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Appendix C – Indian Ocean Territories services provision

1.1   In the absence of a traditional state government, the Department of Infrastructure and Regional Development (DIRD) manages the provision of state-type services in the Indian Ocean Territories (IOT) through:

- Service Delivery Arrangements (SDA) or an exchange of letters with Western Australian (WA) Government agencies;

- contracts with private entities; and

- directly, where services cannot be provided via an SDA or privately.[1]

Services delivered by Western Australian Government agencies

1.2   The *Christmas Island Act 1958* (Cth) and the *Cocos (Keeling) Islands Act 1955* (Cth) (Section 8H) empowers DIRD, on behalf of the Commonwealth, to enter into arrangements with WA Government agencies for the delivery of state-type services in the territories.[2] WA Government agencies are considered best placed to deliver services because WA law is applied in the IOT.[3]

1.3   A State-Coordinator, funded by DIRD and situated in the WA Department of Premier and Cabinet, assists DIRD to negotiate formal SDA with

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1   Department of Infrastructure and Regional Development, *Service Delivery Arrangements (SDA) Information Kit*, 2015, p. 13.

2   *Cocos (Keeling) Islands Act 1955* (Cth), s. 8H; *Christmas Island Act 1958* (Cth), s. 8H.

3   Department of Infrastructure and Regional Development, *Service Delivery Arrangements (SDA) Information Kit*, 2015, p. 19.

individual WA Government agencies.[4] Where a formal SDA is inappropriate or not possible due to legislative constraints DIRD engages WA agencies through an exchange of letters.[5]

Via formal Service Delivery Arrangements (SDA)

As at July 2015 the following WA Government agencies were engaged under an SDA to deliver state-type services in the IOT on behalf of the Commonwealth.[6]

WA Government agency	Services provided
Department of Agriculture and Food	Delivers biosecurity support to minimise the impact of identified noxious weed species on the environment of the IOT.
Department of the Attorney General	Provides access to the justice system including judicial and non-judicial court services; registry office; state solicitor's office; public advocate and victim support and child witness service.
Department for Child Protection and Family Support	Provides professional supervision and support for the IOT Social Worker. Assists in administering the applied legislation concerning Working with Children Checks.
Department of Commerce (Including Building Commission, Consumer Protection, Energy Safety and WorkSafe)	Supports the application of building and plumbing, consumer protection; energy safety (electricity and gas); occupational safety and health legislation; and regulatory services.
Department of Corrective Services	Provides offender management and community justice services.
Department of Culture and the Arts	Provides broad policy and planning services; arts development services (including art funding administration); art gallery services; museums services; and cultural planning services.
Disability Services Commission	Works in partnership with IOT service providers to provide information, and support services to people with disabilities, their families and carers in the IOT, including the services of a Local Area Coordinator.
Economic Regulation Authority	Promotes economically efficient outcomes at the lowest practicable cost through efficient and effective independent economic regulation. Provides independent advice to the Australian Government.
Department of Environment Regulation	Protects and conserves the IOT environment through advice and implementation of strategies for a healthy environment in the IOT to protect public health, minimise environmental impact and implement environmental policy to the IOT. This includes regulation of prescribed premises, native vegetation, pollution, contamination, emissions and wastes, and incident protection and response, environmental sustainability and climate change and waste policy and programmes.
Equal Opportunity Commission of WA	Provides information and advice on equal opportunity and human rights issues. Investigates complaints under the applied

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4   Department of Infrastructure and Regional Development, *Service Delivery Arrangements (SDA) Information Kit*, 2015, p. 19.

5   Ms Robyn Fleming, Executive Director, Local Government and Territories Division, Department of Infrastructure and Regional Development, *Committee Hansard*, Canberra, 15 October 2015, p. 1.

6   Department of Infrastructure and Regional Development, *Indian Ocean Territories 2015-16 Budget Overview and 2014-15 Budget Outcomes, July 2015,* pp. 4-7.

	equal opportunity legislation.
Department of Finance	Collects state-type revenue in accordance with applied legislation and remit revenue to the Australian Government. Sub-contracts JLL to manage commercial properties. Provides advice on energy policy and regulatory matters in the IOT.
Department of Fire and Emergency Services	Supports volunteer brigades, including planning and training.
Department of Fisheries	Assists with the protection of the IOT marine environment through: commercial and recreational fisheries management; fisheries research and assessment; fisheries community education; aquatic biosecurity services; fish health diagnostic and pathology services; fisheries compliance services; and aquaculture management and licensing.
Department of Health	Provides regulatory, advisory and other support services and specialist advice to the Australian Government, including to the IOT Health Service. Provides accessible in-hospital services and care in WA. Provides community and public health policy advice and support, and tobacco licensing services and compliance. Provides screening and diagnostic mammography services through Breastscreen WA.
Health and Disability Services Complaints Office	Investigates complaints about the provision of health and disability services in the IOT.
Department of Housing	Provides advice and support to the IOTA Housing Unit for the effective administration of social housing.
Insurance Commission of WA	Provides funds management, expert advice and claims handling services in relation to the operation of a compulsory third party insurance scheme in the IOT.
Landgate	Provides land information services, including registration of title, and geographic and cadastral information. Provides impartial valuation services supporting asset management and revenue collection.
Department of Lands	Administers Crown land.
Legal Aid Commission of WA	Provides legal services to those in need and assistance to the community in accessing justice.
Department of Local Government and Communities	Provides licensing, monitoring and support services for childcare providers, including family day care. Implements programs for social inclusion and develop partnerships with non-government organisations. Supports the volunteer Resource Centre and Neighbourhood Centre on CI (including funding administration). Ensures compliance with applied local government legislation and facilitate the development of local government.
Main Roads WA	Provides advice on road funding. Provides direct support and advice to the local government on traffic management and road networks.
Department of Mines and Petroleum	Registers IOT mineral titles and provide advice on associated environmental matters. Collects mining revenue. Regulates resources safety issues, including the storage, transport and handling of dangerous goods.
Department of Planning	Provides planning and administrative advice to ensure the use and development of land is consistent with strategic planning, policy guidelines and planning standards. Provides advice and assistance to the Australian Government on coastal planning issues. Provides professional and technical expertise, administrative services, and resources to advise the WA Planning Commission.
Planning Commission (WAPC)	Provides information, advice and recommendations to the Minister on land use planning and land development matters.
Public Trustee	Provides trustee services, including the preparation of wills and

	provision of executor and administrator services.
Department of Racing, Gaming and Liquor	Provides liquor licensing services, including compliance audits and inspection of licensed premises.
Department of Regional Development	Supports community capacity building and regional development through support to the CKI Community Resource Centre (including funding administration).
Department of Sport and Recreation	Provides advice to the Australian Government and the local governments on the sporting and recreational needs. Provides advice to sporting and recreational groups.
State Library of Western Australia	Provides local authorities and associated bodies with library materials, information and support services.
Department of Training and Workforce Development	Provide training and advice to vocational and adult education and training providers. Register and monitor apprentices and trainees.
Department of Transport	Provides advice, assistance and support on transport issue including driver and vehicle licensing, vehicle safety standards, marine safety, taxi/charter (passenger transport), transport planning, aviation freight and active transport.
Department of Water	Provides advice and support to the Australian Government on licensing and water source regulation.
Water Corporation of WA	Provides water and wastewater services to the communities on CI and CKI, and electricity generation and supply to the CKI communities. These services include the procurement of assets and the planning and management of the capital works programme.
WorkCover WA	Administers the *Workers Compensation and Injury Management Act (1981) (WA)(CI)(CKI)* for the benefit of injured workers.

Via an exchange of letters

As of 15 October 2016 the following WA Government agencies were engaged via an exchange of letters to deliver state-type services in the IOT on behalf of the Commonwealth.[7]

WA Government agency	Services provided
Office of the Auditor General for Western Australia	Undertakes an annual audit of WA Government agencies providing services to the IOT.
Department of Education	Operates the Christmas Island District High School and the Cocos (Keeling) Islands District High School, providing school-based education for Kindergarten to Year 10 (CKI) and to Year 12 (CI) students under the WA curriculum.
Department of the Premier and Cabinet	Facilitates negotiations between WA government agencies and the Australian Government. Coordinates the IOT Program on behalf of the WA Government.

7   Ms Robyn Fleming, Executive Director, Local Government and Territories Division, Department of Infrastructure and Regional Development, *Committee Hansard*, Canberra, 15 October 2015, pp. 1-2; Department of Infrastructure and Regional Development, *Indian Ocean Territories 2015-16 Budget Overview and 2014-15 Budget Outcomes, July 2015,* pp. 4-7.

Services delivered by private providers

DIRD engages private providers to deliver services that are unable to be delivered by WA Government agencies, or that require support in the absence of a viable commercial market. As of July 2015 the major private providers delivering services in the IOT were as follows.[8]

Company	Services provided
Virgin Australia Airlines	Virgin Australia Airlines provides air services from Perth to the IOT, including commercial-grade passenger services to Christmas Island and to Cocos (Keeling) Islands each week and air freight services to the IOT.
Toll Remote Logistics	Manages the day-to-day operation of the Christmas Island and Cocos (Keeling) Islands airports.
Patrick Stevedoring Pty Ltd (a subsidiary of Asciano Ltd)	Manages the day-to-day operation of the Christmas and Cocos (Keeling) Islands port facilities.[9]
Casa Leisure	Manages the Christmas Island Recreation Facility.[10]
Cocos Cooperative	Operates the Cocos (Keeling) Islands ferry and bus services.[11]

8   Department of Infrastructure and Regional Development, *Indian Ocean Territories 2015-16 Budget Overview and 2014-15 Budget Outcomes, July 2015,* pp. 1, 8.

9   Department of Infrastructure and Regional Development, *Community Bulletin 62/2015*, 10 December 2015, p. 1.

10   Department of Infrastructure and Regional Development, *Submission 36.2*, p. 1; Casa Leisure, *Christmas Island Recreation Centre,* http://www.casaleisure.com.au/christmas-island-recreation-centre/home/, viewed 15 February 2016.

11   Department of Infrastructure and Regional Development, *Submission 36.2*, p. 1.

Services delivered directly by the Commonwealth

DIRD and other Commonwealth Government agencies directly deliver some federal, state and local-type services in the IOT, where appropriate or in the absence of a willing WA Government agency or private provider. As of July 2015 the major Commonwealth agencies directly delivering services in the IOT were as follows.[12]

Commonwealth agency	Services provided
Australian Federal Police	The AFP is responsible for regulatory functions, such as the service of court documents and civil process, marine compliance, and vehicle licence testing. The AFP also provides customs and immigration services under arrangements with the responsible Australian Government agencies.[13]
Department of Immigration and Broder Security	The Department of Immigration and Border Security operates the Indian Ocean Territories Customs Service and is responsible for undertaking border related functions on Christmas Island including the arrival and departure of aircraft, ships, yachts, launches and accompanying passengers, crew and cargo.[14]
Department of Agriculture	The Department of Agriculture conducts inspections when passengers and cargo arrive at Christmas Island and Cocos (Keeling) Islands to verify compliance with biosecurity requirements.[15]
Department of Infrastructure and Regional Development	The Australian Government is responsible for the operation of the IOT Power Service. Power services include the generation and supply of power, maintenance and replacement of infrastructure, management of the fuel contract, conducting electrical safety inspections, and delivery of a renewable energy buy back scheme for private home and business owners utilising solar power.[16]
Department of Infrastructure and Regional Development	The Australian Government provides health services to the IOT communities through the IOT Health Service (IOTHS), which operates a primary health care service. The IOTHS operates a 24 hour, eight bed health service on CI, and clinics with on-call services after hours on Home and West Islands on CKI. Visits to health specialists are funded by the

12   Department of Infrastructure and Regional Development, *Indian Ocean Territories 2015-16 Budget Overview and 2014-15 Budget Outcomes, July 2015,* pp. 1-12.

13   Department of Infrastructure and Regional Development, *Indian Ocean Territories 2015-16 Budget Overview and 2014-15 Budget Outcomes, July 2015,* p. 9.

14   Christmas Island Airport, *Australian Customs Service,* http://www.christmasislandairport. com/airline.html, viewed 15 February 2016; Department of Immigration and Border Protection, *Customs House Christmas Island,* http://www.border.gov.au/Locations/ Pages/Australia/Customs-House-Christmas-Island.aspx, viewed 15 February 2015.

15   Department of Agriculture, *Travelling or sending goods, including cargo to the Indian Ocean Territories,* http://www.agriculture.gov.au/travelling/sending-goods-cargo-indian-ocean, viewed 15 February 2016.

16   Department of Infrastructure and Regional Development, *Indian Ocean Territories 2015-16 Budget Overview and 2014-15 Budget Outcomes, July 2015,* p. 10.

	Australian Government, including for Speech Pathology, Occupational Therapy, Physiotherapy, Podiatry and Optometry. Where it is not within the capability of IOTHS to provide ongoing care to patients, transfer is arranged to an appropriate health facility in WA.[17]
Department of Infrastructure and Regional Development	A number of services are delivered directly by the Commonwealth through the IOTA. IOTA has an office on both CI and CKI. Services provided by IOTA include: • power generation and distribution; • health services; • community infrastructure; • Magistrates court, motor vehicle registration (CI only), Collector of Public Money; • employee and public housing maintenance and management; and • land management (the Commonwealth is responsible for a significant portion of land in the IOT).[18]

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17 Department of Infrastructure and Regional Development, *Indian Ocean Territories 2015-16 Budget Overview and 2014-15 Budget Outcomes, July 2015,* p. 11.

18 Department of Infrastructure and Regional Development, *Service Delivery Arrangement (SDA) Information Kit*, August 2015, p. 13.