	Ongoing.
6	Scope of works with Jobs, Tourism, Science and Innovation being developed	July 2023	Chris Su	Seeking strategic-level contact at JTSI to liaise with to develop scope for CCC to consider

#### 4. Agenda Business

##### 4.1 Standing Item – Updates from CCC members for Airline Services Contract

<b>CCC Resolution –</b>		
<b>Moved: Oliver LINES</b>	<b>Seconded: Hafiz MASLI</b>	<b>Res. No: CCC9/2023</b>
<p>That the CCC propose to the Commonwealth that any Indian Ocean Territories air services contract include:</p> <ul style="list-style-type: none"> <li>a) \$700 return residents airfare</li> <li>b) A penalty of \$200 for non-delivery of priority baggage paid to the passenger</li> <li>c) Timing of recovery flights to be within a day</li> <li>d) Resuming of a weekly direct flight to CI-Perth-CI to accommodate for growth in travel, mail and passenger numbers</li> <li>e) That the contractor must have the capacity to integrate the services with Immigration and Infrastructure to provide a consolidated approach to mail, medical, food, freight and baggage. Priority to be given to food, medical and mail.</li> </ul> <p>Carried:                    8/0</p>		

## 4.2 The Voice Referendum

<b>CCC Resolution –</b>		
<b>Moved: Chris SU</b>	<b>Seconded: Hafiz MASLI</b>	<b>Res. No: CCC10/2023</b>
<p>That the CCC receive the</p>		
<ul style="list-style-type: none"><li>a) Report 12.2 “<i>Council Resolution on ‘The Voice’ Referendum</i>” from July 25<sup>th</sup> Ordinary Council Meeting 60/23</li><li>b) Uluru Statement from the Heart</li><li>c) “<i>An Open Letter to the Australian Public – The Voice to Parliament would enhance Australian Governance</i>”</li><li>d) The Hon. Minister Kristy Mc Bain’s statement of 5 July 2023 to Local Government Mayors and Presidents</li><li>e) Media Release of 23 March 2023 from Prime Minister Anthony Albanese, Linda Burney MP, Mark Dreyfus KC MP, Senator Malarndirri McCarthy, Senator Patrick Dodson</li></ul>		
Carried:	8 /0	

## 5. General Business:

### 5.1 Prayer Room at CI Airport

CIWA member Jessica SEET informed the meeting that members of the public had approached CIWA to advocate for a Prayer Room at CI Airport. This would align it with other major international airports who provide similar services. There is some timing difficulty for staff and airport users who have to check-in and make prayer arrangements back at the mosque or at home.

<b>CCC Resolution –</b>		
<b>Moved: Jessica SEET</b>	<b>Seconded: Chris SU</b>	<b>Res. No: CCC11/2023</b>
<p>That the CCC write to Indian Ocean Territories Administration to request a Prayer Room be created at the Christmas Island Airport.</p>		
Carried:	8 /0	

## 6. Closure of Meeting: 5.45pm next meeting TBA





## SHIRE OF CHRISTMAS ISLAND

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SUBMISSION TO	Ordinary Council Meeting 26 September 2023
AGENDA REFERENCE	9.2
SUBJECT	Minutes of Fishery Management Committee Meetings
LOCATION/ADDRESS/APPLICANT	Nil
FILE REFERENCE	2.4.1
INTEREST DISCLOSURE	None
DATE OF REPORT	21/9/2023
AUTHOR	Chris Su, Director Planning, Governance & Policy
SIGNATURE OF AUTHOR	SIGNED
SIGNATURE OF CEO	SIGNED

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### **RECOMMENDATION**

**That Council receive the confirmed minutes of the**

- **Confirmed Minutes of the April 12<sup>th</sup> FMC Meeting**
- **Confirmed Minutes of the July 6<sup>th</sup> FMC Meeting**
- **Confirmed Minutes of the July 26<sup>th</sup> FMC Meeting**

### **BACKGROUND**

The FMC meets to manage the implementation of the fisheries management regime, a newly acquired responsibility at Council thanks to the CI Fisheries Ordinance 2022 coming into effect. It is formed of Council and community members; the newly appointed Fisheries Ranger is a member and makes reports to the committee.

### **COMMENT**

Confirmed minutes of the FMC meetings in 2023 year to date are presented.

The first milestone reporting of the Commonwealth-SOCI fisheries funding was completed in this period to the satisfaction of the Commonwealth.

A major milestone in the engagement of Biospherics to commence the awaited first CI Fisheries Stock Assessment Program has been commenced, with community workshops for training had alongside specific training of the Fisheries Ranger.

### **STATUTORY ENVIRONMENT**

There are no statutory environment implications arising from this matter.

### **POLICY IMPLICATIONS**

There are no significant policy implications arising from this matter.

### **FINANCIAL IMPLICATIONS**

There are no significant financial policy implications arising from this matter.

**STRATEGIC IMPLICATIONS & MILESTONES**

There are no significant strategic implications arising from this matter.

**VOTING REQUIREMENTS**

A simple majority is required.

**ATTACHMENTS**

- 9.2.1 Confirmed Minutes of the April 12<sup>th</sup> 2023 FMC Meeting
- 9.2.2 Confirmed Minutes of the July 6<sup>th</sup> 2023 FMC Meeting
- 9.2.3 Confirmed Minutes of the July 26<sup>th</sup> 2023 FMC Meeting

**Confirmed Minutes of the  
Fishery Management Committee  
Meeting of 12<sup>th</sup> April 2023**

Date: 4.37pm 12/4/2023  
Location: George Fam Council Chambers

- 1. Declaration of Opening**  
Chairperson Azmi **YON** opens the meeting at 4.37pm.
- 2. Record of Attendance / Apologies / Leave of Absence / Declaration of Financial, Proximity or Impartiality Interest**

**Attendees:**

Chairperson Azmi **YON**

Committee Members

Rosnah **PAL**  
Chris **SU**  
Sharin **JAMIL**  
David **PRICE**

Gordon **THOMSON**  
Mark **ROCHFORD**

**Apologies:**

Committee

Kelana **ARSHAD**  
Brady **COLLETT**  
Kelvin **LEE**

**Absent:**

Committee

Michael **PRIDE**

**Minute Taker:**

Chris **SU**

- 3. Action Items/Business Arising**
- 4. Confirmation of Previous Minutes**
  - 4.1 Resolution to confirm the meeting of 2<sup>nd</sup> November 2022

**Motion –**

**Res. No: FMC 1/2023**

That the FMC minutes of the 2nd November 2022 be confirmed as a true and accurate record.

**Moved:** Gordon **THOMSON**    **Seconded:** Mark **ROCHFORD**

**Carried:** 7/0

## Fishery Management Committee 2023

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### 4.2 Resolution to confirm the meeting of 17<sup>th</sup> November 2022

**Motion –**

**Res. No: FMC 2/2023**

That the FMC minutes of the 17th November 2022 be confirmed as a true and accurate record.

**Moved:** Gordon THOMSON    **Seconded:** Mark ROCHFORD

**Carried:** 7/0

## 5. Agenda Business

### 5.1 Status Update on Scientific Partner Selection:

SOCI advertised in Islander 780 of 10<sup>th</sup> March 2023 the Fisheries Ranger and Scientific Partner opportunities. One organisation submitted their interest for the Scientific Partner role advertised; Sea Country Solutions.

### 5.2 Resolution on Scientific Partner

**Motion –**

**Res. No: FMC 3/2023**

That the FMC recommend to the Shire the engagement of Sea Country Solutions as the scientific technical partner for 2023/2024.

**Moved:** Chris SU    **Seconded:** Mark ROCHFORD

**Carried:** 7/0

## 6. General Business

Nil

## 7. Meeting Closed: 5.30pm

**Next Meeting:** TBA

# Fishery Management Committee 2023

## Confirmed Minutes of Fishery Management Committee 6<sup>th</sup> July 2023

Date: 4.30pm 6<sup>th</sup> July 2023  
Location: George Fam Council Chambers

- 1. Declaration of Opening**  
Chairperson Azmi **YON** opens the meeting at 4.35pm.
- 2. Record of Attendance / Apologies / Leave of Absence / Declaration of Financial, Proximity or Impartiality Interest**

**Attendees:**

Chairperson

Azmi **YON**

Committee Members

Rosnah **PAL**

Gordon **THOMSON**

Chris **SU**

Mark **ROCHFORT** (5.05pm)

Sharin **JAMIL**

Brady **COLLETT**

**Apologies:**

Committee

Kelana **ARSHAD**

Kelvin **LEE**

David **PRICE**

**Absent:**

Committee

Michael **PRIDE**

**Minute Taker:**

Chris **SU**

**Guests:**

University of WA

Professor Jessica **MEEUWIG** (vid-call)

Sea Country Solutions

Kendra **TRAVAILLE** (vid-call, 4.45pm)

- 3. Action Items/Business Arising**
- 4. Confirmation of Previous Minutes**
  - 4.1 Resolution to confirm the meeting of 12<sup>th</sup> April 2023

**Motion –**

That the FMC minutes of the 12<sup>th</sup> April 2023 be confirmed as a true and accurate record.

**Res. No: FMC 4/2023**

**Moved:** Gordon **THOMSON**    **Seconded:** Rosnah **PAL**

**Carried:** 6/0

## 5. Agenda Business

### 5.1 Presentation by Professor Meeuwig on UWA's CI Marine Park Project

Prof. MEEUWIG introduces Baited Remote Underwater Video (BRUV) project for CI. Explained the technical aspects of BRUV technology.

The project will use BRUVS to help establish baseline data on fish population health.

Chris SU asked is UWS building on existing data?

Prof. MEEUWIG advised that it wasn't. This will be a first for CI. Noted that CKI has had a previous UWA BRUV initiative six years earlier.

Prof. MEEUWIG explained that the BRUV unit would be deployed where people fish, and also where they don't tend to fish to get an overall data set. She advised that the BRUV sampling will be done two years in a row on the same date.

Kendra TRAVAILLE joins by vid-call at 4.45pm

FMC briefed on logistics of what BRUV sampling entails. FMC advised Prof. MEEUWIG that the most reliable months for on-water research would be from June to October. FMC advised that likely the most suitable vessel on CI to use for the program would be the CI National Parks' vessel.

Mark ROCHFORT arrives 5.05pm

FMC and Prof. MEEUWIG recap discussion on logistics, BRUV technology and planned scope of the project with possible travel dates.

Prof. MEEUWIG advised that the project, funded by the IOT Marine Parks Grant Program 2022, has the scope to engage two local residents to shadow and assist the UWA team in operation of the BRUV units. Advised that it will take a full day on the water to complete the exercise. The project will have the researchers on the water for about one and a half weeks.

## 6. General Business

Nil

## 7. Meeting Closed: 5.30pm

**Next Meeting:** TBA

## Fishery Management Committee 2023

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### Action Item

<b>Item</b>	<b>Description</b>	<b>Officer</b>
1	Contact for CI Parks Acting Manager Ben to be provided to Prof. Meeuwig	Chris Su
2	Contact for translation vendors to be provided to Prof. Meeuwig	Chris Su

## Confirmed Minutes of Fishery Management Committee 26<sup>th</sup> July 2023

Date: 4.30pm 26<sup>th</sup> July 2023  
Location: George Fam Council Chambers

### 1. Declaration of Opening

Chairperson Azmi YON appearing by video-chat from Perth.

Meeting elected Gordon THOMSON to chair the meeting in-room due to communication difficulties with video-chat option.

Meeting opens 4.45pm

### 2. Record of Attendance / Apologies / Leave of Absence / Declaration of Financial, Proximity or Impartiality Interest

#### Attendees:

Chairperson

Azmi YON

Committee Members

Rosnah PAL

Kelvin LEE

Chris SU

Gordon THOMSON

Mark ROCHFORT (5.05pm)

Sharin JAMIL

#### Apologies:

Committee

Kelana ARSHAD

David PRICE

#### Absent:

Committee

Michael PRIDE

Brady COLLETT

#### Minute Taker:

Chris SU

#### Guests:

James Cook Uni QLD

Sea Country Solutions

Pew Foundation

Dr. JP HOBBS (vid-call)

Dr. Kendra TRAVAILLE (vid-call)

Christabel MITCHELL (vid-call)



# Fishery Management Committee 2023

## 3. Action Items/Business Arising

## 4. Confirmation of Previous Minutes

### 4.1 Resolution to confirm the meeting of 6<sup>th</sup> July 2023

**Motion –**

That the FMC minutes of the 6<sup>th</sup> July 2023 be confirmed as a true and accurate record.

**Res. No: FMC 5/2023****Moved: Shahrin JAMIL****Seconded: Rosnah PAL****Carried: 6/0**

### Action Item

Item	Description	Officer	Status
1	Contact for CI Parks Acting Manager Ben to be provided to Prof. Meeuwig	Chris Su	Completed
2	Contact for translation vendors to be provided to Prof. Meeuwig	Chris Su	Completed

## 5. Agenda Business

### 5.1 Fisheries Ranger Report

Fisheries Ranger Shahrin JAMIL provides report.

Highlight in the last fortnight included:

- 32 Boat Ramp surveys completed since 4<sup>th</sup> June  
26 wahoo, 11 tuna were reported as caught with 9 lost to shark take
- Airport surveys in this time period showed 3 persons taking fish off island
- Assisting CIDHS in a sustainable fisheries excursion at the jetty.  
Thanked Mark ROCHFORT of Shorefire for donation of fishing equipment for excursion

Mark ROCHFORT arrives 5.05pm

### 5.2 CI Marine Parks Submission

FMC discusses completion of CI Marine Park Submissions by 17<sup>th</sup> August 2023 deadline.

### 5.3 CI Stock Assessment Plan

Kendra TRAVAILLE presented the 'Assessing the State of Fisheries Resources on CI' proposal from Jeremy PRINCE (emailed to FMC earlier)

# Fishery Management Committee 2023

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**Motion –**

**Res. No: FMC 6/2023**

The FMC note the Biospherics' *Assessing the State of Fisheries Resources at CI (2 year program) proposal* and recommend Council engage Biospherics to deliver on the required fish stock assessment milestone for the Fisheries Management Funding Agreement.

**Moved:** Chris SU

**Seconded:** Shahrin JAMIL

**Carried:** 7/0

## 5.4 Presentation by Dr. JP HOBBS, James Cook University QLD

Dr. JP HOBBS presented via video-chat to FMC. Introduces the project and summarises he is working with Sea Country Solutions on fish assessments in August, but also with James Cook University on a CI Marine Park Grant with coral reef studies.

Commonwealth have requested FMC input into an application from James Cook University to extract some coral reef samples from Flying Fish Cove. FMC discussed the quantity and area of proposed take with Dr JP HOBBS.

FMC satisfied at the scale and program, requested that Dr JP HOBBS provided a copy of the research data and report to the island after the program ends.

Dr JP HOBBS provided an overview and asked for more FMC and community input into parameters of study when it commence.

Advised proposed travel dates were late August.

## 6. General Business

Nil

## 7. Meeting Closed: 5.45pm

**Next Meeting:** TBA



## SHIRE OF CHRISTMAS ISLAND

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SUBMISSION TO	Ordinary Council Meeting 26 September 2023
AGENDA REFERENCE	10.1.1
SUBJECT	Revised Organisational Chart 2023
LOCATION/ADDRESS/APPLICANT	N/A
FILE REFERENCE	1.4.3
INTEREST DISCLOSURE	None
DATE OF REPORT	19 September 2023
AUTHOR	David Price , CEO
SIGNATURE OF CEO	SIGNED

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### **RECOMMENDATIONS**

**Council endorses the new 2023 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 2023 identified the new position of Assistant Director Finance & Administration and the new Rangers Position. It also identifies the current number of employees that represent an overall reduction of 5 from the 2022 Organisational Chart.

The 2023 Organisational Chart has been agreed to by the JCC on the 18<sup>th</sup> September 2023

### **STATUTORY ENVIRONMENT**

#### **POLICY IMPLICATIONS**

There are no policy implications arising from this recommendation

#### **FINANCIAL IMPLICATIONS**

There are significant financial savings arising from this recommendation

#### **STRATEGIC IMPLICATIONS & MILESTONES**

#### **VOTING REQUIREMENTS**

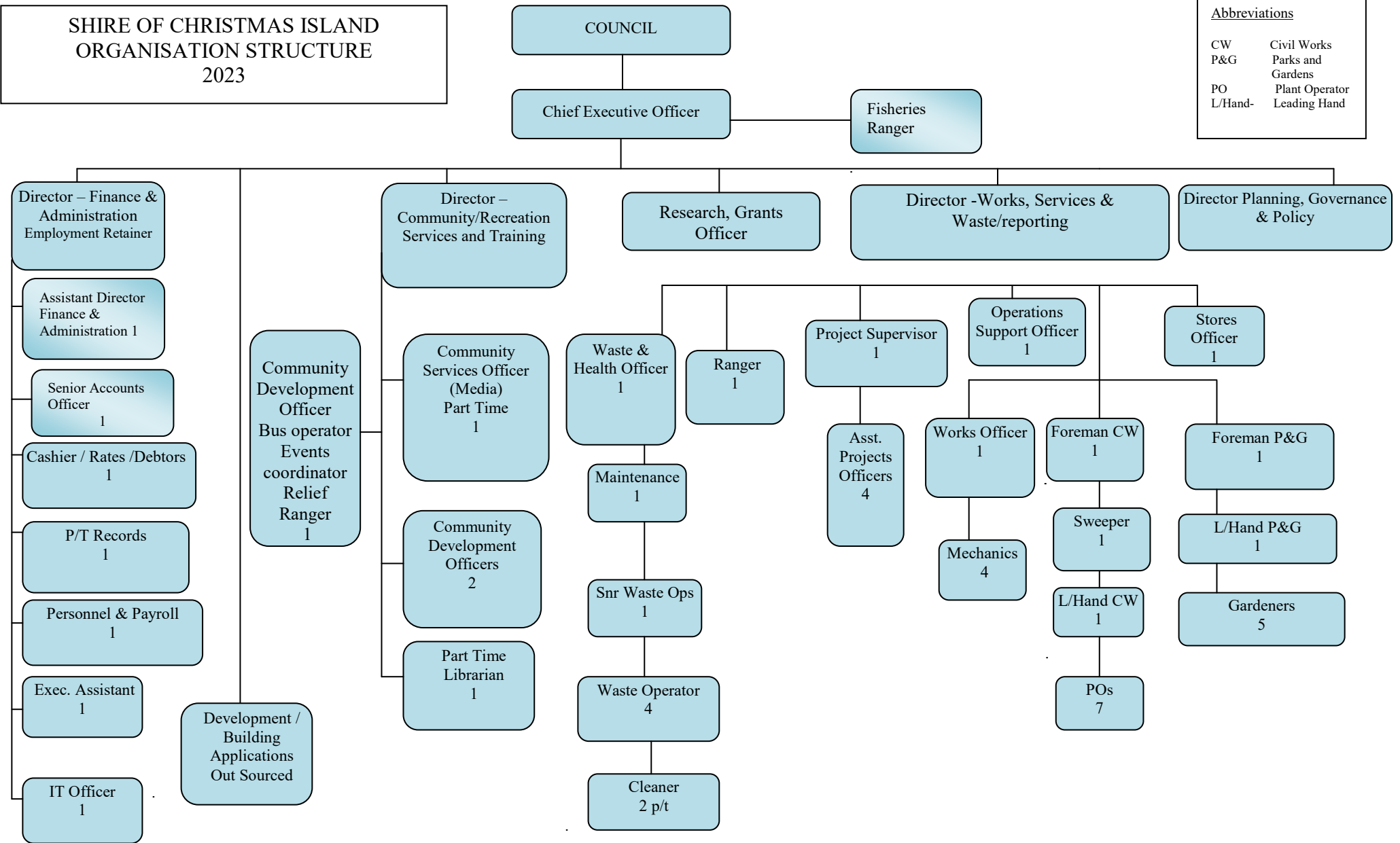
Simple majority is required.

#### **ATTACHMENT**

10.1.1.1 2023 Organisational Chart

SHIRE OF CHRISTMAS ISLAND  
ORGANISATION STRUCTURE  
2023

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





## SHIRE OF CHRISTMAS ISLAND

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SUBMISSION TO	Ordinary Council Meeting 26 September 2023
AGENDA REFERENCE	10.1.2
SUBJECT	Proposed Shire of Christmas Island – UCIW Enterprise Agreement 2023-2027
LOCATION/ADDRESS/APPLICANT	N/A
FILE REFERENCE	1.8.5
INTEREST DISCLOSURE	Nil
DATE OF REPORT	21 September 2023
AUTHOR	David Price, CEO
SIGNATURE OF CEO	SIGNED

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### RECOMMENDATION

That:

- 1. The proposed Shire of Christmas Island – Union of Christmas Island Workers Enterprise Agreement 2023-2027 as tabled is noted.**
- 2. Council adopts the proposed Shire of Christmas Island – Union of Christmas Island Workers Enterprise Agreement 2023-2027 and,**
- 3. Council authorise the Chief Executive Officer to ensure the Pre-Approval steps are carried out, and to sign and lodge the Shire of Christmas Island – Union of Christmas Island Workers Enterprise Agreement 2023-2027 with Fair Work Australia once those Pre-Approval steps have been completed and the employees have voted to endorse the agreement.**

### BACKGROUND

The proposed Shire of Christmas Island (SOCI) – Union of Christmas Island Workers (UCIW) Enterprise Agreement 2023-2027 (the proposed Agreement) will be binding upon the Shire of Christmas Island in respect of all employees whose salaries and conditions are covered by the proposed Agreement and upon the Union of Christmas Island Workers and its members. The proposed Agreement will operate for a four year (4) period commencing 1 July 2023 to 30 June 2027.

In reference to the Fair Work Act 2009, it is conditional that an Enterprise Agreement must pass the 'better off overall test' before Fair Work Australia will approve the Agreement. In managements opinion, the proposed Agreement would pass the better off overall test as it provides better terms and conditions of employment to all Council employees. The provision of better terms and conditions of employment to employees is necessary given the current competitive local employment market conditions as well as the increased cost of living caused by very significant increases in prices of goods and services on the island. In addition, this will provide more competitive terms and conditions of employment which are more comparable with mainland Australian Local Government employees and the Australian Public Service employees.

The proposed Agreement has been referred to and negotiated with employees in the enterprise bargaining process through the Joint Consultative Committee (JCC) at its various meetings since in May 2023 to September 2023. The final draft of the proposed Agreement was accepted by the JCC at its last meeting on the 18 September 2023.

## **COMMENT**

It is necessary that the proposed Agreement be adopted by Council at its ordinary meeting dated 26<sup>th</sup> September 2023 for implementation from 1 July 2023. Council is the only authority that can approve the proposed Agreement and authorise the Chief Executive Officer to sign, lodge and implement the proposed Agreement.

The proposed Agreement will provide improved terms and conditions of employment to all Council employees that is necessary given the current competitive local employment market conditions as well as the increased cost of living on the island caused by the very significant increases in prices of goods and services. While the proposed Agreement provides increases in overall employment conditions, the Chief Executive Officer is seeking the endorsement of Council to approve the following conditions of employment for the duration of the proposed Agreement as outlined in Attachment 10.1.2.1.

Productivity gains for Council that were negotiated and agreed upon in the previous agreement and have again been reiterated in the current proposed agreement through the JCC process. The proposed Agreement when approved will generally provide a more competitive salary, and wage related allowances to Council employees that are comparable to those of the Australian Local Government employees on the mainland. The superannuation contribution remains unchanged from the previous agreement. In addition, the proposed agreement also provides an increase to the rates of District Allowance to Council employees taking into account that the objective of increasing the rates to District Allowance is to compensate employees for the increased cost of living on Christmas Island.

As noted above the proposed Agreement has been referred to and negotiated with employees in the enterprise bargaining process through the Joint Consultative Committee (JCC) at its various meetings since May 2023 to September 2023, where the final draft of the proposed Agreement was accepted by the JCC at its last meeting on 18 September 2023. The proposed agreement is for four (4) years within the maximum term allowed by Fair Work Australia being for a four (4) year term.

## **STATUTORY ENVIRONMENT**

The *Fair Work Act 2009* applies. The *Local Government Act 1995 (WA) (CI)* applies, specifically Division 4 – Local Government Employees s 5.36 – 5.40. Pursuant to s 5.23 of the LGA, the Council meeting may be closed to members of the public if the meeting deals with a matter affecting employees.

## **POLICY IMPLICATIONS**

There are no policy implications.

## **FINANCIAL IMPLICATIONS**

The estimated annual budget cost of the proposed increases in salaries, and wage for the life of the Agreement is \$843,400 for the 4 financial periods covered by the agreement.

Productivity improvements will continue to increase the efficiency and effectiveness of the work of employees to enable more service delivery to the community and enhance organisational performance, this together with an agreed reduction in the workforce as identified in the 2023 Organisational Chart will more than offset the increases in salaries costs during the life of the Agreement. These costs and savings will be addressed in the mid-year Budget Review.

## **STRATEGIC IMPLICATIONS & MILESTONES**

There are no specific strategies in Councils Strategic Plan regarding industrial relation matters.

**CONSULTATION**

Consultation via the JCC has occurred and will continue.

**VOTING REQUIREMENTS**

A simple majority is required.

**ATTACHMENTS**

10.1.2.1 - Improved terms and conditions of employment to all Council employees

10.1.2.2 -Proposed SOCI – UCIW Enterprise Agreement 2023-2027 as tabled.



## SHIRE OF CHRISTMAS ISLAND

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SUBMISSION TO	Ordinary Council Meeting 26 September 2023
AGENDA REFERENCE	10.2.1
SUBJECT	Schedule of Accounts – August 2023
LOCATION/ADDRESS/APPLICANT	N/A
FILE REFERENCE	3.1.14
INTEREST DISCLOSURE	None
DATE OF REPORT	5 September 2023
AUTHOR	Wei Ho, Assistant Director of FCS
SIGNATURE OF AUTHOR	SIGNED
SIGNATURE OF CEO	SIGNED

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### RECOMMENDATION

**That Council approves the expenditure as presented in August 2023 Schedule of Accounts**

### BACKGROUND

The Local Government Act 1995 (WA)(CI) requires Council to maintain a Municipal Fund, a Reserve Fund and a Trust Fund and to manage and report on these accounts in accordance with this Act and Regulations.

Outstanding creditors as at 31 August 2023: **\$ 271,300.75**

### COMMENT

A schedule of accounts is attached to this report, setting out expenditure from the Municipal and Trust Funds. This report is provided in compliance with the Act and Regulations.

### STATUTORY ENVIRONMENT

Section 6.10 of the Local Government Act 1995 (WA)(CI) authorizes payment from Municipal and Trust Funds.

Regulation 12 of the Local Government (Financial Management) Regulations 1996 requires a local government to compile a list of Creditors each month.

Regulation 13 of the Local Government (Financial Management) Regulations 1996 requires that if a Local Government has delegated to the CEO the exercise of its power to make payments from the Municipal Fund or the Trust Fund, the CEO is to compile each month a list of accounts paid since the last payment such list was prepared.

### POLICY IMPLICATIONS

There are no significant policy implications arising from this matter. The CEO is to ensure that all expenditure incurred is in accordance with the Annual Budget and any approved variations.



## **FINANCIAL IMPLICATIONS**

The financial implications arising from expenditure from the Municipal, Reserve and Trust funds are reported on a monthly/quarterly basis to Council via Financial and cash flow statements in accordance with the Act and Regulations.

## **STRATEGIC IMPLICATIONS & MILESTONES**

Objective 1 of the Government Environment is to “Provide good governance in line with the requirements of the Local Government Act and the culture of the Island”. Objective 4 of the same Environment is to “Effectively manage the resources of the Shire in line with the objectives of the Strategic Plan”.

## **VOTING REQUIREMENTS**

A simple majority is required.

## **ATTACHMENTS**

10.2.1.1 Certification of CEO and Chairperson of the Meeting.

10.2.1.2 Schedule of Accounts – August 2023

“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

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SUBMISSION TO	Ordinary Council Meeting 26 September 2023
AGENDA REFERENCE	10.2.2
SUBJECT	Financial Statements – August 2023
LOCATION/ADDRESS/APPLICANT	N/A
FILE REFERENCE	3.1.14
INTEREST DISCLOSURE	None
DATE OF REPORT	20 September 2023
AUTHOR	Wei Ho, Assistant Director of FCS
SIGNATURE OF AUTHOR	SIGNED
SIGNATURE OF CEO	SIGNED

---

### **RECOMMENDATION**

**That Council receives the Financial Statements of August 2023 for the Municipal Fund.**

### **BACKGROUND**

The Local Government Act 1995 (WA)(CI) requires the local government to prepare a monthly or a quarterly financial report in accordance with this Act, Financial Regulations and other relevant legislation.

### **COMMENT**

A monthly or a quarterly financial report is attached to this report, setting out expenditure from the Municipal and Trust Funds. This report is provided in compliance with the Act and Regulations. Also included is a status report on Asset Acquisition expenditure for the period.

### **STATUTORY ENVIRONMENT**

Section 6.4 of the Local Government Act 1995 (WA) (CI) requires a local government to prepare a financial report.

Regulation 34 of the Local Government (Financial Management) Regulations 1996 requires a local government to prepare a monthly or a quarterly financial report.

Regulation 35 of the Local Government (Financial Management) Regulations 1996 requires the local government to prepare the quarterly report in the form as set out.

### **POLICY IMPLICATIONS**

There are no significant policy implications arising from this matter. Each Manager and the CEO are to ensure that the expenditure is incurred in accordance with the Annual Budget and or any variations as approved.

### **FINANCIAL IMPLICATIONS**

The financial implications arising from expenditure from the Municipal and Trust funds are reported on a monthly/quarterly basis to Council via Financial and cash flow statements in accordance with the Act and Regulations.

### **STRATEGIC IMPLICATIONS & MILESTONES**

Objective 1 of the Government environment is to “Provide good governance in line with the requirements of the Local Government Act and the culture of the Island”. Objective 4 of the same Environment is to “Effectively manage the resources of the Shire in line with the objectives of the Strategic Plan”.

### **VOTING REQUIREMENTS**

A simple majority is required.

### **ATTACHMENTS**

10.2.2.1 Financial Statements - Municipal Fund 31 August 2023.

SHIRE OF CHRISTMAS ISLAND

STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2023 TO 30 JUNE 2024

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

	NOTE	31 AUGUST 2023 Y-T-D Actual \$	31 AUGUST 2023 Y-T-D Budget \$	2023/24 Budget \$	Variances Budget to Actual Y-T-D %
<b>Operating</b>					
<b>Revenues/Sources</b>					
General Purpose Funding	3	3,850,415	1,151,975	6,911,850	33.42%
Governance		-	833	5,000	-100.0%
Law, Order, Public Safety		108,480	75,632	453,794	
Health		4,231	3,242	19,450	30.5%
Welfare		557	333	2,000	
Housing		3,304	2,667	16,000	
Community Amenities		434,933	131,879	791,274	229.8%
Recreation and Culture		17,532	16,767	100,600	
Transport		(20,076)	54,257	325,541	-137.0%
Economic Services		5,748	5,413	32,480	
Other Property and Services		1,963	7,858	47,148	-75.0%
		4,407,088	1,450,856	8,705,137	
<b>(Expenses)/(Applications)</b>					
General Purpose Funding	3	(18,357)	(29,937.50)	(179,625)	
Governance		(128,009)	(171,236.67)	(1,027,420)	-25.2%
Law, Order, Public Safety		(134,216)	(117,564.50)	(705,387)	
Health		(18,148)	(30,050.50)	(180,303)	
Welfare		(67,882)	(125,135.50)	(750,813)	
Housing		(42,291)	(34,900.33)	(209,402)	
Community Amenities		(240,660)	(339,900.83)	(2,039,405)	
Recreation & Culture		(325,621)	(402,432.50)	(2,414,595)	
Transport		(678,130)	(785,271.17)	(4,711,627)	
Economic Services		(21,516)	(41,154.83)	(246,929)	
Other Property and Services		(153,493)	(105,602.33)	(633,614)	45.3%
		(1,828,323)	(2,183,186.67)	(13,099,120)	
<b>Adjustments for Non-Cash (Revenue) and Expenditure</b>					
Profit/(Loss) on Asset Disposals	3	0	0	0	
Leave Accruals		0	0	0	
Movement in accrual interests		0	0	0	
Depreciation on Assets		272,168	296,500	1,779,000	
<b>Capital Revenue and (Expenditure)</b>					
Purchase Property, Plant & Equipment	3	(32,241)	(275,351)	(1,652,104)	
Purchase Infrastructure Assets - Roads		(150,507)	(205,486)	(1,232,914)	
Proceeds from Disposal of Assets		0	929	5,575	
Transfers to Reserves (Restricted Assets)		0	(154,956)	(929,733)	
Transfers from Reserves (Restricted Assets)		0	66,667	400,000	
Grants		31,140	347,229	2,083,373	(91.0%)
ADD Net Current Assets July 1 B/Fwd	1	2,688,367	171,822	1,030,930	
LESS Net Current Assets Year to Date	1	6,224,788	-	-	
<b>Amount Raised from Rates</b>		1,883,859	309,825	1,858,948	

FM Reg 32(d)

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

**SHIRE OF CHRISTMAS ISLAND**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD 1 JULY 2023 TO 30 JUNE 2024**

**31 AUGUST**  
**2023**  
**Actual**  
**\$**

**Brought**  
**Forward**  
**01-Jul**  
**\$**

**Note 1.**

**NET CURRENT ASSETS**

FM Reg 34 (2)(a) **Composition of Estimated Net Current Asset Position**

**CURRENT ASSETS**

Cash - Unrestricted	4,721,034	2,690,702
Cash - Restricted	4,884,658	4,818,699
Receivables	2,393,326	247,846
Inventories	421,784	441,417
Other Financial Assets	32,756	23,600
	<b>12,453,558</b>	<b>8,222,264</b>

**LESS: CURRENT LIABILITIES**

Payables and Provisions	(1,343,252)	(714,338)
	<b>11,110,306</b>	<b>7,507,926</b>
Less: Cash - Reserves - Restricted	(4,884,658)	(4,818,699)
Less: Cash - Restricted/Committed	(860)	(860)
<b>NET CURRENT ASSET POSITION</b>	<b>6,224,788</b>	<b>2,688,367</b>

**Note 2.**

**CURRENT RATIO**

Current Assets	12,453,558	<b>9.27 : 1</b>
Current Liabilities	1,343,252	

**QUICK RATIO**

<u>Current Assets - (Restricted Assets + Inventories)</u>		
Current Liabilities		
12,453,558	-	<b>5.32 : 1</b>
	( 4,884,658 + 421,784 )	
	1,343,252	

Ratios greater than one indicates that Council has sufficient current assets to meet its short term current liabilities.

**SHIRE OF CHRISTMAS ISLAND**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD 1 JULY 2023 TO 30 JUNE 2024**

**Note 3. VARIANCES**

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

	<b>OPERATING REVENUE</b>	
<b>General Purpose</b>	33.4% above budget estimate	due to receipt of 50% FAG payment.
<b>Comm Amenities</b>	229.8% above budget estimate	due to Commercial Garbage Quarterly Charges For DOIRC
	<b>OPERATING EXPNDITURE</b>	
<b>Governance</b>	-25.2% below budget estimate	Due to back pay for increase of level and end of level pay
	<b>CAPITAL INCOME</b>	
<b>Grants</b>	31.5% Below budget estimates	Roads to recovery grant not received
	<b>CAPITAL EXPENDITURE</b>	
<b>Property,Plant &amp; Equipment</b>	Well under budget	
<b>Infrastructure Assets</b>	Well under budget	

SHIRE OF CHRITMAS ISLAND  
ASSET ACQUISITION

FOR THE PERIOD ENDED 31 July 2023

	2023/24 Budget \$	Actual to 31/07/2023	Variance
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LGA S6.2 (4)

**GOVERNANCE**

Furniture & equipment	12000	0	12000
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**HOUSING**

Buildings	265000	0	265000
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**COMMUNITY AMENITIES**

Furniture & equipment	5000	0	5000
-----------------------	------	---	------

Buildings	80000	0	80000
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**RECREATION & CULTURE**

Plant and machinery	0	0	0
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Furniture & equipment	5000	3328	1672
-----------------------	------	------	------

Buildings	272000	31140	240860
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**TRANSPORT**

Plant & machinery	1013104	4447	1008657
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Furniture & equipment	0	0	0
-----------------------	---	---	---

Buildings	0	0	0
-----------	---	---	---

Roads and transport - infrastructure	1232914	141613	1091301
--------------------------------------	---------	--------	---------

<b>Total</b>	<b>2885018</b>	<b>180528</b>	<b>2704490</b>
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By Class

1 Buildings	617000	31140	585860
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1 Roads and transport - infrastructure	1232914	141613	1091301
--	---------	--------	---------

1 Plant and machinery	1013104	4447	1008657
-----------------------	---------	------	---------

1 Furniture and equipment	22000	3328	18672
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<b>Total</b>	<b>2885018</b>	<b>180528</b>	<b>2704490</b>
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## SHIRE OF CHRISTMAS ISLAND

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SUBMISSION TO	Ordinary Council Meeting 26 September 2023
AGENDA REFERENCE	10.4.1
SUBJECT	RFQ 10-23 Lily Beach Toilet Upgrade
LOCATION/ADDRESS/APPLICANT	N/A
FILE REFERENCE	5.1.10
INTEREST DISCLOSURE	None
DATE OF REPORT	11 September 2023
AUTHOR	Troy Davis, Director of Works, Services & Waste
SIGNATURE OF AUTHOR	SIGNED
SIGNATURE OF CEO	SIGNED

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### RECOMMENDATION

**That Council accepts the quotation from Ecoflo Wastewater Management Pty Ltd for the amount of \$68,637.79 for RFQ 10-23 Lily Beach Toilet Upgrade**

### BACKGROUND

Council has budgeted \$250,000 for the Lily Beach Redevelopment which incorporates a new shelter, toilet, fire pit and carpark.

On 15 August 2023 quotes were called for from 5 Suppliers of toilet buildings suited to remote conditions. This request closed on 29 August and was assessed by the Director Works, Service & Waste, and the Project Supervisor, whose team will be constructing the toilet.

The specification for the toilet is detailed below:

*Lily Beach has no provision for external power, water or sewerage. As such, the toilet unit must be fully self-contained.*

*As a minimum, the unit must:*

- *Be a single Universal Access Toilet (disabled access);*
- *Be elevated a minimum of 300mm above the natural ground, which is flat;*
- *Have a disable ramp provided;*
- *Have a waste disposal system suitable for the sandy environment (no soils tests available). Noting that the unit may only service 0-20 persons per week;*
- *Have a water tank and stand provided, plus connections, to service the toilet;*
- *Have solar lighting provided both internally and externally; and*
- *Be supplied with all plumbing and hardware required to fully complete the construction by local Shire staff and Contractors.*



## COMMENT

The RFQ was sent to 5 Suppliers with 3 Suppliers proving quotes. One of these Suppliers provided 4 priced options. The details of the quotations are below.

RFQ 10-23 Lily Beach Toilet Upgrade	
Supplier	Price (ex GST)
Ecoflow Wastewater Management P/L	\$81,255.79
DS Agencies P/L	\$125,921
Rebus Option 1	\$118,111.91
Rebus Option 2	\$111,774.85
Rebus Option 3	\$116,321.15
Rebus Option 4	\$109,975.2

After reviewing the submissions and prices, it was decided to remove the ramp from the preferred option (Ecoflow Wastewater Management P/L) as we have suitable materials and expertise to construct the ramp ourselves. The reduced quote became \$68,637.79; a saving of almost \$13,000 not including freight.

The above price also includes the prefabrication and crating of all panels and delivery to Zentner Shipping. It is anticipated the order will be filled by early November.

## STATUTORY ENVIRONMENT

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 applies.

## POLICY IMPLICATIONS

Financial Policy 2 - Purchasing

## FINANCIAL IMPLICATIONS

The purchase of the toilet block is within Council's budget for the Lily Beach Redevelopment. The Shire will also be arranging and paying for the shipping by Zentners.

## STRATEGIC IMPLICATIONS

Nil

## VOTING REQUIREMENTS

A Simple Majority is required.



## SHIRE OF CHRISTMAS ISLAND

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SUBMISSION TO	Ordinary Council Meeting 26 September 2023
AGENDA REFERENCE	10.4.2
SUBJECT	Supply and Delivery of Various Items of Plant
LOCATION/ADDRESS/APPLICANT	N/A
FILE REFERENCE	5.13.53
INTEREST DISCLOSURE	Nil
DATE OF REPORT	21 September 2023
AUTHOR	Troy Davis, Director of Works, Services & Waste
SIGNATURE OF AUTHOR	SIGNED
SIGNATURE OF CEO	SIGNED

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### RECOMMENDATION

That Council:

1. accepts the offer for RFT 02-2023 Supply and Delivery of 2x 3 tonne Hino Trucks from Isuzu Australia for \$204,390; and
2. accepts the offer for RFQ 11-23 Supply and Delivery of Multi-tyred Roller from BT Equipment for \$189,500; and
3. recognises no tenders were received by the due date and time for RFT 01-2023 Supply and Delivery of 7x Toyota Dual Cab Utes, and that a revised Tender will be called and reported back to Council in October.

### BACKGROUND

Council adopted a budget of \$1,013,104 for the purchase of plant and equipment in 2023/2024. A number of items were listed in the budget documents, however due to operational requirements and unforeseen issues with existing plant items, some priorities have changed; however the recommended purchases are within the existing, overall Plant Replacement budget.

Requests for Quote (RFQ) and Requests for Tender (RFT) were issued through August and September for a number of items, with the following submissions.

RFT 02-2023 Supply and Delivery of 2x 3 tonne Hino Trucks		
Supplier	Item	Price (ex GST)
Isuzu Australia	Single Cab Tipper	\$ 99,150
	Crew Cab Tipper	\$105,240
		<b>\$204,390</b>
Hino Motor Sales Australia	Single Cab Tipper	\$103,274
	Crew Cab Tipper	\$108,774
		<b>\$212,048</b>

<b>RFQ 11-2023 Supply and Delivery of Multi-tyred Roller</b>		
<b>Supplier</b>	<b>Item</b>	<b>Price (ex GST)</b>
BT Equipment	Bomag BW28RH	\$189,500
CEG Distributions	XCMG XP265S	\$171,000
Conplant	Wacker Neuson RR280	\$174,500
Construction Equipment Aust.	Dynapac CP1200W	\$174,200
Porter Equipment Aust.	Ammann AP240	\$179,950
Wirtgen Aust.	HAMM HP280	\$197,220

## **COMMENT**

All submissions were independently assessed by a Panel that included the Director of Works, Services & Waste, the Civil Works Foreman and the Operations Officer. A consensus meeting was then held to select the best offer for each of the requests. The assessments were based on criteria that were set for each of the requests with specific focus on key areas from each of the Panel members that included functionality, maintenance and serviceability and overall suitability for the job.

The recommended items were selected by the Panel due to the following factors:

### **1. RFT 02-2023 Supply and Delivery of 2x 3 tonne Hino Trucks**

The replacement trucks are for Projects and Civil Works. The Shire already operate with Hino trucks and consistency of fleet is important for operations and maintenance. The trucks will be supplied with custom trays to lower the overall height of the tray and allow easier access for manual loading.

### **2. RFQ 11-23 Supply and Delivery of Multi-tyred Roller**

The multi-tyred roller was not earmarked for replacement until 24/25 however consistent mechanical failure and a large road resealing program in 23/24 has necessitated this purchase to be brought forward. To ensure the integrity of the plant replacement program is not compromised by this purchase, staff are reviewing the planned program of replacements, and works, and determining whether some units can be held over another year or savings can be made on the remaining items.

The unit requested is a lighter roller than we currently own but can now be transported on the Shire's float which has a 15 tonne load limit. Additionally the unit will be more powerful and able to scale the steeper roads in the Shire that the current roller is unable to traverse.

The roller recommended is not the cheapest option but was rated highly by the Selection Committee due to it being a well-known and reliable brand. Additionally the staff has a good working relationship with the Supplier with excellent service and timely provision of parts.

### **3. RFT 01-2023 Supply and Delivery of 7x Toyota Dual Cab Utes**

No offers were received for this Tender by the due date and time. Upon investigations, it appeared that some emails to Suppliers went to their Junk Emails box and other Suppliers weren't happy with the payment arrangements proposed. These arrangements have subsequently been amended.

A revised Tender has been sent out and will close on 3 October 2023 with a report to come back to Council.

## **STATUTORY ENVIRONMENT**

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 applies.

## **POLICY IMPLICATIONS**

Financial Policy 2 - Purchasing

## **FINANCIAL IMPLICATIONS**

The purchase of the plant and equipment items has been via WALGA's Vendorpanel or by direct request to a number of suppliers, depending on value. There is a budget allocation for the purchase of plant and equipment and these proposed purchases are within that budget.

## **STRATEGIC IMPLICATIONS & MILESTONES**

NIL

## **CONSULTATION**

None required.

## **VOTING REQUIREMENTS**

Simple majority



## SHIRE OF CHRISTMAS ISLAND

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SUBMISSION TO	Ordinary Council Meeting 26 September 2023
AGENDA REFERENCE	10.5.1
SUBJECT	Regulation 17 Review
LOCATION/ADDRESS/APPLICANT	Nil
FILE REFERENCE	3.1.20
INTEREST DISCLOSURE	Nil
DATE OF REPORT	21 September 2023
AUTHOR	Chris Su
SIGNATURE OF AUTHOR	SIGNED
SIGNATURE OF CEO	SIGNED

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### RECOMMENDATIONS

**That the Council adopts the reviewed Regulation 17 documents to satisfy the compliance requirements for Regulation 17 of the WA Local Government (Audit) Regulations and accept the Regulation 17 Report for the period**

- **Summary of Regulation 17 Review**
- **Legislative Compliance Management Framework 2023**
- **Internal Controls Framework 2023**
- **Risk Management Plan 2023**

### BACKGROUND

UHY Haines Norton assisted Shire with a roadmap to meet the compliance requirements of Regulation 17 of the Local Government (Audit) Regulations 1996 as it came into force in 2014/15. Shire's first series of documents adopted to meet the compliance requirements of Regulation 17 were presented at the November 2018 Council meeting; the reviewed 2023 documents are presented here to continue to meet compliance.

### COMMENT

2020/21 Auditors recommended that the review of the Regulation 17 documents be completed calendar 2021 and that a two year review schedule be maintained for these documents being calendar 2023

The Director of Governance, Research, Policy and Grants to assist in this compliance schedule.

### STATUTORY ENVIRONMENT

While there are no obligatory or minimal prerequisites for carrying out the Regulation 17 CEO evaluation, the Department of Local Government and Communities' Operational Guidelines No. 9 (Revised September 2013) presents a valuable summary (provided as Appendix 3) of the considerations to be considered during the Regulation 17 review. SOCI has been guided by this framework for its Regulation 17 review.

### FINANCIAL IMPLICATIONS

N/A

## **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**

- 10.5.1.1 – Summary of Regulation 17 Review
- 10.5.1.2 – Internal Controls Framework 2023 Review
- 10.5.1.3 – Legislative Compliance Management Framework 2023 Review
- 10.5.1.4 – Risk Management Plan 2023 Review
- 10.5.1.5 – Appendix 3 of DLGSCI Operational Guidelines No.9



# Regulation 17 Report 2021-2023

## Summary

The Shire of Christmas Island adopted a series of documents at to comply with the amended WA Local Government (Audit) Regulations 1996's Regulation 17 in November 2018.

Regulation 17 requires that -

- 1) *The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —  
(a) risk management; and  
(b) internal control; and  
(c) legislative compliance.*
- 2) *The review may relate to any or all of the matters referred to in sub regulation (1) (a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.*
- 3) *The CEO is to report to the audit committee the results of that review.*

The documents adopted are monitored by the Director of Planning, Governance and Policy under the direction of the CEO. These are:

1. Risk Management Framework
2. Internal Control Management Framework
3. Legislative Compliance Management Framework

Adoption of the Summary of Review Results to the next Audit Committee meeting will make Shire compliant. The Regulations require these to be reviewed again in 2025.

The Frameworks have assisted the Shire in maintaining the standards required by regulation. In particular, internal controls in the finance section are monitored more closely ensuring that reporting remains sound ensuring continued OAG audit certifications.

## Legislative Compliance Framework 2023

Several major documents were adopted in this period to satisfy the legislative compliance review as regulatory requirements changed in WA. This has been done in liaison with the WA Local Government Association who provides members with pro-forma material to tailor for adoption. These documents include:

- *SOCI Code of Conduct for Employees*
- *SOCI Code of Conduct Behaviour Complaint Policy*
- *SOCI Code of Conduct for Council Members, Committee Members and Candidates*

In regards to elected members a new requirement under the Local Government Reforms was the completion of *Council Member Essential Training* by elected members within 12 months of election. Councils are required to keep a register online of the completed modules each Councillor has completed. The modules are:

- *Understanding Local Government*
- *Conflicts of Interest*
- *Serving on Council*
- *Meeting Procedures*
- *Understanding Financial Reports and Budgets*

SOCI achieved this with the assistance of WALGA again with a subscription to their online training platform and IT support for Councillors as needed.

Annual Compliance Audit Returns have been satisfactory in the period.



## Internal Control Framework 2023

SOCI focuses on four areas in its Internal Control processes:

- *Safeguarding assets*
- *Ensuring financial statement reliability*
- *Promoting operational efficiency*
- *Encourage compliance with management's directives*

A suite of new Shire Policies were adopted in 2023 following the 2022 OAG audit which recommended inclusion of increasingly granular ICT strategic planning as systems and expectations around data and network security become more complex.

These were:

- *Administration 6: Access Management*
- *Administration 7: SOCI ICT Use*
- *Administration 7.1: SOCI ICT Use Policy Statement of Understanding*
- *Administration 8: ICT Business Continuity*
- *Administration 9: Change Documentation Management*
- *Administration 10: Network Security Management*
- *Administration 11: Server Room Management*

In addition the 2022 OAG audit recommended some minor updates for accounting as standards changed which resulted in the review of *Financial Policy 4: Significant Accounting* being updated.

There has been satisfactory compliance with all items in the ICF Framework.

## **Risk Management Framework 2023**

The Risk Management Framework 2021 was adopted in October 2021 by Council with the Manager for Governance and then the Director Finance operationalising the framework. With movements in staff and other competing statutory work and audits in 21/22 the risk register maintenance has not been completed to expectations.

Whilst sections continue to discuss risk management their line management, and SOCI conducts appropriate risk management for the public events it manages (most notable the international marathon with some 30 international and mainland runners flying in to compete), these have not been collated satisfactorily by the two Directors tasked; now one as the Director of Finance left the organisation.

An unusual event took up significant Council resources from 2020-2022 being its participation in the Emergency Management Committee under the direction of the Territory Controller during the pandemic.

The CEO and executive management turned their attention to the prevention of the spread of COVID-19 under the instruction of the EMC and various Commonwealth and WA State Health directions. With Christmas Island experiencing its first wave extremely late in June 2022 through to October 2022 with sporadic flares since then, the state of emergency has been removed.

The Director of Planning, Governance and Policy will be tasked to maintain the necessary registers and collate the risk reporting data necessary from the different work sections going forward as the wider community health risk management needs subside.

# Internal Controls Framework 2023

**Prepared by:**

Director of Planning, Governance and Policy

[chris@shire.gov.cx](mailto:chris@shire.gov.cx) 91648300 (237)

September 2023

<b>Version</b>	<b>Prepared</b>	<b>Adopted</b>
2018, version 1	Chris Su	November 2018 Res. 97/18
2021, version 2	Chris Su	October 2021 Res. 95/21

# Internal Controls Framework 2023

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## Executive Summary

Regulation 17 was added to the Local Government Act (WA 2005) in 2014 which necessitated Local Governments to develop a formal Internal Controls, Legislative Management and Risk Management Framework.

Shire adopted its first set of documents to comply with the introduction of Regulation 17 in November 2018 and are kept current with two year reviews.

1. Internal Controls Framework,
2. Legislative Compliance Management Framework
3. Risk Management Plan,

The Director of Planning, Governance and Policy is responsible for the overseeing the implementation of the documents.

### Major changes in the Legislative Compliance Management Framework 2021-2023

Of note, a new series of policies and codes were adopted in the August 2021 Ordinary Council Meeting to ensure Council's compliance with recent updates to the following regulations:

- *Local Government (Model Code of Conduct) Regulations 2021*, that repealed and replaced the *Local Government (Rules of Conduct) Regulations 2007*
- *Local Government (Administration) Amendment Regulations 2021*
- *Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021*

## Internal Controls Framework 2023

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### Internal Controls 2021-2023

Several major documents were adopted in this period to satisfy the legislative compliance review as regulatory requirements changed in WA. This has been done in liaison with the WA Local Government Association who provides members with pro-forma material to tailor for adoption. These documents include:

- *SOCI Code of Conduct for Employees*
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In regards to elected members a new requirement under the Local Government Reforms was the completion of *Council Member Essential Training* by elected members within 12 months of election. Councils are required to keep a register online of the completed modules each Councillor has completed. The modules are:

- *Understanding Local Government*
- *Conflicts of Interest*
- *Serving on Council*
- *Meeting Procedures*
- *Understanding Financial Reports and Budgets*

SOCI achieved this with the assistance of WALGA again with a subscription to their online training platform and IT support for Councillors as needed.

Annual Compliance Audit Returns have been satisfactory in the period.

# Internal Controls Framework 2023

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## Internal Controls Framework

*'Internal controls are systems of policies and procedures that safeguard assets, ensure accurate and reliable financial reporting, promote compliance with laws and regulations and achieve effective and efficient operations.'*

*'These systems not only relate to accounting and reporting but also include communication processes both internally and externally, staff management and error handling<sup>1</sup>.'*

Operational Guidelines prepared by the Department of Local Government and Communities (Audit in Local Government number 09 September 2013) provide the background to Internal Controls in the context of this review as follows:

*'Internal control is a key component of a sound governance framework, in addition to leadership, long-term planning, compliance, resource allocation, accountability and transparency. Strategies to maintain sound internal controls are based on risk analysis of the internal operations of a local government.'*

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<sup>1</sup> 1 Internal controls for mot-for-profit organisations, CPA Australia, 2011, p 3.

# Internal Controls Framework 2023

## INTERNAL CONTROLS ENVIRONMENT AND FRAMEWORK REVIEW

### Internal Control 1.0 - Framework Design

No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	APPROPRIATENESS	EFFECTIVENESS	IMPROVEMENTS	2021-2023 ACTION
IC 1.1	Council Internal Controls Policy	To evidence the Councils commitment to Internal Controls and their importance to the Organisation.	No overall policy for internal controls exists.	Not applicable.	That a policy be developed reflecting Council's commitment to risk based internal controls.	ICF 2018 created. ICF 2021 reviewed. ICF 2023 reviewed
IC 1.2	Code of Conduct for Elected Members and Staff	To provide elected members and staff with consistent guidelines for an acceptable standard of professional conduct.	The code of conduct is considered as providing appropriate communication. No requirement within the code of conduct to report identified breaches of internal controls.	The code of conduct is issued to all staff and elected members. As there is no requirement to report identified breaches the effectiveness is unable to be determined.	That the code of conduct be amended to include a requirement to report any identified breaches of internal controls.	August 2021 saw a new Code of Conduct adopted by Shire for this. This Code was based on the pro-forma issued by WALGA to local govts in WA.
IC 1.3	Communication of modifications	To ensure staff are notified of changes to internal controls and have access to documented procedures.	New and modified policies approved by Council are communicated to staff. Considered appropriate. Very few procedures are documented and notification of changes is normally done via email or during EMG meetings. All Policies are available on the Shire website.	There have only been a very limited number of changes to policies or procedures in recent years, staff appear aware of these changes.	That a documented procedure be established to ensure staff are aware of and able to access the latest documented procedures.	Staff received email of new Code of Conduct and reviewed 2018 Policy Manual.  Staff meetings held after every Council Meeting updates staff of any changes month to month
IC 1.4	Experienced Staff	To ensure all senior staff have an understanding of the inherent risks internal controls are addressing associated with, and relevant to, their role.	Refer to LC 2.4.	Refer to LC 2.4.	Refer to LC 2.4.	Annual Performance Reviews by the CEO addresses the legislative elements that senior staff are responsible for.

## Internal Controls Framework 2023

<b>IC 1.5</b>	Staff Training	To ensure the staff have access to ongoing training in internal controls and attend appropriate training sessions.	Refer to LC 2.5.	Refer to LC 2.5.	Refer to LC 2.5.	<p>Training suggestions are sent upline by staff. Culture set that staff feel free to suggest to management training requests.</p> <p>Management also suggests training programs to staff.</p>
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### INTERNAL CONTROLS ENVIRONMENT AND FRAMEWORK REVIEW

#### Internal Controls 2.0 Implementation

No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	APPROPRIATENESS	EFFECTIVENESS	IMPROVEMENTS	2021-2023 Action
IC 2.1	Council Policy AD1 Agendas and Minutes of Council Meetings	To provide for the timely preparation of agendas and minutes for circulation to councillors.	The policy requires Council agendas and minutes to be prepared in accordance with legislation and within reasonable timeframes utilising maintained procedures. The policy has not been reviewed since adoption in 2004.	Reviewed and found satisfactorily contemporary	n/a	Reviewed and adopted in July 2022 Ordinary Council Meeting resolution 67/22
IC 2.2	Council Policy AD2 Enforcement of Legislation	To ensure laws are enforced in a consistent and equitable manner and ensure the effectiveness of law the Shire is required to enforce.	The policy has not been reviewed since adoption in 2004.	Reviewed and found satisfactorily contemporary	n/a	Reviewed and adopted in July 2022 Ordinary Council Meeting resolution 67/22
IC 2.3	Council Policy AD3	Provide standard conditions for managers above those contained in the Shire Award.	The policy has not been reviewed since adoption in 2001. The Policy does not require managers to perform to any defined level.	Updated with new WA	New Shire-UCIW Enterprise Agreement 2023-2027 in development	New EA to be set in place



## Internal Controls Framework 2023

No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	APPROPRIATENESS	EFFECTIVENESS	IMPROVEMENTS	2021-2023
IC 2.4	Council Policy AD4	To provide standard conditions for use of Shire vehicles.	The policy has not been reviewed since adoption in 2001.	Reviewed and found satisfactorily contemporary	n/a	Reviewed and adopted in July 2022 Ordinary Council Meeting resolution 67/22
IC 2.5	Council Policy CS1 The Islander Editorial Policy	To provide for the fortnightly publishing of a community newspaper.	The policy provides for free of charge advertising for certain types of advertising within the newspaper. The policy was adopted in 2002 and has not been reviewed.	Reviewed and found satisfactorily contemporary	Update in 2020 to present to make the Islander free during the State of Emergency as it is the sole printed newspaper that Emergency Directions are printed in fortnightly.	Reviewed and adopted in July 2022 Ordinary Council Meeting resolution 67/22
IC 2.6	Council Policy CS2 Use of Community Facilities	To establish a policy for the management of community facilities to ensure equitable, appropriate and affordable access to the community.	The policy sets the level of security deposit to be charged for the use of facilities.	Reviewed and found satisfactorily contemporary	That the level of the Security deposit be set as part of the Annual Budget process.	Reviewed and adopted in July 2022 Ordinary Council Meeting resolution 67/22
IC 2.7	Council Policy CS 3 Community Welfare Fund	To establish the process and principles for the payments of grants and contributions to the community from the Community Welfare Fund.	The policy appears appropriate.	Reviewed and found satisfactorily contemporary	No further action.	Reviewed and adopted in July 2022 Ordinary Council Meeting resolution 67/22
No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	APPROPRIATENESS	EFFECTIVENESS	IMPROVEMENTS	2021-2023 Action
IC 2.8	Council Policy EM1 Policy Development	To establish a process for the creation, approval and presentation of Council policy statements.	The policy requires procedures/ documents necessary to implement the policy, be attached to the Policy when adopted. Given the procedures may only be developed after adoption of the policy this clause is not considered	Reviewed and found satisfactorily contemporary	n/a	Reviewed and adopted in July 2022 Ordinary Council Meeting resolution 67/22

## Internal Controls Framework 2023

			appropriate The policy was last reviewed in 2007.			
IC 2.9	Council Policy EM 2 Donations to Community organisations, other groups and persons	To establish a policy on the making of donations by the Shire to Community organisations, other groups and persons.	Reviewed and found satisfactorily contemporary	Reviewed and found satisfactorily contemporary		Reviewed and adopted in July 2022 Ordinary Council Meeting resolution 67/22
IC 2.10	Council Policy EM3 Community Consultation	To set out the procedure Council will use when undertaking consultation and considering submissions.	Reviewed and found satisfactorily contemporary	A series of wide ranging community consultation opportunities were conducted by Council in the previous 18 months. The policy was found to be rigorous.	n/a	Reviewed and adopted in July 2022 Ordinary Council Meeting resolution 67/22
IC 2.11	Council Policy EM4	To document the manner in which member allowances are calculated and paid.	Reviewed and found satisfactorily contemporary		Review the policy to ensure its currency and compliance with legislative requirements.	Reviewed and adopted in July 2022 Ordinary Council Meeting resolution 67/22
IC 2.12	Council Policy EM 6 Travel Reimbursement Policy	To reimburse elected members travelling off island to perform a function in their capacity as a council member.	Reviewed and found satisfactorily contemporary	Staff Travel Allowances are covered in the UCIW-SOCI Enterprise Agreement 2018	n/a	New EA containing update to Travel Allowance and reimbursements
IC 2.13	Council Policy EM 7 Council Employment	To set out good employment policy and practice in the provision of Council services to the community.	The policy has been used several times in the engagement of frontline outdoor and research level staff. It has been rigorous.	Reviewed and found satisfactorily contemporary	That the policy be reviewed and updated.	Reviewed and adopted in July 2022 Ordinary Council Meeting resolution 67/22

## Internal Controls Framework 2023

<b>IC 2.14</b>	Council Policy FI 1 Regional Price preference policy	To set out the basis for the support of Christmas Island based suppliers of goods and Services.	Reviewed and found satisfactorily contemporary	Reviewed and found satisfactorily contemporary	Reviewed and found satisfactorily contemporary	Reviewed and adopted in July 2022 Ordinary Council Meeting resolution 67/22
<b>IC 2.15</b>	Council Policy FI2 Purchasing Policy	To provide the basis and practise to be followed for purchasing.	The policy provides for the use of a trades register when purchasing certain items for under \$99,999. It is not apparent if Tenders are required for these purchases where the value is Greater than \$50,000. The policy was last reviewed in 2009.	Previous audit reports and discussions with staff confirmed the policy is not always followed especially for local purchases where a quotation is unable to be obtained.	That the policy be reviewed and updated.to provide clarity for trade purchases and circumstances where quotations cannot be obtained.	Reviewed and adopted in July 2022 Ordinary Council Meeting resolution 67/22  OAG Audit 21/22 had satisfactory analysis of Purchasing Policy application
<b>IC 2.16</b>	Council Policy FI5 Debt Recovery Policy	To set out an efficient, effective and fair method of debt recovery.	The policy sets an interest rate of 10% for overdue debts, this rate is required to be adopted when adopting the Annual Budget.	The effectiveness was not tested. It was noted a number of long outstanding debtors existed.	That the policy be reviewed and updated to ensure it is in compliance with the legislation.	Reviewed and adopted in July 2022 Ordinary Council Meeting resolution 67/22
<b>IC 2.17</b>	Council Policy FI 6 Investment Policy	To set out the basis for investment of surplus cash.	Reviewed and found satisfactorily contemporary	Reviewed and found satisfactorily contemporary	That the policy be reviewed to ensure it is current.	
<b>IC 2.18</b>	Council Policy FI 7 Significant Accounting Policies	To provide a mechanism to comply with the requirements of the Local Government Act and Regulations within SOCI's Accounting Section.	Reviewed and found satisfactorily contemporary	Reviewed and found satisfactorily contemporary	That the policy be reviewed to ensure it is current.	
<b>IC 2.19</b>	Council Policy HE1 Food Surveillance Policy	To establish Council's policies relating to surveillance of persons selling and handling food for human consumption.	Reviewed and found satisfactorily contemporary	Reviewed and found satisfactorily contemporary	That the policy be reviewed to ensure it is current and complies with legislation.	

## Internal Controls Framework 2023

No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	APPROPRIATENESS	EFFECTIVENESS	IMPROVEMENTS	2018 Action
IC 2.20	Council Policy PB1 Land Administration	To set out the basis for dealing with Crown Land.	This policy has been utilised in the acquisition of Management Orders for the new Foreshore Padang site	Reviewed and found satisfactorily contemporary	Reviewed and found satisfactorily contemporary	Reviewed and adopted in July 2022 Ordinary Council Meeting resolution 67/22
IC 2.21	Council Policy WE 3 Provision of Waste Collection Services	To set out the scope and basis of waste collection services provided by the Shire.	The policy states Collection services will be provided at gazetted rates. Waste Collection charges have no gazetted rate and must be set as part of the Annual Budget adoption.	Reviewed and found satisfactorily contemporary	Reviewed and found satisfactorily contemporary	
IC 2.22	Council Policy WE10 Disposal of Demolition Materials	To manage the disposal of demolition waste and maximise the recovery of materials.	The policy appears appropriate. The Policy was adopted in 2003 and has not been reviewed.	Reviewed and found satisfactorily contemporary	Reviewed and found satisfactorily contemporary	
IC 2.23	Control Procedures	To document and formalise control procedures, provides clarity for staff and enables the enforcement of controls.	The ICF 2018 was adopted.	Reviewed and found satisfactorily contemporary	Reviewed and found satisfactorily contemporary	See 2.0 'Financial Internal Controls' below.



# Legislative Compliance Management Framework

Prepared by:

Director of Planning, Governance and Policy Chris SU

[chris@shire.gov.cx](mailto:chris@shire.gov.cx)

9164 8300 (237)

<b>Version</b>	<b>Officer</b>	<b>Adopted</b>
2018 version 1	Chris Su	November 2018, 97/18
2021 version 2	Chris Su	October 2021, 95/21

## Executive Summary

The Legislative Compliance Framework makes one third of the documents required by Council to comply with Regulation 17 of the Local Government Act (2005) added in 2014.

It requires Councils to develop a management system to ensure that operational policies are kept in best practice to work under the various pieces of legislation that Councils are required to enforce and function under as they are from time to time amended.

The Director of Planning, Governance and Policy oversees the delivery of the LCF for Council.

Several major documents were adopted in this period to satisfy the legislative compliance review as regulatory requirements changed in WA. This has been done in liaison with the WA Local Government Association who provides members with pro-forma material to tailor for adoption. These documents include:

- *SOCI Code of Conduct for Employees*
- *SOCI Code of Conduct Behaviour Complaint Policy*
- *SOCI Code of Conduct for Council Members, Committee Members and Candidates*

In regards to elected members a new requirement under the Local Government Reforms was the completion of *Council Member Essential Training* by elected members within 12 months of election. Councils are required to keep a register online of the completed modules each Councillor has completed. The modules are:

- *Understanding Local Government*
- *Conflicts of Interest*
- *Serving on Council*
- *Meeting Procedures*
- *Understanding Financial Reports and Budgets*

SOCI achieved this with the assistance of WALGA again with a subscription to their online training platform and IT support for Councillors as needed.

Annual Compliance Audit Returns have been satisfactory in the period.



LEGISLATIVE COMPLIANCE FRAMEWORK REVIEW

LC 2.0 Implementation

No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	APPROPRIATENESS	EFFECTIVENESS	IMPROVEMENTS	2021-2023 ACTION
LC 2.1	Council Policy Records Management.	To incorporate legislative requirements and standards into record keeping functions.	Records Management Policy existed since 2010. Reviewed 2018..	Reviewed, found to be contemporary	That a records management policy be developed and records storage and records management procedures be reviewed in line with the policy.	
LC 2.2	Management Procedure - Reporting Legislative Breaches	To provide procedures requiring the reporting of identified legislative breaches.	Documented in the new August 2021 Code of Conduct	Reviewed, found to be contemporary	The contemporary WALGA supplied pro-forma Code of Conduct fits.	August 2021 Code of Conduct adopted
LC 2.3	Management Procedure - Staff Inductions	To ensure all staff have knowledge of the requirements with regards to legislative compliance.	New August 2021 Code of Conduct applies	Reviewed, found to be contemporary	That legislative compliance procedures are included within a documented induction process	August 2021 Code of Conduct adopted
LC 2.4	Experienced Staff	To ensure staff engaged at a senior level and technical roles have an understanding of the legislative requirements relevant to their role.	Current position descriptions for relevant senior roles contain qualification requirements relevant to the role.	Only one senior hire made in the last three years. Holds sufficient qualifications at a post-Graduate level for role.	n/a	

Legislative Compliance Management Framework 2023



No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	APPROPRIATENESS	EFFECTIVENESS	IMPROVEMENTS	2021-2023 ACTION
LC 2.5	Staff Training	To ensure the staff have access to ongoing and appropriate training in legislative requirements.	<p>Manager for Training oversees operational training for necessary courses for outdoor works team.</p> <p>This is a standing commitment to safety and efficiency.</p>	Reviewed, found to be contemporary.	N/A	<p>Manager for Training identifies training needs in conjunction with Management for separate sections at Council.</p> <p>Primary consideration is given to work-tickets for outdoor teams to ensure compliance.</p> <p>Conference and Training budgeting for Manager level staff to appraise them of updates to their legislative requirements overseen by CEO adequately.</p>
LC 2.6	Access to Information	To ensure staff have timely access to changes in legislation as they occur.	Current practise is for the executive to advise relevant Officers of changes advised by WALGA and State Law Publisher. Considered appropriate.	Highly depended to the actions of the executive.	No further action.	Noted
LC 2.7	Management Procedure – Statutory Environment in Council agendas	To provide Councillors with relevant legislative information to inform their decision making process.	Documentation of the Statutory environment appears appropriate for the items reviewed.	Procedures appear effective with no Council decisions noted as non-compliant.	No further action.	Noted
LC 2.8	Council Policy - Significant Accounting Policies	To provide policy in the recording and reporting of financial transactions, accounting judgements and estimates.	Policy appears appropriate and up to date.	Policy appears effective with no issues identified by external auditors.	2021/2022 OAG Audit advised an update to Significant Accounting Policies to align with new standards being recognised	Significant Accounting Policies adopted 89/22 in September 2022 Ordinary Council Meeting
LC 2.9	Management Procedure - Compliance Audit Return	Management Procedures designed to guide staff on the completion of the annual compliance audit return.	Whilst procedures are not documented, informal procedures appear appropriate.	From staff representations received procedures appear	No further action.	Noted





No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	APPROPRIATENESS	EFFECTIVENESS	IMPROVEMENTS	2021-2023 ACTIONS
LC 2.10	Communications	To ensure staff, contractors and regular volunteers are aware of their obligation to report breaches of legislation to the appropriate Officer.	The obligation to report a legislative breach is not included within the code of conduct. No code of conduct exists or induction undertaken for regular contractors or volunteers.	Unable to assess.	That the obligation to report legislative breaches be included within the code of conduct. A condensed code of conduct/ induction be developed for regular contractors and volunteers.	See LC 2.2

**LEGISLATIVE COMPLIANCE FRAMEWORK REVIEW**

**LC 3.0 Monitoring and Review**

No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	APPROPRIATENESS	EFFECTIVENESS	IMPROVEMENTS	2021-2023 ACTIONS
LC 3.1	Legislative Compliance Register	A legislative compliance risk management tool used to record legislative compliance breaches for the Organisation.	LCMF created	Reviewed, found to be contemporary	N/a	Recommended that Director of Planning, Governance and Policy investigate software subscriptions that assists in this respect
LC 3.2	Annual Compliance Audit Return	Annual return to be adopted by Audit Committee to meet Compliance with <i>Local Government Act 1995</i> .	Return appears appropriate.	The return provides an effective record of any noted compliance breaches of the <i>LGA 1995</i>	No further action.	Noted

**Legislative Compliance Management Framework 2023**



No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	APPROPRIATENESS	EFFECTIVENESS	IMPROVEMENTS	2021-2023 ACTIONS
LC 3.3	Audit and Risk Committee	An Audit Committee is required by the Local Government (Audit) Regulations 1996, and its composition and role is determined by those Regulations.	Audit and Risk Committee currently in place and meets at least once a year. The last meeting was held on 24 October 2014 with the external auditor with any identified legislative compliance breaches reported to the Committee.	Compliance Audit return reviewed annually by Audit committee.	No further action.	Noted
LC 3.4	Executive Management Group	Executive Management Group (EMG) establishes senior management leadership in relation to legislative compliance practices, monitors progress of the implementation and the effectiveness of the associated controls and systems.	EMG meets regularly and minutes meetings. Legislative compliance issues are raised where noted.	EMG appears effective at addressing noted compliance issues.	No further action.	Noted



No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	APPROPRIATENESS	EFFECTIVENESS	IMPROVEMENTS	2021-2023 ACTIONS
LC 4.1	Monitoring Compliance	To ensure policies and other controls relating to legislative compliance are being adhered to by the organisation and their effectiveness is being monitored.	Annual compliance audit return is the only documented monitoring occurring.	Monitoring appears effective for <i>Local Government Act 1995</i> compliance given the absence of any breaches noted. Effectiveness unable to be determined for other legislation.	That formal monitoring and reporting procedures be established as part of Legislative Compliance Strategy.	Newly appointed Manager of Governance, Research and Grants in October 2018 has the formal monitoring and reporting of legislative compliance as part of his position duties.
LC 4.2	Complaint Handling	To ensure a process exists to track complaints from the public and staff regarding legislative compliance.	Complaints are handled through the CEO by respective officers and associated documentation is appropriately filed. No complaints monitoring system in place or complaints register maintained.	Effectiveness unable to be determined as no complaint monitoring procedure in place.	That a complaints register be maintained to enable the monitoring and reporting of complaints received.	Newly appointed Manager of Governance, Research and Grants in October 2018 has the monitoring of complaints as part of his position duties.



**LC 5.0 Continual Improvement**

No.	FRAMEWORK COMPONENTS	PURPOSE/GOAL	APPROPRIATENESS	EFFECTIVENESS	IMPROVEMENTS	2018-21 ACTIONS
LC 5.1	Ongoing Improvement Plan	Improvements in legislative compliance practices and to support the legislative compliance framework.	<p>The Manager of Governance, Research, Policy and Grants met with the DLGC mid 2017 for the 'Better Practice Review' which audited the Shire's policies and procedures.</p> <p>The Manager of Governance has actioned the audit recommendations, one of which including Recommendation 17, over the 17/18 year.</p>	Based on passing of annual audits	N/a	Continued employ of MGRP and addition of Research Officer in 2022 who will further support.

## COMPLIANCE DOCUMENTS

### **Legislation Compliance Register**

As per 3.1, a new 'Legislation Compliance Register' sits with the Director of Planning, Governance and Policy. This document will compile legislative compliance breaches within the organisation. A 2017 audit, the Department of Local Government and Communities 'Better Practice Review' provided recommendations for Council to improve areas required by new regulations under the Act.

### **Complaints Register**

As per 4.2 'Complaints Handling,' the recommendation to create a Complaints Register to detail any suspected or actual breaches of legislative compliance brought up by staff or the public.

New additions to the Complaints Register will require the notification to the CEO and the tabling of the Complaints Register to the next available Council Meeting.

### **Overseeing Officer**

The Director for Governance will be responsible for the upkeep of these two registers.



# Shire of Christmas Island

## Risk Management Framework 2023



<b>Version</b>	<b>Officer</b>	<b>Approved</b>
2018, version 1	Chris Su	November 2018, 97/18
2021, version 2	Chris Su	October 2021, 95/21



# Table of Contents

Introduction.....	3
Risk Management Procedures.....	4
Governance.....	4
Framework Review.....	4
Operating Model.....	5
Governance Structure.....	6
Roles & Responsibilities.....	7
Document Structure (Framework).....	8
Risk & Control Management.....	9
Risk & Control Assessment.....	11
Reporting Requirements.....	13
Coverage & Frequency.....	14
Indicators.....	15
Identification.....	15
Validity of Source.....	15
Tolerances.....	15
Monitor & Review.....	15
Risk Acceptance.....	16
Shire Master Risk Register.....	17
Appendix A – Risk Assessment and Acceptance Criteria.....	18
Appendix B – Risk Register Template.....	21
Appendix C – Risk Theme Definitions.....	23

Prepared by	Date	Version
Governance, Research, Policy and Grants Officer – Chris Su <a href="mailto:chris@shire.gov.cx">chris@shire.gov.cx</a> 9164 8300 (237)	August 2018	1.0

## Introduction

This Risk Management Framework for the Shire of Christmas Island (“the Shire”) sets out the Shire’s approach to the identification, assessment, management, reporting and monitoring of risks. All components of this document are based on Australia/New Zealand Standard ISO 31000:2009 Risk Management. This framework is one of three documents under Regulation 17.

It is essential that all areas of the Shire adopt these procedures to ensure:

1. Strong corporate governance.
2. Compliance with relevant legislation, regulations and internal policies. Integrated Planning and Reporting requirements are met.
3. Uncertainty and its effects on objectives is understood.

**This Framework aims to balance a documented, structured and systematic process with the current size and complexity of the Shire along with existing time, resource and workload pressures.**

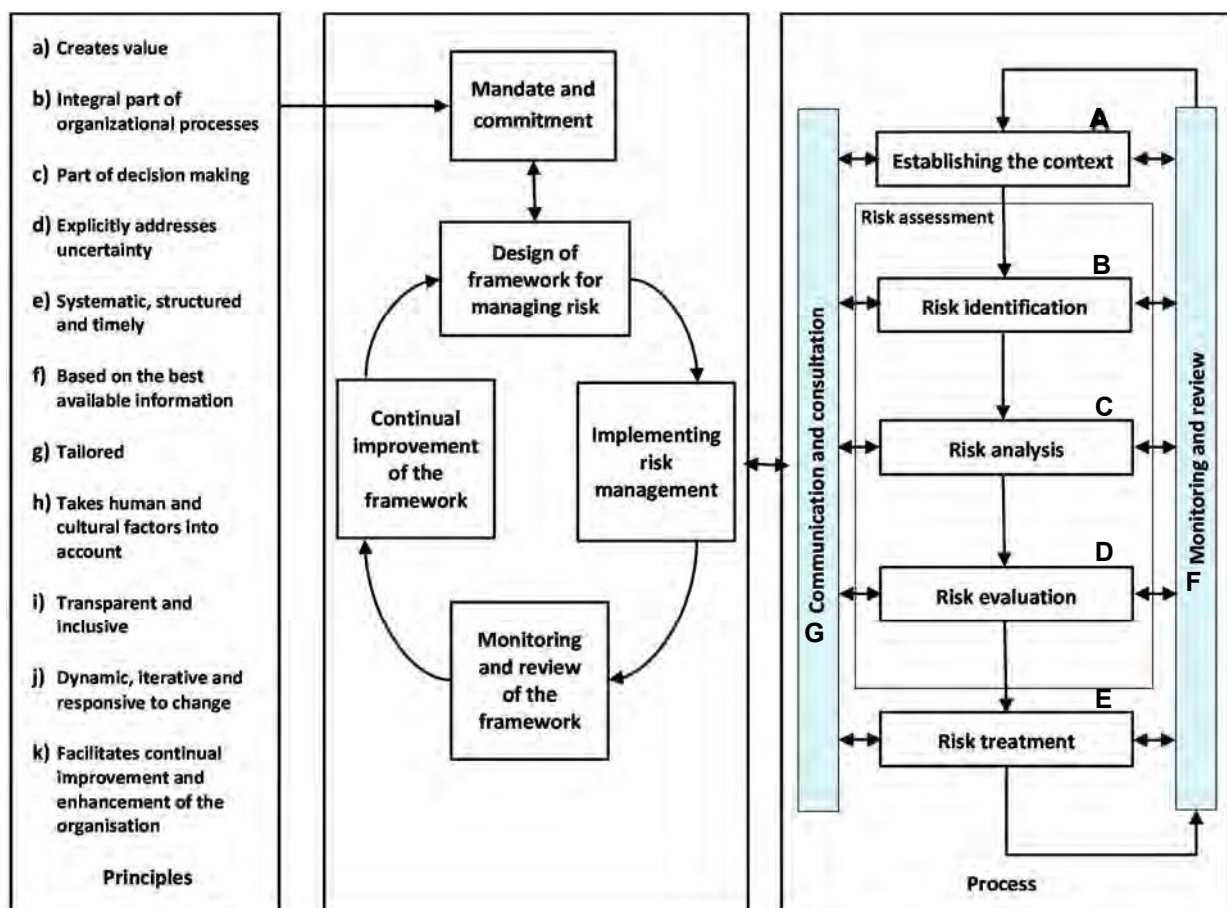


Figure 1: Risk Management Process (Source: AS/NZS 31000:2009)



## Risk Management Procedures

### Governance

Appropriate governance of risk management within the Shire of Christmas Island (the “Shire”) provides:

1. Transparency of decision making.
2. Clear identification of the roles and responsibilities of risk management functions.
3. An effective Governance Structure to support the risk framework.

### Framework Review

The Risk Management Framework is to be reviewed for appropriateness and effectiveness annually by the Governance, Research, Policy and Grants Officer in conjunction with the Managers of the Shire.

### Operating Model

The Shire has adopted a “Three Lines of Defence” model for the management of risk. This model ensures roles, responsibilities and accountabilities for decision making are structured to demonstrate effective governance and assurance. By operating within the approved risk appetite and framework, the Council, management and community will have assurance that risks are managed effectively to support the delivery of the Strategic, Corporate & Operational Plans.

### First Line of Defence

All operational areas of the Shire are considered ‘**First Line**’. They are responsible for ensuring that risks within their scope of operations are identified, assessed, managed, monitored and reported. Ultimately, they bear ownership and responsibility for losses or opportunities from the realisation of risk. Associated responsibilities include;

1. Establishing and implementing appropriate processes and controls for the management of risk (in line with these procedures).
2. Undertaking adequate analysis (data capture) to support the decision-making process of risk.
3. Prepare risk acceptance proposals where necessary, based on level of residual risk.
4. Retain primary accountability for the ongoing management of their risk and control environment.

## **Second Line of Defence**

The Executive Management Team (**MWS, MRS, MFA, CEO, MCS**) in their capacity as **Risk Committee** supports the second line of defence.

The **Risk Committee** acts as the primary '2nd Line'. This position owns and manages the framework for risk management, drafts and implements governance procedures and provides the necessary tools and training to support the 1st line process. The **CEO** as head of the **Risk Committee** instructs the **Governance, Research, Policy and Grants Officer** to support the **Risk Committee** in this process.

Example, maintenance of the Risk Management Framework is the responsibility of the **Risk Committee**.

Maintaining oversight on the application of the framework provides a transparent view and level of assurance to the 1<sup>st</sup> & 3<sup>rd</sup> lines on the risk and control environment.

Support can be provided by additional input 1<sup>st</sup> Line Teams (where applicable).

Additional responsibilities include:

Providing independent oversight of risk matters as required.

Staff involved in school holiday water slide at Post Office Padang might advise supervising staff member on risks associated with crowd control

Monitoring and reporting on emerging risks.

For example, depot team members advising their line managers who in turn advise the MWS on any risks associated with a particular project. 2017 Golf Course Lookout pathway program had an additional risk of isolation from access road which would cause difficulty in taking injured parties to care. Staff mitigated this through rotation of workers to ensure adequate rest was had throughout the day with supplies of water on hand for refreshment.

### Third Line of Defence

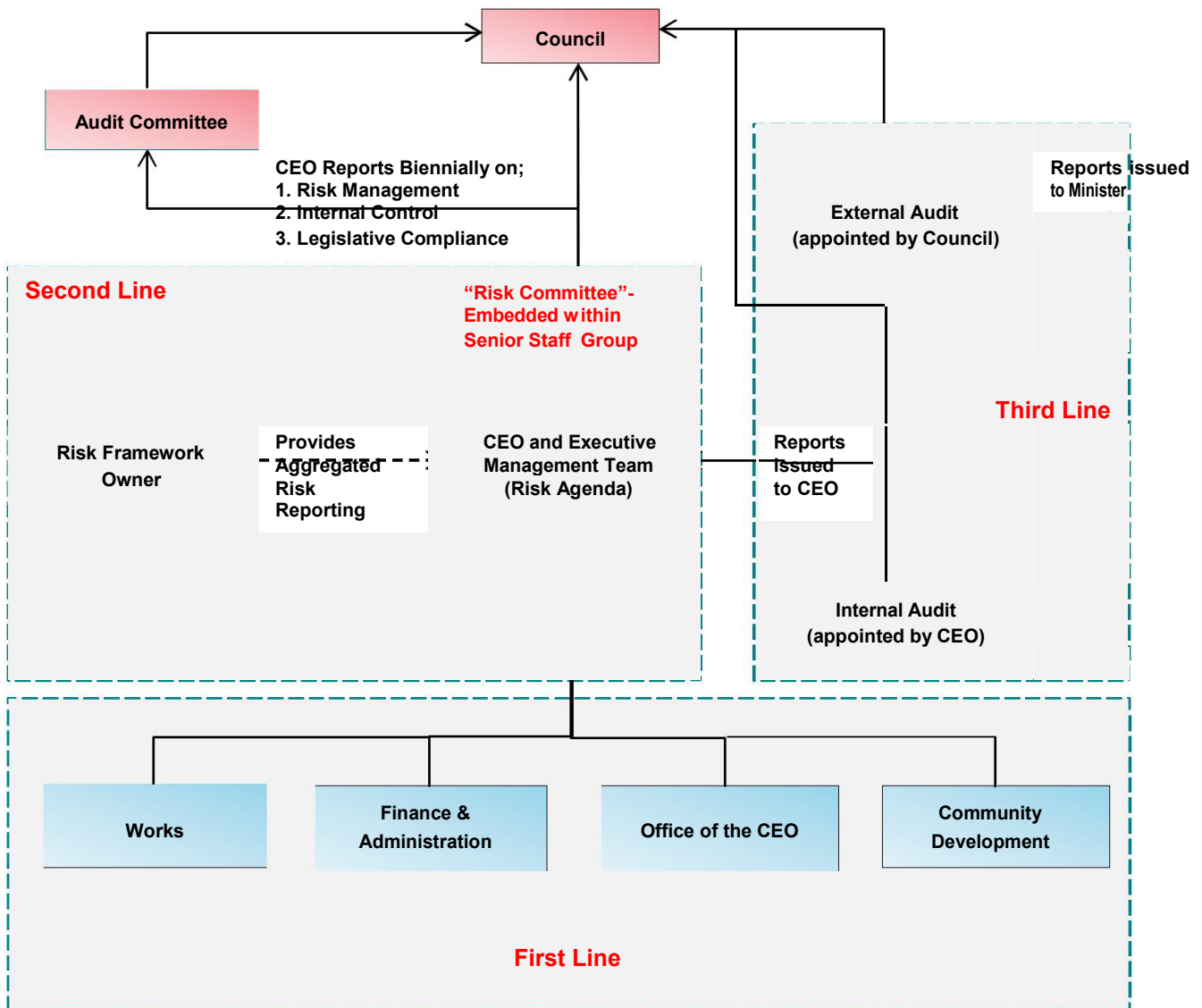
Internal self-audits & External Audits are the ‘3<sup>rd</sup> Line’ of defence, providing assurance to the Council, Audit Committee and Executive Management Team on the effectiveness of business operations and oversight frameworks (1<sup>st</sup> & 2<sup>nd</sup> Line).

Internal Audit – Appointed by the CEO to report on the adequacy and effectiveness of internal control processes and procedures.

External Audit – Appointed by the Council on the recommendation of the Audit Committee to report independently to the President and CEO on the annual financial statements only.

### **Governance Structure**

The following diagram depicts the current operating structure for risk management within the Shire.



## **Roles & Responsibilities**

### **CEO / Council**

Review and approve the Shire's Risk Management Policy and Risk Assessment & Acceptance Criteria.

Appoint / Engage External Auditors to report on financial statements annually.

Establish and maintain an Audit Committee in terms of the Local Government Act.

### **Audit Committee**

Support Council in providing effective corporate governance.

Oversight of all matters that relate to the conduct of External Audits. Independent, objective and autonomous in deliberations.

Recommendations to Council on External Auditor appointments.

### **CEO / Executive Management Team**

Undertake internal Audits as required under Local Government (Audit) regulations. Liaise with Council in relation to risk acceptance requirements.

Approve and review the appropriateness and effectiveness of the Risk Management Framework.

Drive consistent embedding of a risk management culture.

Analyse and discuss emerging risks, issues and trends.

Document decisions and actions arising from risk matters.

Own and manage the risk profiles at a Shire Level.

### **Risk Framework Owner**

Oversee and facilitate the Risk Management Framework.

Support reporting requirements for risk matters.

### **Work Areas**

Drive risk management culture within work areas.

Own, manage and report on specific risk issues as required.

Assist in the Risk & Control Management process as required.

Highlight any emerging risks or issues accordingly.

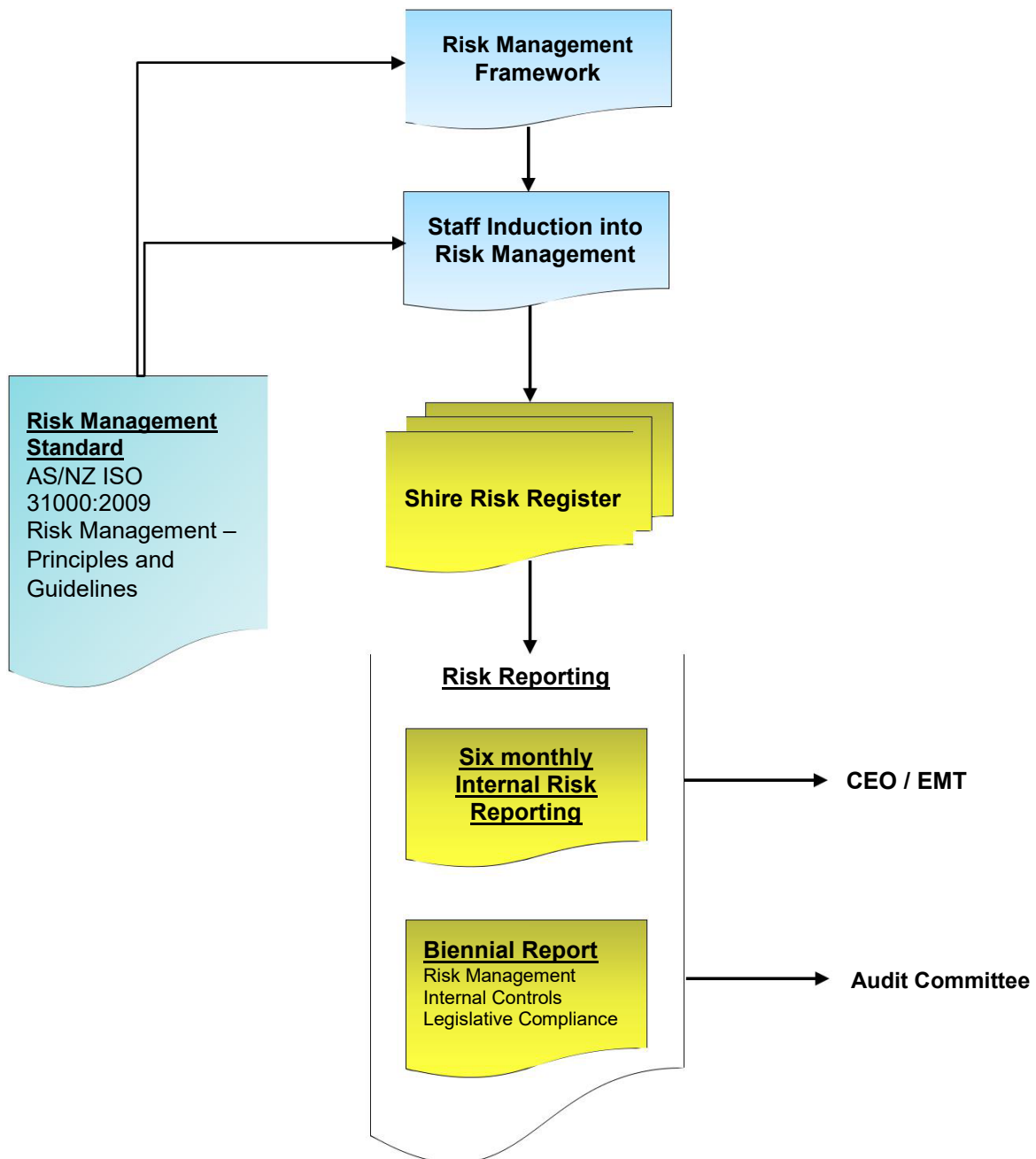
Incorporate 'Risk Management' into Management Meetings, by incorporating the following agenda items;

- New or emerging risks.

- Review existing risks.
- Control adequacy.
- Outstanding issues and actions.

### Document Structure (Framework)

The following diagram depicts the relationship between the Risk Management Framework, Staff Induction and supporting documentation and reports.



## Risk & Control Management

All Work Areas of the Shire are required to assess and manage their section's **Risk Register** on an ongoing basis.

The **Risk Register** template is found in Appendix B. Staff are to complete the template for collation within the team. The Manager of that section is responsible for

1. Making the **Risk Register** template easily available to members of their section,
2. Reviewing the **Risk Register** forms given to them and consulting with the staff member for clarity if needed
3. Assessing the appropriate risk management actions are taken to mitigate the risks
4. Updating the **Governance, Research, Policy and Grants Officer** every six months on their sections **Risk Register** for addition to a **Master Risk Register** for the Shire.

### Risk & Control Assessment

To ensure alignment with AS/NZ ISO 31000:2009 Risk Management, the following approach is to be adopted from a Risk & Control Assessment perspective.

#### **A: Establishing the Context**

The first step in the risk management process is to understand the context within which the risks are to be assessed and what is being assessed. This forms two elements.

##### **1. Organisational Context**

The Shire's Risk Management Procedures provide the basic information and guidance regarding the organisational context to conduct a risk assessment; this includes Risk Assessment and Acceptance Criteria (Appendix A) and any other tolerance tables as developed. In addition, existing Risk Themes are to be utilised (Appendix C) where possible to assist in the categorisation of related risks.

Any changes or additions to the Risk Themes must be approved by the CEO.

All risk assessments are to utilise these documents to allow consistent and comparable risk information to be developed and considered within planning and decision making processes.

##### **2. Specific Risk Assessment Context**

To direct the identification of risks, the specific risk assessment context is to be determined prior to and used within the risk assessment process.

For risk assessment purposes the Shire has been divided into three levels of risk assessment context:

###### **1. Strategic Context**

This constitutes the Shire's external environment and high-level direction. Inputs to establishing the strategic risk assessment environment may include;

Organisation's Vision

Stakeholder Analysis

Environment Scan / SWOT Analysis

## Existing Strategies / Objectives / Goals

### 2. Operational Context

The Shire's day to day activities, functions, infrastructure and services. Prior to identifying operational risks, the operational area should identify its key activities i.e. what is trying to be achieved. Note: these may already be documented in business plans, budgets etc.

### 3. Project Context

Project Risk has two main components:

**Direct** refers to the risks that may arise as a result of project activity (i.e. impacting on current or future process, resources or IT systems) which may prevent the Shire from meeting its objectives

**Indirect** refers to the risks which threaten the delivery of project outcomes.

In addition to understanding what is to be assessed, it is also important to understand who are the key stakeholders or areas of expertise that may need to be included within the risk assessment.

## **B: Risk Identification**

Using the specific risk assessment context as the foundation, and in conjunction with relevant stakeholders, answer the following questions, capture and review the information within each Risk Profile.

What can go wrong? / What are areas of uncertainty? (Risk

Description) How could this risk eventuate? (Potential Causes)

What are the current measurable activities that mitigate this risk from eventuating?  
(Controls)

What are the potential consequential outcomes of the risk eventuating? (Consequences)

## **C: Risk Analysis**

To analyse the risks, the Shire's Risk Assessment and Acceptance Criteria (Appendix A) is applied:

Based on the documented controls, analyse the risk in terms of Existing Control Ratings

Determine relevant consequence categories and rate how bad it could be if the risk eventuated with existing controls in place (Consequence)

Determine how likely it is that the risk will eventuate to the determined level of consequence with existing controls in place (Likelihood)

By combining the measures of consequence and likelihood, determine the risk rating (Level of Risk)

## **D: Risk Evaluation**

The Shire is to verify the risk analysis and make a risk acceptance decision based on:

- Controls Assurance (i.e. are the existing controls in use, effective, documented, up to date and relevant)

- Existing Control Rating

- Level of Risk

- Risk Acceptance Criteria (Appendix

- A) Risk versus Reward / Opportunity

The risk acceptance decision needs to be documented and acceptable risks are then subject to the monitor and review process. Note: Individual Risks or Issues may need to be escalated due to urgency, level of risk or systemic nature.

## **E: Risk Treatment**

For unacceptable risks, determine treatment options that may improve existing controls and/or reduce consequence / likelihood to an acceptable level.

Risk treatments may involve actions such as avoid, share, transfer or reduce the risk with the treatment selection and implementation to be based on;

- Cost versus benefit

- Ease of implementation

- Alignment to organisational values / objectives

Once a treatment has been fully implemented, the Risk Framework Owner is to review the risk information and acceptance decision with the treatment now noted as a control and those risks that are acceptable then become subject to the monitor and review process (Refer to Risk Acceptance section).

## **F: Monitoring & Review**

The Shire is to review all Risk Profiles at least on a six monthly basis or if triggered by one of the following;

- Changes to context,

- A treatment is implemented,

- An incident occurs or due to audit/regulator findings.

The Risk Framework Owner is to monitor the status of risk treatment implementation and report on, if required.

The CEO & Executive Management Team will monitor significant risks and treatment implementation as part of their normal agenda item on a quarterly basis with specific attention given to risks that meet any of the following criteria:

- Risks with a Level of Risk of High or Extreme



Risks with Inadequate Existing Control Rating

Risks with Consequence Rating of Extreme

Risks with Likelihood Rating of Almost Certain

The design and focus of the Risk Summary report will be determined from time to time on the direction of the CEO & Executive Management Team. They will also monitor the effectiveness of the Risk Management Framework ensuring it is practical and appropriate to the Shire.

### **G: Communication & Consultation**

Throughout the risk management process, stakeholders will be identified, and where relevant, be involved in or informed of outputs from the risk management process.

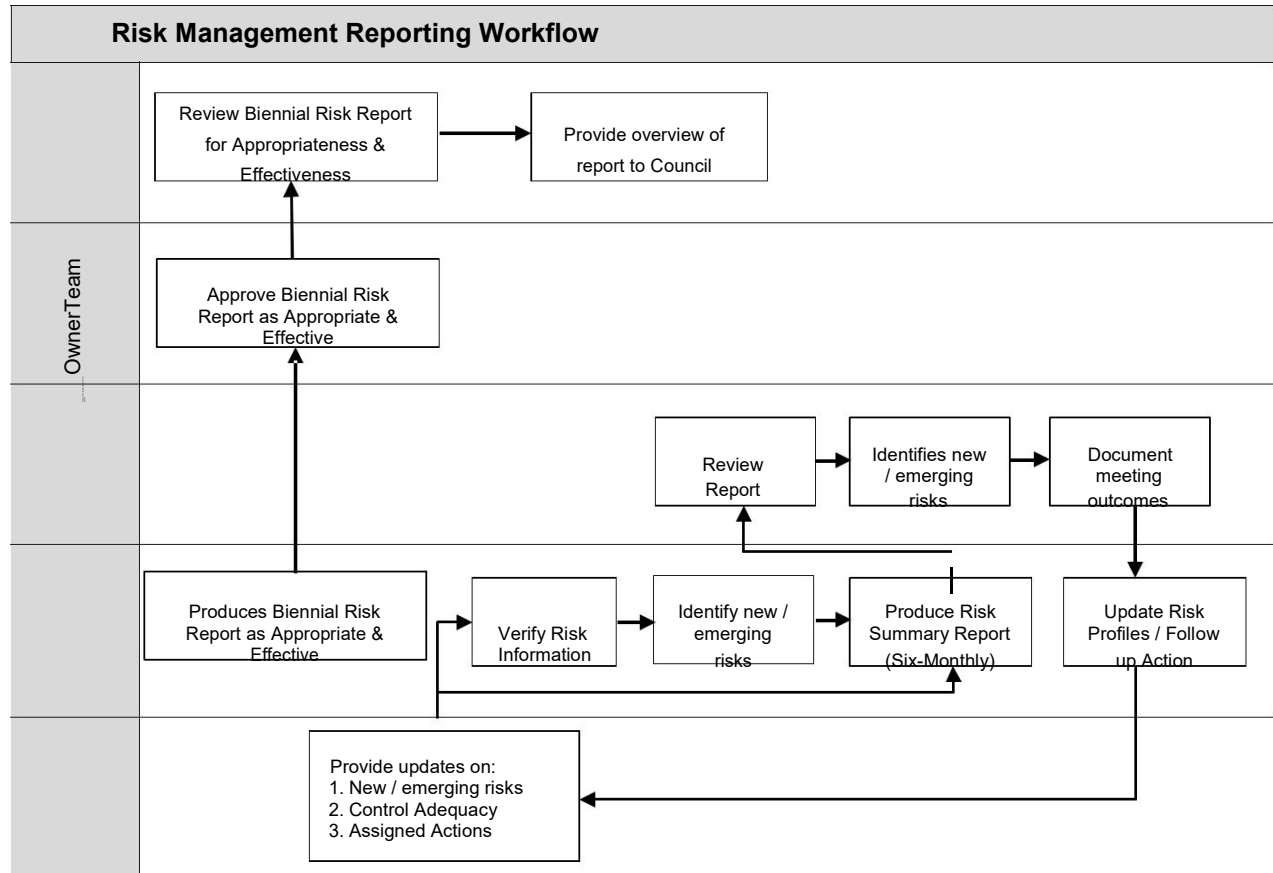
Risk management awareness and training will be provided to staff as part of their OS&H Program.

Risk management will be included within the employee induction process to ensure new employees are introduced to the Shire's risk management culture.

# Reporting Requirements

## Coverage & Frequency

The following diagram provides a high level view of the ongoing reporting process for Risk Management.



Each Work Area is responsible for ensuring:

1. They continually provide updates in relation to new and emerging risks, control effectiveness and indicator performance to their Managers.
2. Work through assigned actions and provide relevant updates to the **Risk Register**
3. Risks / Issues reported to the CEO & Executive Management Team are reflective of the current risk and control environment.

The Manager of each section is responsible for:

1. Ensuring their **Risk Register** for their section is desktop reviewed, at least on a six monthly basis or when there has been a material restructure, change in risk ownership or change in the external environment.
2. Submitting their sections **Risk Register** to the **Governance, Research, Policy and Grants Officer** on a six-monthly basis for addition to **the Master Risk Register** at the Shire.

## Indicators

Indicators are required to be used for monitoring and validating risks and controls. The following describes the process for the creation and reporting of Indicators.

### 1. Identification

The following represent the minimum standards when identifying appropriate Indicator risks and controls:

The risk description and causal factors are fully understood

The Indicator is fully relevant to the risk or control

Predictive Indicators are adopted wherever possible

Indicators provide adequate coverage over monitoring risks and controls

### 2. Validity of Source

In all cases an assessment of the data quality, integrity and frequency must be completed to ensure that the Indicator data is relevant to the risk or control.

Where possible the source of the data (data owner) should be independent to the risk owner. Overlapping Indicators can be used to provide a level of assurance on data integrity.

If the data or source changes during the life of the Indicator, the data is required to be revalidated to ensure reporting of the Indicator against a consistent baseline.

### 3. Tolerances

Tolerances are set based on the Shire's Risk Appetite. They may be set and agreed over three levels:

Green – within appetite; no action required.

Amber – the Indicator must be closely monitored and relevant actions set and implemented to bring the measure back within the green tolerance.

Red – outside risk appetite; the Indicator must be escalated to the CEO & Executive Management Team where appropriate management actions are to be set and implemented to bring the measure back within appetite.

### 4. Monitor & Review

All active indicators are updated as per their stated frequency of the data source.

When monitoring and reviewing indicators, the overall trend should be considered over a longer timeframe than individual data movements. The trend of the indicators is specifically used as an input to the risk and control assessment.

## Risk Acceptance

Day-to-day operational management decisions are generally managed under the delegated authority framework of the Shire.

Risk Acceptance outside of the appetite framework is a management decision to accept, within authority levels, material risks which will remain outside appetite framework (refer Appendix A – Risk Assessment & Acceptance Criteria) for an extended period of time (generally 3 months or longer).

The following process is designed to provide a framework for those outside appetite framework identified risks.

The 'Risk Acceptance' must be in writing, signed by the relevant Manager and cover:

1. A description of the risk.
2. An assessment of the risk (e.g. Impact consequence, materiality, likelihood, working assumptions etc)
3. Details of any mitigating action plans or treatment options in place  
An estimate of the expected remediation date.

Reasonable action should be taken to mitigate the risk. A lack of budget to remediate a material risk outside of appetite is not sufficient justification in itself to accept a risk.

Accepted risks must be continually reviewed through standard operating reporting structure (i.e. Executive Management Team)

## Shire Master Risk Register Plan

The **Shire Master Risk Register** compiles all of the risks submitted to the **Governance, Research, Policy and Grants Officer** from the **Managers** over the year.

The **Governance, Research, Policy and Grants Officer** is tasked with liaising with **Managers** to ensure that they have adequate resources to mitigate the risks identified to them, or by them in their section.

The Shire Master Risk Register needs to consider the following components.

1. Consider control coverage across a range of risk themes (where commonality exists).
2. Building profiles around material controls to assist in mitigation of risk
3. Consideration to significant incidents. Nature of operations
4. Additional or existing 2<sup>nd</sup> line assurance information / reviews (e.g. HR, Financial Services) Frequency of monitoring / checks being performed
5. Review and development of Indicators Timetable for assurance activities
6. Reporting requirements
7. Coverage of all risk classes (Strategic, Operational, Project)



# Appendix A – Risk Assessment and Acceptance

# Criteria

## BOX – 1 CONSEQUENCE

Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
<b>Insignificant (1)</b>	Near-Miss or First Aid	Less than \$2,000	No material service interruption -backlog cleared < 6 hours	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential damage.	Contained, reversible impact managed by on site response
<b>Minor (2)</b>	Medical type injuries	\$2,001 - \$15,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non-compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
<b>Moderate (3)</b>	Lost time injury >14 Days	\$15,001 - \$200,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
<b>Major (4)</b>	Long-term disability / multiple injuries	\$200,001 - \$500,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
<b>Extreme (5)</b>	Fatality, permanent disability	More than \$500,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact



### BOX 2 – LIKELIHOOD

Level	Rating	Description	Frequency
5	Almost Certain	The event is expected to occur in most circumstances	More than once per year
4	Likely	The event will probably occur in most circumstances	At least once per year
3	Possible	The event should occur at some time	At least once in 3 years
2	Unlikely	The event could occur at some time	At least once in 10 years
1	Rare	The event may only occur in exceptional circumstances	Less than once in 15 years

### BOX 3 - RISK MATRIX

Consequence		Insignificant	Minor	Moderate	Major	Extreme
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)





Risk Rank	Description	Criteria	Responsibility
<b>LOW (1-4)</b>	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
<b>MODERATE (5-9)</b>	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
<b>HIGH (10-16)</b>	Urgent Attention Required	Risk acceptable with excellent controls, managed by executive management and subject to monthly monitoring	CEO
<b>EXTREME (17 -25)</b>	Unacceptable	Risk only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO / Council



## Appendix B – Risk Register Template

<b>Identified Risk</b>	<b>Date:</b>
<i>What could go wrong?</i>	

<b>Potential Causes</b>
<i>What could cause it to go right / wrong?</i>

<b>Danger Indicators</b>
<i>What are some signs that the risk might occur</i>

<b>Controls in Place</b>	<b>Officer in Charge</b>
<i>What we have in place to prevent it going wrong at the moment (if any)</i>	

<b>Consequence Category (Refer to Box 1 – Consequences)</b>	<b>Likelihood Category (Refer to Box 2 – Likelihood)</b>	<b>Overall Risk Matrix Score: (Refer to Box 3 - Risk Matrix)</b>

<p><b>Based on Risk Matrix Score, who is the Officer in charge of managing Risk</b> (refer to Box4 “Officer Responsible for Managing Risk”)</p>

<b>Staff Member reporting Risk</b>	<b>Date of submission to Manager</b>
Name:	
Signature:	

<b>Manager in receipt of Risk</b>	<b>Date of Submission to Policy officer</b>
Name:	
Signature:	

Policy Officer to confirm in writing to Manager receipt of Risk Register Template and addition to the Master Risk Register

## Appendix C – Risk Theme Definitions

### **Misconduct**

Intentional activities in excess of authority granted to an employee, which circumvent endorsed policies, procedures or delegated authority. This would include instances of:

1. Relevant authorisations not obtained. Distributing confidential information.
2. Accessing systems and / or applications without correct authority to do so. Misrepresenting data in reports.
3. Theft by an employee
4. Collusion between Internal & External parties

This does not include instances where it was not an intentional breach - refer Errors, Omissions or Delays, or Inaccurate Advice / Information.

### **External theft & fraud (Inc. Cyber Crime)**

Loss of funds, assets, data or unauthorised access, (whether attempts or successful) by external parties, through any means (including electronic), for the purposes of;

1. Fraud – benefit or gain by deceit  
Malicious Damage – hacking, deleting, breaking or reducing the integrity or performance of systems
2. Theft – stealing of data, assets or information (no deceit)

Examples include:

- Scam Invoices
- Cash or other valuables from 'Outstations'.

### **Business & community disruption**

Failure to adequately prepare and respond to events that cause disruption to the local community and / or normal Shire business activities. The event may result in damage to buildings, property, plant & equipment (all assets). This could be a natural disaster, weather event, or an act carried out by an external party (Inc. vandalism). This includes;

1. Lack of (or inadequate) emergency response / business continuity plans.
2. Lack of training to specific individuals or availability of appropriate emergency response. Failure in command and control functions as a result of incorrect initial assessment or untimely awareness of incident.
3. Inadequacies in environmental awareness and monitoring of fuel loads, curing rates etc

This does not include disruptions due to IT Systems or infrastructure related failures - refer "Failure of IT & communication systems and infrastructure".

### **Errors, omissions, delays**

Errors, omissions or delays in operational activities as a result of unintentional errors or failure to follow due process. This includes instances of;

1. Human errors, incorrect or incomplete processing
2. Inaccurate recording, maintenance, testing and / or reconciliation of data.
3. Errors or inadequacies in model methodology, design, calculation or implementation of models.

This may result in incomplete or inaccurate information. Consequences include;

1. Inaccurate data being used for management decision making and reporting.  
Delays in service to customers
2. Inaccurate data provided to customers. This excludes process failures caused by inadequate / incomplete procedural documentation - refer "Inadequate Document Management Processes".

### **Failure of IT &/or Communications Systems and Infrastructure**

Instability, degradation of performance, or other failure of IT Systems, Infrastructure, Communication or Utility causing the inability to continue business activities and provide services to the community. This may or may not result in IT Disaster Recovery Plans being invoked. Examples include failures or disruptions caused by:

1. Hardware &/or Software IT Network
2. Failures of IT Vendors

This also includes where poor governance results in the breakdown of IT maintenance such as;

1. Configuration management Performance Monitoring  
IT Incident, Problem Management & Disaster Recovery Processes

This does not include new system implementations - refer "Inadequate Project / Change Management".

### **Failure to fulfil statutory, regulatory or compliance requirements**

Failure to correctly identify, interpret, assess, respond and communicate laws and regulations as a result of an inadequate compliance framework. This could result in fines, penalties, litigation or increase scrutiny from regulators or agencies. This includes, new or proposed regulatory and legislative changes, in addition to the failure to maintain updated legal documentation (internal & public domain) to reflect changes.

This does not include Occupational Safety & Health Act (refer "Inadequate safety and security practices") or any Employment Practices based legislation (refer "Ineffective Employment practices")

It does include the Local Government Act, Health Act, Building Act, Privacy Act and all other legislative based obligations for Local Government.

### **Providing inaccurate advice / information**

Incomplete, inadequate or inaccuracies in professional advisory activities to customers or internal staff. This could be caused by using unqualified staff, however it does not include instances relating Breach of Authority.

### **Inadequate project / change Management**

Inadequate analysis, design, delivery and / or status reporting of change initiatives, resulting in additional expenses, time requirements or scope changes. This includes:

1. Inadequate Change Management Framework to manage and monitor change activities. Inadequate understanding of the impact of project change on the business.
2. Failures in the transition of projects into standard operations. Failure to implement new systems
3. Failures of IT Project Vendors/Contractors

### **Inadequate Document Management Processes**

Failure to adequately capture, store, archive, retrieve, provision and / or disposal of documentation. This includes:

1. Contact lists.
2. Procedural documents.
3. 'Application' proposals/documents.
4. Contracts, Tenders
5. Forms, requests or other documents.

### **Inadequate safety and security practices**

Non-compliance with the Occupation Safety & Health Act, associated regulations and standards. It is also the inability to ensure the physical security requirements of staff, contractors and visitors. Other considerations are:

1. Inadequate Policy, Frameworks, Systems and Structure to prevent the injury of visitors, staff, contractors and/or tenants.
2. Inadequate Organisational Emergency Management requirements (evacuation diagrams, drills, wardens etc).
3. Inadequate security protection measures in place for buildings, depots and other places of work (vehicle, community etc).
4. Public Liability Claims, due to negligence or personal injury.
5. Employee Liability Claims due to negligence or personal injury. Inadequate or unsafe modifications to plant & equipment.

### **Inadequate engagement practices**

Failure to maintain effective working relationships with the Community Stakeholders, Private Sector, Government Agencies and / or Elected Members. This invariably includes activities where communication, feedback and / or consultation is required and where it is in the best interests to do so.

### **Inadequate asset sustainability practices**

Failure or reduction in service of infrastructure assets, plant, equipment or machinery. These include fleet, buildings, roads, playgrounds, boat ramps and all other assets and their associated lifecycle from procurement to maintenance and ultimate disposal. Areas included in the scope are;

1. Inadequate design (not fit for purpose) Ineffective usage (down time)
2. Outputs not meeting expectations Inadequate maintenance activities.
3. Inadequate financial management and planning.

It does not include issues with the inappropriate use of the Plant, Equipment or Machinery. Refer Misconduct.

### **Inadequate Supplier / Contract Management**

Inadequate management of External Suppliers, Contractors, IT Vendors or Consultants engaged for core operations. This includes issues that arise from the ongoing supply of services or failures in contract management & monitoring processes.

### **Ineffective management of facilities / venues / events**

Failure to effectively manage the day to day operations of facilities and / or venues. This includes;

1. Inadequate procedures in place to manage the quality or availability.
2. Booking issues
3. Financial interactions with hirers / users
4. Oversight / provision of peripheral services (e.g. cleaning / maintenance)

## Appendix 3

### Issues that should be considered for inclusion in the CEO's Review of Risk Management, Internal Control and Legislative Compliance

**Please note:** Section 7 of the Department's Western Australian Local Government Accounting Manual provides a comprehensive internal control framework related to internal control and risk management.

#### Risk Management

Internal control and risk management systems and programs are a key expression of a local government's attitude to effective controls. Good audit committee practices in monitoring internal control and risk management programs typically include:

- Reviewing whether the local government has an effective risk management system and that material operating risks to the local government are appropriately considered;
- Reviewing whether the local government has a current and effective business continuity plan (including disaster recovery) which is tested from time to time;
- Assessing the internal processes for determining and managing material operating risks in accordance with the local government's identified tolerance for risk, particularly in the following areas;
  - potential non-compliance with legislation, regulations and standards and local government's policies;
  - important accounting judgements or estimates that prove to be wrong;
  - litigation and claims;
  - misconduct, fraud and theft;
  - significant business risks, recognising responsibility for general or specific risk areas, for example, environmental risk, occupational health and safety, and how they are managed by the local government;
- Obtaining regular risk reports, which identify key risks, the status and the effectiveness of the risk management systems, to ensure that identified risks are monitored and new risks are identified, mitigated and reported;
- Assessing the adequacy of local government processes to manage insurable risks and ensure the adequacy of insurance cover, and if applicable, the level of self-insurance;
- Reviewing the effectiveness of the local government's internal control system with management and the internal and external auditors;
- Assessing whether management has controls in place for unusual types of transactions and/or any potential transactions that might carry more than an acceptable degree of risk;
- Assessing the local government's procurement framework with a focus on the probity and transparency of policies and procedures/processes and whether these are being applied;
- Should the need arise, meeting periodically with key management, internal and external auditors, and compliance staff, to understand and discuss any changes in the local government's control environment;
- Ascertaining whether fraud and misconduct risks have been identified, analysed, evaluated, have an appropriate treatment plan which has been implemented, communicated,



monitored and there is regular reporting and ongoing management of fraud and misconduct risks.

### Internal Control

Internal control is a key component of a sound governance framework, in addition to leadership, long-term planning, compliance, resource allocation, accountability and transparency. Strategies to maintain sound internal controls are based on risk analysis of the internal operations of a local government.

An effective and transparent internal control environment is built on the following key areas:

- integrity and ethics;
- policies and delegated authority;
- levels of responsibilities and authorities;
- audit practices;
- information system access and security;
- management operating style; and
- human resource management and practices.

Internal control systems involve policies and procedures that safeguard assets, ensure accurate and reliable financial reporting, promote compliance with legislation and achieve effective and efficient operations and may vary depending on the size and nature of the local government.

Aspects of an effective control framework will include:

- delegation of authority;
- documented policies and procedures;
- trained and qualified employees;
- system controls;
- effective policy and process review;
- regular internal audits;
- documentation of risk identification and assessment; and

- regular liaison with auditor and legal advisors.

The following are examples of controls that are typically reviewed:

- separation of roles and functions, processing and authorisation;
- control of approval of documents, letters and financial records;
- comparison of internal data with other or external sources of information;
- limit of direct physical access to assets and records;
- control of computer applications and information system standards;
- limit access to make changes in data files and systems;
- regular maintenance and review of financial control accounts and trial balances;
- comparison and analysis of financial results with budgeted amounts;
- the arithmetical accuracy and content of records;
- report, review and approval of financial payments and reconciliations; and
- comparison of the result of physical cash and inventory counts with accounting records.

### Legislative Compliance

The compliance programs of a local government are a strong indication of attitude towards meeting legislative requirements. Audit committee practices in regard to monitoring compliance programs typically include:

- Monitoring compliance with legislation and regulations;
- Reviewing the annual Compliance Audit Return and reporting to Council the results of that review;
- Staying informed about how management is monitoring the

effectiveness of its compliance and making recommendations for change as necessary;

- Reviewing whether the local government has procedures for it to receive, retain and treat complaints, including confidential and anonymous employee complaints;
- Obtaining assurance that adverse trends are identified and review management's plans to deal with these;
- Reviewing management disclosures in financial reports of the effect of significant compliance issues;
- Reviewing whether the internal and/or external auditors have regard to compliance and ethics risks in the development of their audit plan and in the conduct of audit projects, and report compliance and ethics issues to the audit committee;
- Considering the internal auditor's role in assessing compliance and ethics risks in their plan;
- Monitoring the local government's compliance frameworks dealing with relevant external legislation and regulatory requirements; and
- Complying with legislative and regulatory requirements imposed on audit committee members, including not misusing their position to gain an advantage for themselves or another or to cause detriment to the local government and disclosing conflicts of interest.

These guidelines are also available on the Department's website at [www.dlgc.wa.gov.au](http://www.dlgc.wa.gov.au)



Government of **Western Australia**  
Department of **Local Government and Communities**




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8.30am–5.00pm, Monday to Friday

### About the Guideline series

This document and others in the series are intended as a guide to good practice and should not be taken as a compliance knowledge, understanding, observation of, and appropriate consultation on contemporary good practice in local government. Guidelines may also involve the Department's views on the intent and interpretation of relevant legislation.

All guidelines are subject to review, amendment and re-publishing as required. Therefore, comments on any aspect of the guideline are welcome. Advice of methods of improvement in the area of the guideline topic that can be reported to other local governments will be especially beneficial.



For more information about this and other guidelines, contact the Local Government Regulation and Support Branch at:

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## SHIRE OF CHRISTMAS ISLAND

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SUBMISSION TO	Ordinary Council Meeting 26 September 2023
AGENDA REFERENCE	10.5.2
SUBJECT	Christmas Island Singapore Strategy Review
LOCATION/ADDRESS/APPLICANT	Nil
FILE REFERENCE	1.5.20
INTEREST DISCLOSURE	Nil
DATE OF REPORT	21 September 2023
AUTHOR	Chris Su
SIGNATURE OF AUTHOR	SIGNED
SIGNATURE OF CEO	SIGNED

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### RECOMMENDATIONS

**That the Council adopts the 2023 Christmas Island-Singapore Strategy**

### BACKGROUND

The Shire adopted the first CI-Singapore (SG) Strategy in 2018 to help fulfil economic and social development on Christmas Island in resolution 105/18 at the December 2018 ordinary council meeting. It offered a series of medium and long-term strategic initiatives across a range of items from higher education, food supply, culture and tourism opportunities where CI and SG public and private sectors might have overlapping interests to be explored.

### COMMENT

The Shire assisted in several key CI-SG initiatives in this period until the COVID-19 pandemic paused international travel from January 2020 until May 2022. This was a significant detractor to the progress of initiatives started in 2019. In addition, the Commonwealth's decision to "pause" the CISA process has de facto suspended any tangible way of diversifying the economy of the Island from an additional land use perspective thus reinforcing the need to review and upgrade the 2018 CI-SG Strategy.

#### Academic

From 2021-2022 SOCI provided support to two National University of Singapore (NUS) Masters of Architecture students completing their thesis involving Christmas Island architecture and social development. Ms. Emma Lau and Ms Gabrielle Wong both have their papers filed in the reserve section of the library

In 2023 SOCI provided support to visiting PhD student Darren Wan of Cornell University by way of Singapore with accommodation at the Shire unit for two weeks in Sept 2023. His PhD research is in the history of citizenship issues in British controlled Singapore, Malaysia and Christmas Island.

#### Cultural

SOCI funded the return airfare for Ms. Nabilah Saaid, a noted playwright in Singapore, to visit Christmas Island for the month of Sept-Oct 2022 for research around a play on the Malay experience of Christmas Island.

She was successful in a grant program through the Malthouse Theatre in Victoria in 2020/2021 for the commissioning of the play. The play will be performed in

Melbourne and Singapore, with aims to bring it to Christmas Island in some form soon after. As of September 2023, the script is finished and casting has commenced.

#### Education

Dr. GOH Lay Beng, head of Applied Science at Temasek Polytechnic (TP) visited Christmas Island in 2019 and had planned for a cohort of TP students to visit in 2020. This was frustrated by the pandemic. A visit in the future may still happen. This would be a first step in establishing visiting student excursions from Singapore and the region as an economic plank for the island.

#### Institutional

The NUS' Lee Kong Chuan Natural History Museum held the well-received '*Christmas Red*,' the largest museum display of Christmas Island flora and fauna ever created, in 2018. NUS was very kind in donating a significant amount of interpretation material to the Shire of Christmas Island after the exhibition completed its six-month run at NUS. These items are kept at the Shire, ready for display at a future opportunity.

### **STATUTORY ENVIRONMENT**

The 2023 CI-SG Strategy has land use planning implications on CI. It will inform the Draft Local Planning Strategy as per the *DPLH/WAPC Oct. 2021 Local Planning Strategy Guidelines section 5.3.3.8.* and ultimately provide statutory planning support to prospective developments that may result in the implementation of some of its Strategic Initiatives.

It will also be considered as an Informing Strategy in the *Integrated Planning Review Framework* which will help designate resources in the *Corporate Business Plan* for overall execution of the *Strategic Community Plan 'Our Island, Our Responsibility 2023-2033.'*

### **FINANCIAL IMPLICATIONS**

Resources allocated to create the 2023 CI-SG Strategy are part of the budget allocated to Review the 2015 Local Planning Strategy. There will be future budgetary considerations to complete goals identified in the CISS

### **STRATEGIC IMPLICATIONS & MILESTONES**

The 2023 CI-SG Strategy relevant Strategic Initiatives will be referenced in the Draft Local Planning Strategy.

Adoption of the CI-SG Strategy also pertains to:

- Item E1: Sustainable Business Growth goal in Economy and Employment
- Item 'E2: Diversified Economic Growth goal in Economy and Employment

within the 2023-2033 '*Our Island, Our Responsibility*' *Strategic Community Plan*

### **VOTING REQUIREMENTS**

A simple majority is required.

### **ATTACHMENTS**

10.5.2.1 – 2023 Christmas Island-Singapore Strategy

### **Behind Closed Doors**

#### **Recommendation:**

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

**Meeting Reopened to the Public:**

**Recommendation:**

**The meeting be reopened to members of the public**