

DEPARTMENT OF THE PREMIER & CABINET
Office of Federal Affairs

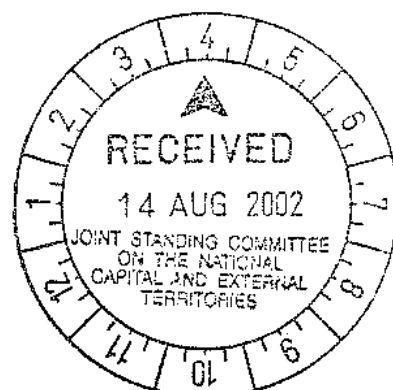
Submission

**JOINT STANDING COMMITTEE ON THE NATIONAL CAPITAL
AND EXTERNAL TERRITORIES**

on the

**INQUIRY INTO AUSTRALIA'S EXTERNAL TERRITORIES OF
CHRISTMAS AND THE COCOS (KEELING) ISLANDS.**

August 2002



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1. COMMONWEALTH LAW REFORM IN THE INDIAN OCEAN TERRITORIES

On 1 July 1992, the *Territories Law Reform Act* was passed by the Commonwealth Parliament in response to a report, "Islands in the Sun", prepared by the House of Representatives Standing Committee on Legal and Constitutional Affairs. This report examined, among other things, the legal regimes of the Indian Ocean Territories and concluded that the legal situation which existed in the Territories created inconsistencies for Australia's international human rights obligations.

The *Territories Law Reform Act 1992* amended the *Christmas Island Act 1958* (the 'Christmas Act') and the *Cocos (Keeling) Islands Act 1955* (the 'Cocos Act') replacing the antiquated laws of the Territories (which included laws of the Colony of Singapore and the Imperial laws of the English Parliament) with a modern body of legislation based on Western Australian laws as in force from time to time (subject to modification by Ordinances) and extended the laws of the Commonwealth (unless expressed not to extend).

Western Australian laws were chosen after extensive consideration had been given to a number of options, including the application of the laws of the ACT or the laws of the Northern Territory. The ACT and Northern Territory options were ultimately rejected due to cost factors, remoteness and the fact that no transport links existed between them and the Indian Ocean Territories. On the other hand, Western Australia already had established links with the Islands by virtue of its shipping and air services, the provision of Western Australian education services, and the fact many Islanders had relocated to the mainland and were residents of Western Australia.

Since 1 July 1992 almost all the statutes and the common law of Western Australia have been applied as the law of the Territories. As Western Australia passes new legislation it automatically applies in the Territories unless the Commonwealth takes action to repeal, suspend or modify the law in its application in the Territories. As the Commonwealth did not extend the laws of WA to the Territories, but **applied** those laws as Commonwealth laws, political responsibility for the laws of the Territories remains with the Commonwealth. State Ministers have no political or other jurisdiction in the Territories.

The Commonwealth's broad objective for the law reform program is to align conditions and standards of the Territories with those of comparable communities in the rest of Australia and to provide Territories' residents with rights, opportunities and responsibilities equal to those of fellow Australians.

2. ROLE OF THE WA STATE GOVERNMENT

The Christmas and Cocos Acts contain powers enabling the Commonwealth to enter into arrangements with the Western Australian Government for the effective application and administration of laws in force in the Territories.

In December 1992 the Western Australian Government enacted complementary legislation to the *Territories Law Reform Act*, the *Indian Ocean Territories*

(Administration of Laws) Act 1992 (the 'State Act'). The Premier of Western Australia is the Minister responsible for the State Act.

When the changes to the legal regimes of the Territories were introduced by the *Territories Law Reform Act 1992*, the Christmas Act and the Cocos Act included provisions for the Courts of Western Australia to exercise their powers, duties and functions in the Territories. The State Act enabled, among other things, Western Australian Courts and State judicial officers to exercise jurisdiction in or in relation to the Territories. On 29 June 1993, Western Australian Courts were proclaimed to have jurisdiction in the two Territories.

The State Act provides for the State, or a State Authority, with the approval of the Minister, to enter into arrangements with the Commonwealth for the exercise of any powers, or the performance of any functions, duties or services in or in relation to a Territory. The State Act requires that in any arrangement with the Commonwealth, the State is indemnified by the Commonwealth and funded by the Commonwealth for costs of service delivery in the Territories.

To negotiate the provision of service delivery to the Indian Ocean Territories and protect the interests of the State, the position of Project Manager, Indian Ocean Territories has been operative since 1992. The position is located within the Department of the Premier and Cabinet.

3. SERVICE DELIVERY ARRANGEMENTS (SDAs)

Service Delivery Arrangements (SDAs) are negotiated between the State and the Commonwealth for the provision of State services in the Indian Ocean Territories.

They set out the operating parameters and financial requirements and are agreed between the State and the Commonwealth before services are provided to the Territories.

Services are provided through a visitation program, as on-island employment of State officers is subject to amendments to Commonwealth industrial legislation, which have not yet been put into place.

4. SDA REVIEWS

In accordance with Part VIII clause 19, of the established arrangement between the State and the Commonwealth, six months before the first or any subsequent expiry of the SDA, the parties shall agree to complete a review of the operation in order to determine whether the SDA be allowed to expire, or be renewed, and, if so, in what form. To date, most SDAs have been reviewed at least once. So far, all SDAs reviewed have been renewed.

A copy of the SDA Review of six State Agencies, undertaken in 2001, is at Attachment 1, for information.

5. LIST OF CURRENT SERVICE DELIVERY ARRANGEMENTS:

SDA	COMMENCEMENT	EXPIRY
Department of Health	1 Sept 1997	31 Aug 2000*
Legal Aid Commission	1 January 1999	31 December 2002
Department of Consumer and Employment Protection (<i>Consumer Protection</i>)	1 March 2000	28 February 2003
Medical Board WA	1 April 2000	31 March 2003
Nurses Board WA	1 April 2000	31 March 2003
Public Trustee of the State of Western Australia	1 May 2000	30 April 2003
Department of Consumer and Employment Protection (<i>WorkSafe</i>)	1 June 2000	31 May 2003
Department for Housing and Works	1 June 2000	31 May 2003
Fire and Emergency Services Authority	1 Jul 2000	30 June 2003
Department of Land Administration	1 July 2000	30 June 2003
Department of Local Government and Regional Development (<i>Local Government</i>)	1 July 2000	30 June 2003
Department of Planning and Infrastructure (<i>Planning</i>)	1 July 2000	30 June 2003
State Library of Western Australia	1 July 2000	30 June 2003
WorkCover	1 July 2000	30 June 2003
Department of Justice	1 July 2000	30 June 2003
Department of Racing, Gaming and Liquor (<i>Liquor Licensing Division</i>)	1 July 2000	30 June 2003
Department of Treasury and Finance (<i>State Revenue and Land Valuation Tribunals</i>)	1 July 2000	30 June 2003
State Ombudsman	1 August 2000	31 July 2003
Equal Opportunity Commission	1 October 2001	30 May 2004
Department for Community Development (<i>Family & Children Services</i>)	1 October 2001	30 June 2004
Small Business Development Corporation	1 October 2001	30 June 2004
Valuer-General's Office	1 October 2001	30 June 2004
Main Roads of Western Australia	1 October 2001	30 June 2004
Department of Mineral & Petroleum Resources	1 October 2001	30 June 2004
Department of Training	1 November 2001	30 June 2004
Department of Fisheries	1 November 2001	30 June 2004
Department of Industry and Technology	1 July 2002	30 June 2005
Department of Environmental Protection	1 July 2002	30 June 2005

It should be noted that whilst educational services are provided on-island by the Western Australian Department of Education, there is no formal SDA between the State and the Commonwealth for the provision of these services.

* Extended indefinitely pending Commonwealth decision on mode of service delivery.

6. SCOPE AND METHODOLOGY OF SDA REVIEWS

i) Terms of Reference

In accordance with the requirements of the SDA, Terms of Reference for the Review have been agreed between the State and the Commonwealth, as follows:

1. A review of the services provided in the IOTs by a State Agency shall be undertaken by a Review Team comprising the Commonwealth (represented by the Department of Territories and Regional Services - DoTaRS) and the State (represented by the Department of the Premier and Cabinet).
2. The Review will consider:
 - (i) Achievement of service delivery objectives.
 - (ii) Relevance of SDA performance indicators.
 - (iii) If services are comparable with those provided in similar remote localities on the mainland.

In addition, the Review Team shall establish whether:

- (iv) Any improvements in service delivery are needed under a renewed SDA; and
- (v) Whether the State Agency and the Commonwealth have mutually complied with SDA obligations.

The Review Team shall furnish to the parties a written report prior to the expiry of the SDA, which includes recommendations to the parties whether the SDA for the individual State agency shall be allowed to expire, or whether it should be renewed, and in what form.

Systematic assessment of the SDAs assists decision making concerning:

- Continued relevance /priority of the services provided (appropriateness).
- Testing whether objectives achieve outcomes (effectiveness).
- Ascertaining if there are better ways of achieving objectives (efficiency).
- Identifying gaps.
- Establishing whether services require modification/termination.
- Assessing the relationship between inputs and outputs (where possible) to determine cost-effectiveness.

ii) Data Collection

a) Consultation with IOT Stakeholders

IOT residents are invited to contribute to the review process through individual meetings held by the Review Team, on island, where possible. Additional information is sought through written sources, State Agency questionnaires similar to those utilised on the mainland (where appropriate), and other contact as may be required. Island stakeholders include:

- The Administration

- Administrator's Advisory Committees
- Shire Councils
- Christmas Island Phosphates
- IOT Health Services
- Gaseng
- Shell
- Australian Federal Police
- Cocos (Keeling) Islands Business Association
- Christmas Island Chamber of Commerce.

b) Documentary Sources

The Review Team also considers additional information provided through the annual SDA performance reports submitted by State Agencies to DoTaRS, as well as considering appropriate material contained in other reports (Eg Commonwealth Grants Commission).

iii) Stated Performance Indicators

State Agency performance is assessed against the Mission, Objectives and Performance Indicators developed by each State Agency for service provision in the IOTs.

Other aspects of the review methodology include:

iv) Comparison with appropriate mainland standards

Where possible, similar regional characteristics on the mainland are identified and comparisons made to ensure that service delivery is consistent with mainland standards.

v) New or unmet needs in Service Delivery

vi) Compliance with the requirements of the SDA:

Under the terms of the SDA, a State Agency is required to:

- I. Submit annual budget estimates and financial acquittals to DoTaRS, with the WA Auditor General's Office conducting an audit in accordance with the *Financial Administration and Audit Act 1985*. Appropriate record keeping and accounting practices are required to separately identify IOT receipts, expenditures and to account for assets purchased under the SDA.
- II. Provide performance reports which detail Agencies services to the Territories. (These are generally timed to correspond with the tabling in WA Parliament of the Agencies WA Annual report.)
- III. Advise the Commonwealth of changes (legislative or otherwise) that will impact on the IOTs.

Under the terms of the SDA, the Commonwealth is required to:

- I. Make SDA payments in accordance with Financial Provisions of the SDA;
- II. Advise the State Agency of legislative changes that affect the operation of the services; and
- III. Provide appropriate delegations for the performance of services in the Territories.

7. COMMENTS RECEIVED BY STATE AGENCIES IN RESPONSE TO THE "INQUIRY INTO AUSTRALIA'S EXTERNAL TERRITORIES":

State Agency activities are contained in the Performance Reports compiled by DoTaRS each year, which, it is understood, have been submitted to the Joint Standing Committee on the National Capital and External Territories by DoTaRS.

To assist the Inquiry Into Australia's External Territories, State agencies were invited to provide additional comment. Responses were received from:

- (i) Department of Land Administration
- (ii) Department of Health
- (iii) Fire and Emergency Services Authority of Western Australia
- (iv) Department of Housing and Works, Rental Services
- (v) Main Roads of Western Australia

The comments follow:

(i) **Department of Land and Administration**

"The Department of Land Administration (DOLA) provides the following comments relating to services provided to Indian Ocean Territories (IOTs) in 2001/2002:

DOLA maintains IOTs' land information to provide mapping products and computer access for land status and ownership. The DOLA Torrens System of land registration, supported by the *Transfer of Land Act (1893)(WA)(CI)(CKI)*, provides guaranteed certainty of title to land in the IOTs.

Throughout the year there was ongoing liaison between DOLA, the Commonwealth and the Islands' administration on a range of issues as circumstances required. Client enquiries were satisfied in a reasonably timely manner.

- There were ongoing discussions with Department of Transport and Regional Services (DoTaRS) on legal issues bearing on the application of the *Land Administration Act 1997* to the IOTs.
- Incidental land administration clarification advice was provided.
- The Regional Manager attended in Perth as the delegate of the Vendor at a very successful auction of Christmas and Cocos properties.
- DOLA hosted visit from Jane Bennett, the on-island property officer with Christmas Island Administration and the Shire of Christmas Island.

Services to Christmas Island Administration 2001/2002:

- CAS Searching - \$3,775.50
- Central Map Agency – hard copy cadastral maps - \$364
- Land Enquiry Centre – digital cadastral and tenure data (via GHD Surveys) - \$80
- DoTARS have purchased an annual access licence for the supply of cadastral and tenure data for 2002/2003 - \$340
- Publication of delegations in Government Gazette - \$1632.73
- Christmas Island – 24 Crown land titles for identified (Commonwealth) Land under the new Land Administration Acts (as at 30 June 2002)
- Cocos Island – 6 vacant Crown land titles
- Christmas Island – 3 reserves

Future Directions:

Some rationalisation of tenures on Cocos Island has been completed with the establishment of a dedicated road between the landing and the lodge. Most land on West Island however, is still listed as unallocated Crown land rather than the relevant tenures of reserve or leasehold. The Management of the Lodge has also progressed with the subdivision of the area lodged and Land Administration Services undertaking the application of individual titles to enable settlement of the lodge sale and creation of reserves and management orders.

The matter of Strata titles on both Christmas and Cocos Island is an issue that still requires resolution. This issue arises out of the definition of *Crown land* in the *Land Administration Act 1997 (WA)(CI)(CKI)*, to include Commonwealth freehold property.

There is an ongoing need highlighted in the review leading to the 2001/2004 SDA, for ongoing liaison between DoTaRS (Legal Services Unit of Territories and Regional Support Division) and DOLA to introduce amendments to applied legislation that will clarify the law in relation to Commonwealth freehold property, facilitate Commonwealth freehold property, facilitate Commonwealth ownership and management of public housing, and minimise difficulties to DOLA.”

(ii) Department of Health

“Department of Health currently supports the Commonwealth Department of Transport and Regional Services (DoTaRS) in managing its Health Service, through a formal Service Delivery Arrangement (SDA) that has been developed for the provision of support and advice services.

The development of a new SDA is being progressed and will take into consideration issues such as:

- DoTaRS moving towards the use of private providers for the delivery of health services.
- The Commonwealth decision to construct a new detention facility for refugees on Christmas Island has significant impact on the delivery of health services eg:
 - Public and Environmental health issues
 - Increased demand on local health services
 - Potential to increase demand on WA based Health Services
 - Effectively doubles the island population
 - Introduces additional cultural diversity
- DoTARS currently has responsibility for the provision of health services on the island. DIMIA has responsibility for the refugees. There need to be a mechanism in place to ensure consultation/collaboration occurs between all parties. Of concern is the Commonwealth’s lack of consultation with the WA State Government on the establishment of the new detention facility.

The Western Australian Department of Health (DOH) emphasises to DoTaRS and DIMIA the need for the presence of Public Health expertise on the island eg a Public Health Physician, Community Nurse(s), and an Environment Health Officer.

DOH Communicable Disease Control Branch has experienced since the arrival of the asylum seekers on Christmas Island, a marked increase in the frequency of contact by DoTaRS employed health service staff and the Australian Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) employed health staff.”



(iii) Fire and Emergency Services Authority of Western Australia

"The Fire and Emergency Services Authority of Western Australia (FESA) currently provides services in relation to the training and support for volunteer fire brigades in the Islands.

The brigades operate along similar lines to the Volunteer Fire and Rescue Service Brigades which provide services to communities in regional centres of Western Australia.

Services include:

- Structural firefighting (offensive firefighting, including the use of breathing apparatus);
- Response to hazardous materials incidents;
- Response to road crash rescue and other rescues; and
- Some fire prevention and community awareness activities (eg installation of smoke alarms and visits to schools).

Each brigade is additionally trained in skills relevant to volunteers in the Western Australian State Emergency Service.

These include skills appropriate for response to:

- Severe storms and cyclones;
- Cliff rescue (on Christmas Island only); and
- Support for search activities on land or by air undertaken by the Police Service.

FESA has also provided a report to DoTaRS in relation to the future provision of support to Volunteer Marine Rescue Services at the Islands.

Currently FESA staff provide:

- training and advice services to the volunteers and ensure they are appropriately equipped with appliances and personal protective equipment (including protective clothing);
- support to emergency planning by Island authorities;
- training in airport emergency response planning;
- building plan inspection services;
- structure fire safety advice;
- 000 emergency call centre mobilisation;
- installation and maintenance of direct brigade alarm systems linked to the 000 call centre.

For the purposes of the current review, FESA has considered:

- whether its staff are providing appropriate services that meet the needs of volunteers and the communities;
- whether they are equivalent to comparable services provided to similar mainland communities;
- what changes could be made to improve services.

Other issues taken into account include whether:

- FESA should be providing more services in relation to community prevention and preparedness activities;
- FESA training could be better coordinated;
- the structure of the brigades could be improved (eg. would FESA's new concept of multi-skilled emergency services units [FESA Units] be a better 'fit' than the current arrangements);
- the brigades should have their own identity rather than be seen as brigades within the WA Volunteer Fire and Rescue Service; and
- the Island Local Governments should be playing a role.

FESA has also considered the role it should play in support of Emergency Management Australia (EMA) in the event of a major disaster at the Islands. In such an event, EMA is the designated lead agency responsible for responding to the emergency.

Risks

Responsibility for Community Emergency Risk Management planning rests with other agencies and FESA personnel are not necessarily included in the process. They therefore may not be fully aware of the community needs based on likely risk and whether the risk treatment options (including service delivery expectations and perceptions) have been adequately explored.

In addition to natural hazards, there are numerous other factors at Christmas, Cocos Home and Cocos West islands that can affect the provision of emergency services. These include physical, environmental, social and cultural elements.

- The isolation of the islands and lead times of up to 48 hours for arrival of support in the event of a major emergency.
- Isolated communities vulnerable to community decline as a result of major natural hazard events, such as cyclones; HAZMAT incidents; and lifeline failures.
- Difficulties in communication.
- High-risk airports.
- A history of incidents including major power station fire and long term power failure, inappropriate use of fuel, treacherous coastal waters, aircraft crashes and loss of life at both airports.
- Segregated communities.
- Predisposed beliefs of culture and religion.
- Lack of community awareness of hazards.
- Recent large influxes of asylum seekers into temporary holding facilities with few or inadequate fire safety amenities.

Future concerns at Christmas Island include:

- Major additions to the airport which will increase the size of aircraft and frequency of arrivals and departures;
- The construction of a permanent immigration centre; and



- The development of the space port and rocket launching facilities, associated human, resource and HAZMAT risks and specialist requirements to inspect, plan and respond to incidents.

There is the high possibility of substantial number of casualties should a major event occur as a result of some of these risks.

Volunteer Pressures

1. The volunteers undertake response to fire, emergency and rescue incidents. They participate in exercises to test emergency plans, and support FESA personnel in conducting safety audits across the islands and presentations to schools.
2. They are expected to provide assistance with response to airport emergencies – “consistent with the available resources and equipment provided by the Commonwealth”, which are in fact limited in relation to the nature of potential emergencies.
3. The training and availability workload can be substantial, and may not be sustainable in the future.
4. Rapid turnover of volunteer membership due to the short-term contract nature of much of the employment on the Islands.
5. This in turn puts pressure on the capacity to maintain the availability of appropriate levels of trained volunteers.
6. Lack of local government or local administration infrastructure in support of the volunteers. Some volunteers feel overwhelmed by reporting requirements and data collection and lack of locally available support.

Training and Competency

1. There are difficulties associated with maintaining training levels because:
 - The amount of training required to meet agreed response capabilities is extensive;
 - The time available to conduct training;
 - Rapid turnover of volunteer membership; and
 - The costs to the Commonwealth associated with flying in FESA trainers.
2. There is no capacity to provide on-the-spot support in the form of an Incident Management Structure in the event of a major incident, because of the inability of FESA regional staff to immediately fly to the islands.



Community

1. FESA hopes to gain more community and Local Government support for its staff and the Island volunteers in community education and awareness programs.
2. The community culture affects the success of community safety and education programs. In particular, among the community of Home Island there have been difficulties in gaining acceptance for prevention and preparedness measures as community members tend to accept incidents and disasters as 'God's will'.

Communications

FESA Telecommunications staff service the Country Communications System that is installed at Christmas and Cocos Home and West Islands, as they do in regional Western Australia.

The service involves two technicians travelling to the Islands once a year to service the equipment to ensure that it functions to specifications.

The functions tested at each island are:

- the central station equipment;
- mobile radios, which are installed in vehicles;
- the central radio repeater;
- the radio links for monitoring Direct Brigade Alarms (connected to FESA's 000 emergency call centre); and
- testing alarm panels to ensure that FESA receives fire calls on the group call telephone and pagers.

Other work carried out includes:

- Report on the condition of the communications systems;
- Some training for volunteers (although training on the use of the equipment is not part of Telecommunications Section's function, some limited training is conducted whilst at the Islands);
- Twice-a-week monitoring from Perth of the systems at Christmas and the Cocos Islands, to ensure the systems are functioning correctly. A log of all activity is stored in a FESA data base.
- In the case of a break down, FESA Telecommunications provides parts and support to local Island people to enable them to get the system functioning to specifications.
- A record of the weekly testing of the Direct Brigade Alarms. (Standards Australia requirement) is also stored in the FESA database.



Is FESA providing appropriate services to meet the needs of the volunteers and the communities? Are the services equivalent to comparable services provided on the mainland?

FESA has undertaken internal reviews of its services and drafted a new schedule to its Service Delivery Agreement to better reflect the current service delivery to the Islands. This has yet to be discussed in detail with Local Authorities at the Islands and then ratified.

Questions have been raised about the validity of current insurance arrangements for the volunteers and moves are under way as a matter of urgency to establish a separate arrangement in addition to the legislative protection from liability for the volunteers that is currently in place. The Commonwealth has been unable to arrange appropriate insurance cover.

Within the scope of the current agreement, the volunteers of the respective brigades are receiving a level of service comparable with mainland volunteers with regard to training for their identified roles, albeit in a relatively intense block form. The service delivery is equivalent to that provided in developing and maintaining an isolated unit's response capability on the mainland.

The volunteers are equipped with appliances, vehicles, trailers and personal protective equipment (including protective clothing) equivalent to those provided to volunteer groups on the mainland. They are included in FESA's scheduled replacement and maintenance programs.

FESA is unable to provide equivalent timely intervention for training and operations support to that on the mainland, due to distances, restricted air services, the high cost of travel and time allocation requirements of personnel. That notwithstanding, FESA will deploy additional capability to the islands for emergency operations, if required.

FESA has only had limited involvement in the Islands' Community Emergency Risk Management processes, therefore our personnel may not be fully aware of the community needs. Traditionally services identical to those on the mainland have been provided, with more recently attempts to specifically tailor services to community and volunteer needs.

While FESA is currently making some contributions to public education and awareness programs for the wider communities on the Islands, there is room for improvement in this area, particularly through empowerment of the volunteers to deliver this service and involvement of Local Government.

On the mainland FESA provides advice and assistance to communities regarding Emergency Management. We are not expected to provide this service in the Islands as this is an EMA and Federal Police responsibility.

It should be noted that the State Government will shortly introduce to Parliament, amendments to the FESA and Fire Brigades legislation currently used as the basis for services to the Islands that will completely change the manner of funding

emergency services in Western Australia. It will introduce a property based Emergency Services levy on all property owners.

This has implications for the service provision to the Islands.

What changes could be made to improve the services?

- Continue improving management and coordination of services.
- Review the capacity to provide services based on community needs rather than 'equivalent to services provided on the mainland'.
- Review training delivery and if appropriate base training on volunteer and community requirements rather than traditional services in place on the mainland.
- Investigate the potential restructuring of the brigades to become the equivalent of FESA's newly developed multi-skilled emergency services units (FESA units).
- Give consideration to the development of an Indian Ocean Territories Emergency Services identity for the brigades rather than that of clones of Western Australian services - thus encouraging 'self determination'.
- Endeavour to increase involvement by Local Government in community safety on behalf of their communities.
- Seek clarification with EMA and DoTaRS of FESA's role in risk identification and risk management processes.
- Investigate the potential effects on Island services of proposed legislative changes in WA.
- Work with DoTaRS on investigation of the potential of future support for volunteers from the placement of permanent career emergency service personnel at the Islands, in particular if airport fire response is upgraded in keeping with planned improvements at the airport at Christmas Island. Location of a suitably qualified and experienced Officer on Christmas Island could potentially provide:
 - more effective and efficient training and operational support to both Christmas Island and Cocos Islands volunteers,
 - community education programs for the community and
 - emergency risk management planning and coordination for the local authorities.
- In consultation with DoTaRS, investigate the potential efficiencies if any, of contracting out to private enterprise the servicing of communications equipment at the Islands.

Volunteer protection

- The question of Volunteer insurance protection must be resolved urgently."



(iv) Department of Housing and Works, Rental Services

"In addition to the service provision outlined in our 2000/2001 Performance Report and which continued in 2001/2002 the following initiatives have also progressed.

- Continued assistance with the development of a rental purchase scheme for Cocos and Christmas Island tenants.
- Project Management of a Joint Venture Housing Project for the construction of two 3 bedroom family dwellings on Home Island.
- We are currently undertaking a review of all public housing tenants on both Cocos and Christmas Islands for the DoTaRS to determine their continued eligibility for public housing and their eligibility to purchase the home they are renting.
- The Service Delivery Arrangement was amended to include the Works area of the former Contract and Management Services (CAMS) which will allow the provision of Public Works. The Department will provide contract development, tendering management and procurement support services to achieve best value, and will undertake the following activities, as requested:
 1. Develop, call and award contracts for Public Works services and assets.
 2. Provide advice on procurement matters
 3. Provide access to the State Agency's developed Common Use Contract."

(v) Main Roads of Western Australia

"Services provided by Main Roads WA in accordance with its Service Delivery Arrangement for the benefit of both Shires of Christmas Island and Cocos (Keeling) Islands in the management of island road networks are considered very satisfactory by both Local Governments.

However, there are concerns regarding consultative processes and involvement of Island Local Governments at an early stage in the planning and development of major infrastructure projects (including roads) initiated by the Commonwealth utilising the services of Consultants and other external Agencies. In many cases the Local Government has been given a *fait accompli* of infrastructure it will manage following construction."

8. SDA REVIEWS FOR 2002/03

Reviews of services provided by the following State Agencies are due to be undertaken prior to 30 June 2003:

Legal Aid Commission
Department of Consumer and Employment Protection (<i>Consumer Protection</i>)
Medical Board WA (First Review)
Nurses Board WA (First Review)
Public Trustee of the State of Western Australia
Department of Consumer and Employment Protection (<i>WorkSafe</i>)
Department for Housing and Works (First Review)
Fire and Emergency Services Authority
Department of Land Administration
Department of Local Government and Regional Development (<i>Local Government</i>)
Department of Planning and Infrastructure (<i>Planning</i>)
State Library of Western Australia
WorkCover
Department of Justice
Department of Racing, Gaming and Liquor (<i>Liquor Licensing Division</i>)
Department of Treasury and Finance (<i>State Revenue and Land Valuation Tribunals</i>)
State Ombudsman

Note: The Department of Health, whose original SDA expired in August 2000, was reviewed in 2000. A revised SDA is pending the outcome of health service directions desired by the Commonwealth.

All the above SDAs will be reviewed by the Commonwealth (through DoTaRS) and the State (through the Department of the Premier and Cabinet) commencing in September 2002. The findings of the Joint Standing Committee's inquiry into Australia's External Territories of Christmas and the Cocos (Keeling) Islands would be a valuable contribution to the SDA review process.

Should any further information be required, Ms Virginia Miller, Project Manager, Office of Federal Affairs, Department of the Premier and Cabinet, may be contacted on email vmiller@dpc.wa.gov.au or phone number 08 9222 8743.

JOINT REPORT

**DEPARTMENT OF TRANSPORT & REGIONAL SERVICES, TERRITORIES
OFFICE PERTH**

AND

MINISTRY OF THE PREMIER & CABINET

**REVIEW OF SERVICE DELIVERY ARRANGEMENTS BETWEEN THE
COMMONWEALTH AND THE STATE OF WESTERN AUSTRALIA**

**REVIEW OF
SERVICE DELIVERY ARRANGEMENTS**

BETWEEN

THE COMMONWEALTH

AND

THE STATE OF WESTERN AUSTRALIA

**Equal Opportunity Commission
Family and Children's Services
Main Roads Western Australia
Minerals and Energy
Small Business Development Corporation
Office of the Valuer-General**

JUNE 2001

A JOINT REPORT

**DEPARTMENT OF TRANSPORT & REGIONAL SERVICES, TERRITORIES
OFFICE PERTH**

AND

MINISTRY OF THE PREMIER & CABINET

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EXECUTIVE SUMMARY

In compliance with the terms of the arrangements between the State of Western Australia and the Commonwealth for the delivery of services in the Indian Ocean Territories, six Service Delivery Arrangements (SDAs) which expire on 30 June 2001, were reviewed in the period January to May 2001.

The purpose of the review of services is to recommend to the Parties to the arrangements whether the arrangements should be renewed, and if so, in what form. The State agencies involved are:

- Equal Opportunity Commission
- Department of Family and Children's Services
- Main Roads Western Australia
- Department of Minerals and Energy
- Small Business Development Corporation
- Office of the Valuer-General

The Review was conducted under the direction of a Review Team, comprising representation from the Department of Transport and Regional Services, (DoTRS) Perth, and the Ministry of the Premier and Cabinet. The Terms of Reference aimed to establish, to the extent possible, satisfaction with service delivery in terms of the following effectiveness indicators:

- (1) The degree to which objectives as stated in the SDAs had been achieved.
- (2) Whether the services being delivered in the IOTs were at a level comparable with that of remote mainland communities.
- (3) Whether there were opportunities for improving service delivery.

Meetings with State agency representatives were conducted in the period 19 February– 2 March 2001. All key stakeholders/groups in the Territories were contacted by DoTRS in March-April 2001 and provided with opportunities to input into the review. Individual account of service delivery for each State agency is contained in the body of this report.

The Review Team concluded that the services provided by the State agencies overall have met objectives and are consistent with services provided in similar remote localities in Western Australia.

In view of machinery-of-Government changes which are presently occurring within the Western Australian State Government, there is an expectation that there will be changes to service delivery by some State agencies. These will be reflected in revised and renewed SDAs.

Recommendation

The SDAs between the Commonwealth and the State for the provision of services in the Indian Ocean Territories by the six State agencies with expiring SDAs be renewed for a further three years, subject to amendments in this report being made.

INTRODUCTION

1. AUTHORISATION FOR THE REVIEW

The *Territories Law Reform Act 1992* provides for the Commonwealth to enter into arrangements with the Government of Western Australia for assistance in the administration of applied laws, including the performance of functions and provision of services by Western Australian agencies on behalf of the Commonwealth. Similarly, Section 4 of the *Indian Ocean Territories (Administration of Laws) Act 1992* (the State Act) of Western Australia provides that the State, or a State Authority with the approval of the Minister responsible for the State Act, may enter into arrangements with the Commonwealth for, among other things, the provision of any service in relation to the Territories.

State services in the Territories are provided through formalised Service Delivery Arrangements between the State and Commonwealth, which set down the obligations of both parties. Under, Part VIII, clause 19 of the arrangements, six months before the first or any subsequent expiry of the arrangements, the parties shall agree to complete a review of the operation in order to determine whether it be allowed to expire, or be renewed, and, if so, in what form.

2. SCOPE AND METHODOLOGY OF THE REVIEW

2.1 Terms of Reference

In accordance with the requirements of the SDA, Terms of Reference for the Review of the agencies have been agreed between the parties, as follows:

1. A review of the services provided in the IOTs by the individual State agency shall be undertaken by a Review Team comprising the Commonwealth (represented by the Department of Territories and Regional Services) and the State (represented by the Ministry of the Premier and Cabinet).
2. The Review will consider :
 - (i) Achievement of service delivery objectives.
 - (ii) Relevance of SDA performance indicators.
 - (iii) If services are comparable with those provided in similar remote localities on the mainland.

In addition, the Review Team shall establish whether:

- (iv) Any improvements in service delivery are needed under a renewed SDA; and
- (v) The State agency and the Commonwealth have mutually complied with SDA obligations.

The Review Team shall Team will furnish to the parties, a written report prior to the expiry of the SDA, which includes recommendations to the parties whether the SDA for the individual State agency shall be allowed to expire, or whether it should be renewed, and in what form.

2.2 Review Team

Mr Wal Young, Assistant Director, Department of Regional Services and Transport, Territories Office Perth, was in charge of Commonwealth coordination of the Review.

Ms Virginia Miller, Project Manager, Federal Affairs, Ministry of the Premier and Cabinet, was the State's representative.

The officers from DoTRS and State agencies who participated in the Review are listed in the reports of individual State agencies.

2.3 Data Collection

(a) Consultation with IOT Stakeholders

DoTRS met with the Shires of Christmas Island and the Cocos (Keeling) Islands and the Administrator's Advisory Committee between 12 and 17 February 2001 to collect information. Written comment was also invited from major Territories' stakeholders in letters issued from the Commonwealth around 26 March 2001. The major stakeholders involved were:

- Administrators Advisory Committees
- Shire Councils
- Australian Federal Police
- CI Chamber of Commerce
- C(K)I Business Association
- Christmas Island Phosphate Resources Ltd
- Shell C(K)I
- Gaseng CI
- Indian Ocean Territory Health Service
- Indian Ocean Group Training Association

In addition, private submissions were invited.

A matrix of stakeholder responses is shown at Appendix 1. To the extent possible, satisfaction with service delivery was sought from recipients of services in terms of the following effectiveness indicators:

- (1) The degree to which objectives as stated in the SDAs had been achieved.
- (2) Whether the services being delivered in the IOTs were at a level comparable with that of remote mainland communities
- (3) Whether there were opportunities for improving service delivery.

(b) State Agency Representatives

The Review Team met with all the State agencies between 19 February to 2 March 2001 to discuss the extent of implementation of services, levels of service, access to services, and comparability with services provided to similar remote mainland regions.

The State agencies considered that the services provided, in the main had achieved the stated objectives and were comparable with remote mainland communities. Unmet community needs were discussed and would be addressed in any renewed SDA.

(c) Documentary Sources

In addition to input provided by recipients and providers of services, the Review Team considered additional information through sources such as:

- State Agency Performance Reports (particularly 1999/2000 report)
- State Agency Financial Reports
- Auditor-General's Reports



STATE AGENCY REPORTS

EQUAL OPPORTUNITY COMMISSION

1 BACKGROUND

The Equal Opportunity Commission (EOC) operates under the *Equal Opportunity Act 1984* (Parts I – VII & X) as amended 1988 & 1992 and administers the *Equal Opportunity Act 1984 (WA) (CI) (CKI)*.

Under a cooperative arrangement between the State and the Commonwealth Attorneys General, the Equal Opportunity Commissioner administered the *Commonwealth Sex Discrimination Act 1984* and the *Racial Discrimination Act 1975* and referred complaints lodged under *the Human Rights and Equal Opportunity Commission Act 1986*. These cooperative arrangements ceased as of April 2000 and all enquires concerning Commonwealth laws are referred directly to the Commonwealth bodies concerned.

An SDA between the Commonwealth and State was signed on 24th March 1998 to operate for a three-year period. In February 2001, the Parties to the Arrangement agreed to extend the SDA until 30 June 2001. This extension allowed the pre-expiry review to be undertaken. At the same time as reviews of the other State agencies expiring at that date.

In addition to the SDA Review Team, for the Equal Opportunity Commission SDA Review, EOC was represented by Ms Marla Dharmananda (Manager, Policy and Evaluation) and Mr Eddy West. DoTRS was represented by Ms Julie Cunningham (A/g Assistant Director).

2 ACHIEVEMENT OF OBJECTIVES

2.1 Objectives and Strategies

The Mission of the EOC under this SDA is:

To promote awareness and acceptance within the community of equality of opportunity and human rights and to provide an accessible avenue of redress for unlawful discriminatory behaviour.

The EOC has two key outputs that relating to this mission

Output 1:

Provision of information and advice regarding equal opportunity and human rights. This comprises the dissemination of relevant and appropriate information on the applied Equal Opportunity Act and other relevant laws, provision of accurate advice on equal opportunity matters and the identification of discriminatory policies and practices.

Output 2:

Avenue of redress for unlawful discrimination and unreasonable treatment. Investigating and attempting to conciliate complaints that fall within the jurisdiction of the applied Equal Opportunity Act and other legislation

administered by the Commission, and providing assistance to complainants referred to the Equal Opportunity Tribunal.

To achieve these Outputs, the SDA provides for the EOC to:

- Handle enquiries and provide a community education service.
- Provide such training, support and assistance to Commonwealth personnel as is necessary to allow them to meet their obligations under the relevant legislation.
- Receive complaints, investigate and attempt to reconcile the complaints
- Provide assistance to the complainant to present their case to the Equal Opportunity Tribunal where a matter has been referred to the Commissioner.

2.2 Promoting Equal Opportunity

The Commissioner and a Community Education Officer visited the IOTs in February 2000. This was the first visit since the SDA was signed in 1998. The visit included meetings with representatives of a wide range of community groups, administrative bodies, business organisations and unions. Topics discussed included the Act, the means of redress it provides and the importance of promoting awareness of equal opportunity in workplaces and the wider community.

Individuals who were concerned with specific issues of discrimination were provided the opportunity to meet privately with EOC representatives to discuss specific concerns.

Publications serve as a source of current information about equal opportunity to employers, service-providers and the public about their rights and responsibilities. Publications continue to be evaluated and revised, and are an important component of the Commission's overall communication strategy.

Publications that have been distributed in the IOTs include:

- Information Briefs for people who may have complaints of discrimination. Each explains a ground of discrimination. For example the Information Brief on Impairment explains the meaning of impairment, the areas of public life where such discrimination may be unlawful, and the processes for lodging a complaint.
- Multilingual Guide that defines discrimination and who to contact if you feel you have been discriminated AGAINST.
- A quarterly newsletter *Discrimination Matters* that gives summaries of recent decisions across Australia and overseas, outlines amendments to anti-discrimination laws and covers topical issues.
- Posters. One that lists that grounds and areas of unlawful discrimination and another that is directed to the types of discrimination commonly experienced by Indigenous peoples.
- Annual Report of the Commission's activities and performance.
- A Commonwealth Human Rights and Equal Opportunity Publication titled *Different Colours One People*.

- Training Calenders – describes the types of training available during the year.

2.3 Avenue for Redress

No formal complaints of discrimination were received from the IOTs during the period of the SDA. Prior to the SDA being signed the WA EOC had received three complaints that were satisfactorily resolved.

Although no formal complaints have been received, concerns about specific instances or allegations of discrimination have been raised with the Commissioner.

3. PERFORMANCE INDICATORS

3.1 Performance Criteria

The current SDA defines the Performance Indicators as follows:

- (1) The extent of satisfaction of complaint management services provided, gauged through complainant and respondent surveys.
- (2) The turnaround time taken for complaints and enquiries handled.
- (3) The degree to which the objectives of the community training programs were achieved.
- (4) The degree to which costs are met within costing benchmarks.

These performance indicators align closely with measures reported in the 97/98 EOC annual report. These have subsequently been revised and changes will need to be reflected in a renewed SDA.

3.2 Assessment Against Performance Indicators

As no formal complaints were lodged with the EOC performance indicators relating to complaint handling were irrelevant for the current SDA period.

In respect to promotion of the Equal Opportunity Commissions services to the IOTs, key stakeholders were surveyed during August and September 2000.

The table below shows survey results regarding presentations and publications:

66.7%	Rated their understanding of equal opportunity to have improved "moderately" or "substantially"
65.2%	Found information about the Act and the Commission to be "very useful" or "useful"
69.8%	Found information about the grounds and areas of unlawful discrimination "very useful" or "useful".
26.7%	Rated as "moderately useful" what had been discussed in the course of their work or daily.
26.7%	Stated that they were able to use written material in their work.

4. COMPARISON WITH MAINLAND SERVICES

The EOC conducts education programs to remote regional areas in Western Australia through Outreach programs. Generally visits to remote communities where a need has been identified would be undertaken annually, with itineraries and presentations developed to address local needs.

If an equal opportunity complaint exists, WA residents have a choice as to whether they make a complaint under Commonwealth or State legislation. This choice now extends to IOT residents through the application of WA laws to the Territories and the services provided through the WA EOC.

Following the visit by the Equal Opportunity Commissioner in February 2000, the Review Team is of the opinion that IOT resident access to EOC services is similar to that as for remote regions within WA.

Feedback from community groups in the IOTs indicated that EOC services are relevant and continue to be required.

5 IMPROVEMENTS IN SERVICE DELIVERY

In response to the EOC client survey, participants expressed interest in the following types of services and publications:

37.9%	Requested information sessions on the role of the Commission
37.9%	Requested workshops for community members
24.1%	Sought workshops for employees
40.9%	Over a third sought a publication on "your rights under the Act".
27.3%	Request publications on "complaint handling" and "obligations and rights as employers or service providers".

In addition, IOT community groups have made the following comments in respect to EOC services:

COCOS (KEELING)	CHRISTMAS
<p>Would like publications in English and Cocos Malay.</p> <p>A greater presence by government and departments on the island.</p> <p>Publications to suit both cultures on Cocos.</p> <p>Need to advertise, promote and structure annual visits. More presence.</p> <p>Would like some idea of types of training available.</p>	<p>Community needs a greater awareness of rights especially when dealing with employment issues.</p> <p>EOC visits needed more regularly (annual). Not just when SDAs need renegotiating.</p> <p>Publications need to be in English, Malay and Mandarin.</p> <p>Need for a competent contact officer familiar with the EOC and the process on the island. Greater presence needed by EOC officers/visits.</p>

A renewed SDA will need to address these comments by making provision for:

- Visiting Christmas and Cocos (Keeling) Islands on an annual basis.
- Development of publications based on the specific information needs of people in Christmas and Cocos (Keeling Islands) in their preferred language (if possible).
- Making presentations to IOT community organisations on the Act so as to inform individuals of their rights and obligations, and the means of redress provided.
- Providing training sessions on the obligations and rights of employers and employees.

6. COMPLIANCE WITH THE ARRANGEMENT

6.1 State Agency obligations:

Under the terms of the SDA, State Agencies are required to:

- I. Submit annual budget estimates and financial acquittals to DoTRS, with the WA Auditor General's Office conducting an audit in accordance with the *Financial Administration and Audit Act 1985*. Appropriate record keeping and accounting practices are required to separately identify IOT receipts, expenditures and to account for assets purchased under the SDA.
- II. Provide performance reports which detail Agencies services to the Territories. (These are generally timed to correspond with the tabling in WA Parliament of the Agencies WA Annual report.)
- III. Advise the Commonwealth of changes (legislative or otherwise) that will impact on the IOTs.

With regard to reporting and accountability compliance, the findings of the Review Team are as follows:

EQUAL OPPORTUNITY COMMISSION:	
Financial Reporting and Record Keeping Major clauses Part V	▪ Has provided budget estimates and financial acquittals in accordance with SDA requirements.
Performance Reporting Cl 9(2)	▪ Has commenced providing annual performance report commencing in 1999/2000.
Provision of Information to the Commonwealth Major Clause 20(1)b	▪ No specific advice has been received in respect to EOC services.

6.2 Commonwealth obligations

Under the terms of the SDA, the Commonwealth is required to:

- I. Make payments in accordance with the Financial Provisions;
- II. Advise the State Agency of legislative changes that affect the operation of the services; and
- III. Provide appropriate delegations for the performance of services in the Territories.

The Commonwealth:	
Payments Major clauses 8(1), and Financial Provisions 3.1, 3.2	Has made payments in accordance with the financial provisions.
Information about legislative changes and delegations Major Clauses 6(1) and 16.1	Has notified the Agency of any changes to Commonwealth legislation that affected their operations in the IOTs. Appropriate delegations have been made to enable the Agency to provide services in the IOTs.

7. CONCLUSIONS

The Review Team considers that the services provided by the EOC have achieved stated objectives, are consistent with services provided to other similar remote mainland communities and continue to be relevant to the Territories. The obligations of the SDA have been met by the EOC.

A revised SDA, in accordance with the EOC's current mission and objectives, will further strengthen the services provided to the IOTs and better achieve the Commonwealth's aims of providing IOT residents with the same rights, standards and obligations that exist in similar remote communities in Australia.

8. RECOMMENDATIONS

The Review Team recommends that:

1. That the SDA between the Commonwealth and the State for the provision of EOC services in the Indian Ocean Territories be renewed for a further three years.
2. The renewed SDA makes provision for annual visits to Christmas and Cocos (Keeling) Islands.
3. The EOC develops publication to meet specific information needs of people in Christmas and Cocos (Keeling Islands) in their preferred languages (if possible).
4. The EOC delivers presentations to IOT community organisations on the Act so as to inform individuals of their rights and obligations, and the means of redress provided.
5. Give training sessions on the obligations and rights of employers and employees.

FAMILY AND CHILDREN'S SERVICES

1. BACKGROUND

The Department of Family and Children's Services (FCS) is established and operates under the *Community Services Act 1972*. The Commonwealth Minister for the Territories has delegated his powers to the Administrator of the Territories for the following applied legislation:

- *Adoption Act 1994*
- *Welfare and Assistance Act 1961*
- *Child Welfare Act 1947*

The SDA between the State and the Commonwealth was signed on 3 January 1999, and is due to expire on 30 June 2001.

In addition to the SDA Review Team, for the Family and Children's Services SDA Review, F&CS was represented by Ms Genevieve Errey (Manager, Funding Management), Mr Greg Fern (Funding Policy Officer) and Mr Roley Bayman (Team Leader Emergency Accommodation). DoTRS was represented by Ms Julie Cunningham (A/g Assistant Director).

2. ACHIEVEMENT OF OBJECTIVES

Under the SDA, FCS's role is to provide professional supervision and support services to the Social Worker employed in the Territories by DoTRS.

The objectives of the services to be provided by FCS are:

- (i) Mainland based Professional Supervision and Support Services.
The provision of professional supervision and support to the IOT Social Worker in order to promote responsibility and growth in family and community life and contribute to the protection and care of children in the IOTs.
- (ii) Provision of Services through Visits to the IOTs.
Provision of a range of clinical intervention services through a visiting program to the IOT's which is designed to supplement the role and function of the Social Worker and contribute to the care and protection of children.

The following services have been provided by the FCS Social Work Supervisor in order to achieve the SDA objectives

Provide professional supervision and support	All F&CS activities are carried out within legislative framework; in order to promote responsibility and growth in family and community life and contribute to the protection and care of children in the IOTs
Provision of supervision	Regular (fortnightly) and ad hoc telephone, face to face and professional supervision sessions address accountability, workload management and priority setting, and provision of guidance and direction as appropriate
Educative and supportive supervision addressing professional development	Within supervision sessions, off island professional development sessions and access a number of service agencies for community resource information. Feedback from the Social Worker indicated that the supportive element of supervision has been appropriate and well received. Takes into account the Social Worker's "professional isolation".
Advice to the Administrator	The FCS supervisor has regularly consulted with the IOTHS Manager and other key administration personnel to seek feedback both on performance and professional development issues. Agreement has been reached to ensure IOT Health Services and FCS is jointly involved in any future contract employment processes.
Community education resource material	Currently FCS's Parent Help Centre has been contracted to purchase an extensive range of reading material and videos to be placed in the Community Resource Centre being developed within the Social Work Service office on Christmas Island. This material will be available for loan to both other professionals and individual community members (particularly the parenting information). This material will also be available to the Cocos (Keeling) community. Enquires are also being made to have some material translated into Chinese and Malay.

The IOTHS reports that the recently appointed IOT Social Worker is very happy with the support provided by FCS and has appreciated the professional development and support she has received to date. The orientation package developed by the FCS Supervisor supported her induction to the role through an introduction to Perth based resources and on-island orientation

3. PERFORMANCE INDICATORS

Under the existing SDA, the Performance Indicators are the degree to which:

1. The IOT Social Worker considers the supervision service provided by the FCS Social Work Supervisor to be effective in assisting the achievement of outcome objectives in the areas of:
 - Accountability,
 - Workload Management,
 - Priority Setting,
 - Professional Development,
 - Skills/Knowledge Development,
 - Personal Support, and
 - Mediation with management agencies on issues arising that impact on service delivery and policy development.

2. The Administration considers the supervision services provided were effective in assisting the IOT Social Worker to achieve the objectives of the Arrangement.
3. The Administration considers the services provided in addressing the performance management issues and the professional development of the IOT Social Worker to be effective.
4. The IOT Social Worker considers the supervision service contributed to their ability to provide effective services in the IOTs.

There has been no feedback from the Administration regarding the achievement of Performance Indicators 2 and 3. However, the achievement of Performance Indicators 1 and 4 has been positively rated by the IOT Social Worker.

The Reporting Arrangements between FCS and DoTRS required that annual reports would be provided to DoTRS on:

- The extent to which outcome objectives had been met;
- Significant issues covered and their outcomes; and
- Future directions and conclusions

These have been provided by FCS.

4. COMPARISON WITH MAINLAND STANDARDS

In view of the unique nature of this SDA, there is little basis to compare the way F&CS services are delivered on the mainland to IOT services. On the mainland, the Social Worker in remote localities is employed by FCS and political responsibility is vested in the State Minister.

The nature of support provided by F&CS to the IOT Social Worker is therefore more demanding in respect to both the range of issues to be dealt with and in the way support can be provided. For example in the remotest of mainland communities it is possible to "drive there" and "get support in" if necessary and a number of other services and agencies that can be drawn on to assist. The IOT social worker has much less help immediately available.

In addition, information, education and support programs run in WA on various issues (eg. domestic violence, child abuse) have not been conducted on islands and in some instances the community has not the basic understanding of these issues, much less have systems in place to offer support to victims etc)

F&CS have less direct responsibility in IOTs in regard child protection because delegated powers under the applied legislation rest with the Administrator. On the mainland these powers would be spread across different people in the F&CS hierarchy. So that such powers are exercised consistent with practices on the mainland, there is a need to ensure that the Administrator follows correct procedures in exercising any of these delegated powers (ie. in accordance with the advice provided by the WA Dept of F&CS.)

Notwithstanding these variations in operational matters, the Review Team is of the opinion that the services provided through this SDA are needed to ensure Social Worker services are commensurate with those provided in remote mainland communities.

5. IMPROVEMENTS IN SERVICE DELIVERY

Overall the main presenting problems for the IOT Social Worker have been:

- Mental health issues.
- Family relationship issues.
- Child management issues.
- Income and housing issues.

In addition to direct casework the IOT Social Worker has been very active in exploring initiatives which are productive and preventative. These include activities to skill community members, developing personal support networks and working cross-culturally.

One of the most pressing issues during operation of this SDA was the lack of direct social work service to either island community for several months, following the resignation of the IOT Social Worker in September 2000. In the period until the new Social Worker commenced duties, health professionals dealt with issues as they arose and FCS's Crisis Care Unit 24-hour telephone was made available as an interim measure. In the event of a specific situation developing, the FCS Supervisor would have determined an appropriate level of intervention, including the possibility of contracting of professional services from the mainland.

Issues first identified in the 1999 FCS Annual Report continue to remain relevant and therefore need further consideration:

- Adoption Services for the IOTs.
- The provision of emergency foster care for both island communities.
- Self care and worker safety issues for the social worker re clients involved in Family Court disputes or Domestic Violence.
- Possibility of a student social worker doing a placement under Commonwealth funding.
- Youth services being further developed on both island communities.
- Accessing training and resources re parenting programs.
- Contribute to strategies for supporting expectant mothers travelling to the mainland to deliver their child.
- Contribute to strategies for supporting Year 11 and 12 students travelling to the mainland for further education.
- Determining with IOTHS the viability of employing and supervising trainee community workers on both islands.
- Determining how to deliver a more effective direct social work service to Cocos (Keeling) Island given the findings and recommendations of the Commonwealth Grants Commission.

Since the SDA was originally negotiated, direct (on-island) supervisory responsibility for the IOT Social Worker has been transferred to the IOT Health Service Manager (from the IOT Administrator.) As detailed in the previous section, the IOT Administrator retains the delegated child protection powers.

In feedback supplied to the Review Team, the Shire of Christmas Island considered that it would be beneficial if the FCS Social Work Supervisor were to visit the Shire on occasion "to discuss boundary disputes".

F&CS assistance is also required to reach agreement with the Australian Federal Police regarding to be provided in domestic violence of child protection situation is also needed.

The SDA therefore needs to incorporate the need for the F&CS supervisor to work with a range of IOT stakeholders including the Administrator, the IOT Health Service Manager, the social worker to develop their roles and relationships in regards F&CS/social work areas.

The Review Team considers that these issues should be addressed in a renewed SDA.

6. COMPLIANCE WITH THE ARRANGEMENT

State Agency obligations:

Under the terms of the SDA, State Agencies are required to:

- I. Submit annual budget estimates and financial acquittals to DoTRS, with the WA Auditor General's Office conducting an audit in accordance with the *Financial Administration and Audit Act 1985*. Appropriate record keeping and accounting practices are required to separately identify IOT receipts, expenditures and to account for assets purchased under the SDA.
- II. Provide performance reports which detail Agencies services to the Territories. (These are generally timed to correspond with the tabling in WA Parliament of the Agencies WA Annual report.)
- III. Advise the Commonwealth of changes (legislative or otherwise) that will impact on the IOTs.

With regard to reporting and accountability compliance, the findings of the Review Team are as follows:

FAMILY & CHILDREN'S SERVICES:	
Financial Reporting and Record Keeping Major clauses Part V	<ul style="list-style-type: none"> ▪ Has not submitted annual budget estimates or revisions. ▪ Has undertaken financial reporting and record keeping in accordance with financial provisions.
Performance Reporting Cl 9(2)	<ul style="list-style-type: none"> ▪ Has provided annual performance reports since 1998/9
Provision of Information to the Commonwealth Major Clause 20(1)b	<ul style="list-style-type: none"> ▪ Advises TOP of issues as they arise.

Commonwealth obligations

Under the terms of the SDA, the Commonwealth is required to:

- I. Make payments in accordance with the Financial Provisions;
- II. Advise the State Agency of legislative changes that affect the operation of the services; and
- III. Provide appropriate delegations for the performance of services in the Territories.

The Commonwealth:	
Payments Major clauses 8(1), and Financial Provisions 3.1, 3.2	Has made payments in accordance with the financial provisions.
Information about legislative changes and delegations Major Clauses 6(1) and 16.1	<p>Has notified the Agency of any changes to Commonwealth legislation that affected their operations in the IOTs.</p> <p>Delegations under the applied acts rest with the IOT Administrator. F&CS provide advice and assistance only</p>

7. CONCLUSIONS

The Review Team considers that the services provided by FCS have achieved stated objectives, are consistent with services provided to other similar remote mainland communities and continue to be relevant to the Territories. The obligations of the SDA have been met by FCS.

In the view of the Review Team the SDA remains highly relevant given the needs of the IOT communities and the demands for the services, combined with the "professional isolation" of the IOT Social Worker.

8. RECOMMENDATIONS

The Review Team recommends that:

1. That the SDA between the Commonwealth and the State for the provision of FCS services in the Indian Ocean Territories be renewed for a further three years.
2. That SDA services be expanded to include development of guidelines and procedures in any instance where the Administrator is required to consider exercising delegated powers under the applied acts.
3. That the renewed SDA takes into account any adjustments in FCS services required in respect of the following issues
 - i Adoption Services for the IOTs.
 - ii The provision of emergency foster care for both island communities.
 - iii Self care and worker safety issues for the social worker re clients involved in Family Court disputes or Domestic Violence.
 - iv Possibility of a student social worker doing a placement under Commonwealth funding.
 - v Youth services being further developed on both island communities.
 - vi Accessing training and resources re parenting programs.
 - vii Contribute to strategies for supporting expectant mothers travelling to the mainland to deliver their child.
 - viii Contribute to strategies for supporting Year 11 and 12 students travelling to the mainland for further education.
 - ix Determining with the IOTHS the viability of employing and supervising trainee community workers on both islands.
 - x Determining how to deliver a more effective direct social work service to Cocos (Keeling) Island given the findings and recommendations of the Commonwealth Grants Commission.
4. That the SDA be amended to reflect changes in services required as a result of IOT Social Worker reporting through the IOTHS Health Manager.

MAIN ROADS

1. BACKGROUND

The SDA between the State (represented by Main Roads WA) and the Commonwealth provides for specific services applicable to road management for the Shires of Christmas Island and the Cocos (Keeling) Islands, with funding for the services provided by the Commonwealth.

The current SDA, the second involving Main Roads WA (MRWA), was signed on July 24 1998, with expiration due on June 30 2001.

The Commissioner of Main Roads administers the *Main Roads Act 1930* and Regulations. Under his delegated powers, he has, among other things, sole authority under Regulation 301 of the *Road Traffic Code 1975 (WA) (CI) (CKI)* to erect traffic signs and traffic control signals.

In addition to the Review Team, for the purposes of this review DoTRS was represented by Mr Grant Barons (Director), MRWA by Mr David Brown (Engineer, Operations North, and Coordinator, Aboriginal Community Access Road.)

2. ACHIEVEMENT OF OBJECTIVES

2.1 Description of Objectives and Services


The overall objective of MRWA is to meet, in cooperation with Local Government, the expectations of stakeholders and customers in the management of the Territories' road network in an effective, efficient and environmentally sensitive manner. The various services provided include:

- Road Funding
- Traffic management
- Legal responsibilities for setting traffic engineering criteria.
- Assistance and advice to IOT Local Governments.
- Training in road management, traffic management/road safety and road transport.

2.2 Christmas Island

Non-capital and capital works were undertaken during 1999/2000. Significant achievements include:

- Road signs and road condition improvements,
- Bicycle education program,
- Updating of road inventory and road management systems,
- Training in road management systems.

- 
- Attendance by CI Shire officers at the Gascoyne Regional Road Group meeting in Carnarvon and liaison with applicable mainland Shires.

The operation of the Central Road Authority, although not formalised, was an achievement and indicated that the Shire, CIP and Parks Australia could work together under a single accountable road authority to provide planned outcomes. During 1999/2000 the Shire purchased items of new road plant which will improve the effectiveness of the Shire's operation, particularly the Central Road Authority. The stability in the technical area provided by an experienced Manager Principal Works has produced significant benefits to the Shire, particularly in road management. These road management achievements have continued through 2000/01.

The Shire of Christmas Island (SOCl) has commented that a very good professional relationship exists between the SOCl and Main Roads and improved roads on the island have been the result.

2.3 Cocos (Keeling) Islands

Non-capital and capital works were undertaken during 1999/2000. Significant achievements included:

- Traffic management of specific road precincts (eg. schools),
- Road condition improvements,
- Bicycle education programs,
- Manufacture of bricks and paving of roads on Home Island,
- Updating of road inventory and road management systems,
- Training in road management and traffic management / road safety,
- Attendance by CKI Shire officers at the Gascoyne Regional Road Group meeting in Carnarvon and liaison with applicable mainland Shires.

In addition, the training of Shire technical personnel in Katanning Shire was trialed and the success gained will encourage future training arrangements. The implementation of a part time Principal Works Supervisor in conjunction with Chittering Shire will be monitored.

These road management achievements have continued through 2000/01, with the resealing of West Island roads being significant.

MRWA issued an **Island Roads Survey** to CI and CKI in February 2001 to gauge public comment on the services provided. The responses supported the indicator that roads management in the IOTs has significantly improved since the commencement and renewal of this SDA. A summary of responses is at Appendix 2.

3. PERFORMANCE INDICATORS

The following Performance Indicators have been determined for period ending 30/6/2000

	COCOS		CHRISTMAS	
Road Inventory	100%		100%	
Traffic Management Inventory	100%		75%	
Cost Indicators	30/06/2000		30/06/2000	
Routine Maintenance	(network cost per km¹)	Actual cost per m²	(network cost per km)	Actual cost per m²
Unsealed (unformed)			\$2,216	\$0.96
Unsealed (formed/unsheeted)			\$2,216	\$0.78
Unsealed (formed/sheeted)			\$2,343	\$0.62
Unsealed Road	\$1,820			
Sealed Road	\$4,460		\$8,541	\$1.42-\$2.63 ²
Specific Maintenance				
Unsealed – sheeting	\$32,700	\$5.45	\$22,000	\$6.29
Reseal	\$98,400	\$16.40	\$98,072	\$11.96
Reconstruction				
Unsealed formation and sheet	\$40,000		\$72,000	
Sealed Rd	\$237,200			
Sealed Rd (Built up area)			\$316,800	\$44.00
Sealed Rd (Non -Built up area)			\$273,600	\$38.00
Paved Rd (Home Island)	\$530,000.00			

The collection and recording of road data, particularly cost information, is improving in both Shires. It is anticipated that PI costs will continue to be erratic for possibly another 1 or 2 years until financial management systems record substantial actual costs to provide realistic trends. It is pleasing to observe both Shires producing improved road management systems which will in the longer term assist in providing improved productivity and efficiency.

Both Shires have continued to improve in road management, which is being reflected in Performance Indicators. However, it may take a few more years to produce a uniform trend as available data increases. Both Shires have completed road and traffic management inventories and undertake annual updates of data.

¹ * Network Cost = $\frac{\text{Total Routine Maintenance Cost (\$) for specific road type}}{\text{Total length of specific road type (km)}}$

² Location dependant

4. COMPARISON WITH MAINLAND SERVICES

Services provided to the CI and CKI Shires by MRWA are similar to those that would be provided to mainland shires. Small and remote shires, particularly in the Kimberley, Pilbara and Goldfields-Esperance Regions, rely on MRWA for support, advice and assistance in managing the State's road system.

5. IMPROVEMENTS IN SERVICE DELIVERY

Generally the working relationship with both shires and community groups/organisations on both Islands has been excellent. Respect for local culture and politics require road issues affecting the communities to be treated sensitively.

A key resource that has shown to have a significant impact on the management of roads on both Islands is a competent Principal Works Supervisor or Manager Principal Works. It has been evident that short-term contracts of these personnel is not satisfactory for the Shire or Community.

Road safety education programs, particularly on Christmas Island were very successful and beneficial to the Community. These programs should be continued and possibly expanded in conjunction with the Australian Federal Police on both Islands.

Successful training was undertaken in road management systems and updating road inventories. An initiative by the Cocos (Keeling) Islands to send personnel to WA Shires for specific training seems to be beneficial although enhancement of this training may be required on Island. Training on island is proposed for 2001.

Both Shires are keen to liaise with WA Shires for advice, support and training opportunities which is commendable and should be encouraged.

Although it is disappointing that formalised agreements between the Shire of Christmas Island and CIP/Parks Australia, regarding the operation and delivery by the Central Road Authority, have not been finalised, the successful working relationship of the parties has resulted in tangible outcomes with shared resources. The Shire should pursue the objective of formalising this arrangement during 2000/01.

The purchase of specific additional road plant by both Shires has resulted in improved productivity and efficiency of operation, particularly Christmas Island.

The paving of roads on Home Island continues to be of a very high standard. Improvements to the brick manufacturing plant have resulted in increased production and will reduce costs. This community project is expected to continue for four years on roads in the Kampong and a further year for roads in the light industrial area. The manufacture of bricks for other community projects was an additional success. The recent installation of a raised pedestrian crossing in Fremantle Road outside the Airport and the Cocos Club, constructed in local brick, is a value-added achievement.

In general, 1999/2000 has seen an improvement in the delivery of road programs, particularly Christmas Island. Main Roads will continue to provide support, advice, expertise and the necessary services to enable this to be achieved. This improvement has continued during 2000/01 (refer to Island Roads Survey at Appendix 2).

6. COMPLIANCE WITH THE ARRANGEMENT

State Agency obligations:

Under the terms of the SDA, State Agencies are required to:

- I. Submit annual budget estimates and financial acquittals to DoTRS, with the WA Auditor General's Office conducting an audit in accordance with the *Financial Administration and Audit Act 1985*. Appropriate record keeping and accounting practices are required to separately identify IOT receipts, expenditures and to account for assets purchased under the SDA.
- II. Provide performance reports which detail Agencies services to the Territories. (These are generally timed to correspond with the tabling in WA Parliament of the Agencies WA Annual report.)
- III. Advise the Commonwealth of changes (legislative or otherwise) that will impact on the IOTs.

MRWA	
Financial Reporting and Record Keeping Major clauses Part V	▪ Has undertaken financial reporting and record keeping in accordance with financial requirements.
Performance Reporting CI 9(2)	▪ Has provided performance reports in accordance with requirements.
Provision of Information to the Commonwealth Major Clause 20(1)b	▪ Nil applicable.

Commonwealth obligations

Under the terms of the SDA, the Commonwealth is required to:

- I. Make payments in accordance with the Financial Provisions;
- II. Advise the State Agency of legislative changes that affect the operation of the services; and
- III. Provide appropriate delegations for the performance of services in the Territories.

The Commonwealth:	
Payments Major clauses 8(1), and Financial Provisions 3.1, 3.2	Has made payments in accordance with the financial provisions.
Information about legislative changes and delegations Major Clauses 6(1) and 16.1	Has notified the Agency of any changes to Commonwealth legislation that affected their operations in the IOTs. Appropriate delegations have been made to enable the Agency to provide services in the IOTs.

7. CONCLUSIONS

The Review Team considers that the services provided by MRWA have achieved stated objectives, are consistent with services provided to other similar remote mainland communities and continue to be relevant to the Territories. The obligations of the SDA have been met by MRWA.

8. RECOMMENDATIONS

The Review Team recommends that:

1. That the SDA between the Commonwealth and the State for the provision of MRWA services in the Indian Ocean Territories be renewed for a further three years.
2. That Road Safety Education Programs be continued and possibly expanded in conjunction with the Australian Federal Police on both Islands.
3. Training in road management systems and updating road inventories continue to be undertaken.
4. Where beneficial, initiatives to send Shire personnel to WA Shires for specific training should be explored. Supplementation to this training may also be required on Island.

DEPARTMENT OF MINERALS AND ENERGY

1. BACKGROUND

In 1995 an SDA between the Commonwealth and the State was established to provide relevant services in the IOTs. This was renewed for a further 3 years in 1998, and expires on 30 June 2001.

The main applied Acts administered by the Department of Minerals and Energy (DME) in the Territories are the *Mining Act 1978*, the *Mines Safety and Inspection Act 1994* and the *Explosives and Dangerous Goods Act 1961*.

In addition to the Review Team, for the purposes of this Agency Review DoTRS was represented by Ms Deb Blaskett (Assistant Director), DME by Roy Burton (Director Mineral Titles Division), Anil Atri (Regional Mining Engineer).

2. ACHIEVEMENT OF OBJECTIVES

2.1 Description of Objectives/Provision of Services

Services are provided by the following Divisions:

- Mining Operations Division
- Explosives and Dangerous Goods Division:
- Mineral Titles Division
- Policy and Planning Division

(a) Mining Operations Division

The Mining Operations Division provides the following services to operating mines on Christmas Island:

- Enforcement of compliance; including inspection, investigation, resolution of issues, certification and licensing.
- Safety education and training.
- Assessment of safety practices and proposals.
- Technical advice.

The number of areas affected by the applied legislation increased from one to two during 1999/2000. These were:

- Christmas Island Phosphate Mine.
- Mining & Marine Aggregate Mine.

In 1999/2000 seven visits were made by DME officers to Christmas Island for delivering the services under the Arrangement. As a result of these inspections, 17 Record Book Entries were made giving details of the defects noted by the inspectors. Two directives under section 22 of the Mines Safety and Inspection Act (WA) (CI) were issued to deal with;

- the hazard due to excessive dust in the bag-house, and
- the assessment of structural integrity of the ship leading plant.

One High Impact Function audit for 'Fixed Plant' was carried out. The 'action plan' that the company prepared to remedy the deficiencies noted in the earlier audits was reviewed.

A high level of contact was made with employees, Safety & Health representatives, supervisors and managers to educate and advise them.

(b) Explosive and Dangerous Goods Division (EDG)

The strategy adopted to achieve the objective of the safe storage, handling and transport of explosives and other dangerous goods, is based on the regulation of industry, ensuring compliance with legislation, developed and maintained to the best national and international standards.

The main services provided by EDG therefore relate to:

- Regulatory Services: Storage and Transport
- Licensing
- Investigations

A comprehensive database of the sites where dangerous goods are manufactured and stored is maintained to assist in the monitoring and auditing compliance with the regulations, and to provide the information required when emergency response is necessary. Educational material and technical advice is also provided about compliance with regulations; safety reports; and more general aspects of handling and storing dangerous goods.

The table below details the numbers of premises and vehicles currently regulated by the Division for the storage and transport of explosives and dangerous goods.

NO. OF VEHICLES - (TRANSPORT)		NO. OF PREMISES - (STORAGE) ³		NO. OF MAGAZINES/SHOTFIRERS (EXPLOSIVES)	
COCOS (KEELING) ISLANDS	CHRISTMAS ISLAND	COCOS (KEELING) ISLAND	CHRISTMAS ISLAND	COCOS (KEELING) ISLAND	CHRISTMAS ISLAND
2	1	9*	11*	0	2 ⁴

³ These figures do not include a number dangerous goods storages in quantities not requiring licensing

⁴ These figures do not include disposal activities associated with illegal fireworks

During the 1999-2000 financial year, the following inspections were conducted:

- 2 inspections of licensed explosives magazines on Christmas Island;
- 24 inspections of premises licensed for the storage of dangerous goods on Christmas Island;
- 2 inspections of vehicles licensed to transport dangerous goods on Christmas Island;
- 9 inspections of premises licensed for the storage of dangerous goods on the Cocos (Keeling) Islands;
- 2 inspections of vehicles licensed to transport dangerous goods on the Cocos (Keeling) Islands; and
- various inspections of dangerous goods storage's in quantities not requiring licensing.

3. PERFORMANCE INDICATORS

(a) Mineral Operations Division

One Management Systems Audit and five High Impact Function audits have been carried out during the last 3 years. A comparison of the compliance achieved by Christmas Island Phosphate mine against the average of the data available in MODAMS database for Western Australian mines is provided in the following table. A number of corrective measures have been taken by the CIP management to introduce new systems and procedures in the area of Emergency Preparedness, Isolation and Tagout Procedures, Dust Management, and Management Safety Systems.

Comparison of audit compliance rate achieved by Christmas Island Phosphate mine against the average of compliance data for WA mines in MODAMS database.

AUDIT TITLE	COMPLIANCE ACHIEVED BY CIP (%)	YEAR OF AUDIT	AVERAGE COMPLIANCE - MODAMS DATABASE JULY 97 - JUNE 2000 (%)
Emergency Preparedness	10	Sep -97	75
Isolation & Tagout Procedures	41	Sep -97	74
Surface Dust Management	43	Nov -97	73
Workshops	76	May -98	72
Management Systems Audit	48	Sep -98	73
Fixed Plant	64	Apr -00	74

A comparison between accident statistics for the Christmas Island Phosphate mine and the average for 19 comparable mines, selected randomly, in Western Australia is provided in the following table. Data for a longer duration are necessary for establishing a meaningful trend for the accident statistics.

Comparison of accident statistics of Christmas Island Phosphate Mine and similar comparable group of mines in WA is shown below.

YEAR	CIP		COMPARISON GROUP	
	LTIFR ⁵	INJURY INDEX ⁶	LTIFR	INJURY INDEX
1997/98	6.5	19	14.4	273
1998/99	2.5	3	6.6	108
1999/00	16.7	99	9.6	104

(b) Explosives and Dangerous Goods (EDG) Division

(i) Compliance with safety standards in the transport of dangerous goods.

The proportion of bulk dangerous goods vehicles complying with safety standards set in the *Dangerous Goods (Transport) (Road and Rail) Regulations 1999* is shown below:

COMPLIANCE CODE	WA 1999-2000 (%)	COCOS (KEELING) 1999/2000 ⁷ (%)	CHRISTMAS 1999/2000 ⁸ (%)
Battery	99	100	100
Exhaust	100	100	100
Bulk container	88	0	0
Wiring	78	50	100
Isolator	95	100	100
Emergency Information Panels	96	100	100
Fire Extinguisher	75	100	0
Emergency Procedure Guides	90	0	100
Safety Equipment	92	0	100
Overall ⁹	47	0	0

⁵ LTIFR: Lost Time Injury Frequency Rate – the number of lost time injuries per million hours worked.

⁶ Injury Index: - The number of workdays lost per million hours worked.

⁷ During the review period only 2 vehicles (being the only two dangerous goods vehicles used for the transport of dangerous goods in bulk) were inspected on Cocos Island.

⁸ As there have been multiple inspections of the same vehicle during the review period, the figure is based on most recent vehicle inspection

⁹ Overall compliance means the percentage of vehicles that complied with all nine compliance codes

(ii) Compliance with safety standards in the storage of dangerous goods.

The level of compliance with the *Explosives and Dangerous Goods (Dangerous Goods Handling and Storage) Regulations 1992*, observed at premises where dangerous goods are stored and handled is shown below.

PERFORMANCE MEASURES	WA (%) (ALL INSP) 99/00	COCOS (KEELING) 99/00 (%)	CHRISTMAS 99/00 (%)
Placarding of premises	57	33	68
Location of stores	87	78	91
Secondary containment	81	67	77
Fire Protection	84	89	95
Emergency plans	55	44	73

The data in the above tables was collected during inspections in December 1999 and May/June 2000. Compliance levels generally exceed compliance levels in WA except for dangerous goods secondary containment.

For the Cocos (Keeling) Islands compliance levels were marginally lower than compliance levels in WA with the exception of fire protection. Instructions were left with the licensees of premises to make the necessary improvements and the Division will follow up on areas of non-compliance to ensure that appropriate upgrades are put in place.

Stakeholder Feedback:

The Shire of Christmas Island has requested that officers from DME arrange to meet with the Shire when they are on-island to discuss any issues with regard to "boundary disputes".

The manager of Shell, Cocos (Keeling) commented that in his view the objectives of the SDA had been met.

4. COMPARISON WITH MAINLAND STANDARDS

Whilst services delivered in the IOTs are consistent with services provided on the mainland, one of the comments received suggests that the service level monitoring may be exceeded for Cocos (Keeling). This matter will be raised with DME.

5. IMPROVEMENTS IN SERVICE DELIVERY

(a) Mining Operations Division

During the last two years, Christmas Island Phosphates has been encouraged to establish safety systems and procedures. Some of these will be reviewed by conducting the following repeat audits.

- Management Safety Systems Audit.
- Dust Management Audit.
- Emergency Preparedness Audit.

Comment from Christmas Island Phosphates states that in their view it was not necessary for DME inspectors to impose section 22 orders in the mine. All that should be required was for an Audit to be undertaken and technical advice provided in the recommendations, so that improvements could be made. However, this would be inconsistent under the applied legislation, and with usual practice on the mainland.

Two additional inspections will be carried out by Special Inspector of Mines – Electrical, as this area was not covered in the previous years

(b) EDG

Compliance levels at Christmas Island have improved noticeably over the past few years and improvements in this area are proceeding at a steady pace.

Improvement in compliance levels at the Cocos (Keeling) Islands is proceeding somewhat more slowly and the EDG Division will focus more effort in this area.

6. COMPLIANCE WITH THE ARRANGEMENT

State Agency obligations:

Under the terms of the SDA, State Agencies are required to:

- I. Submit annual budget estimates and financial acquittals to DoTRS, with the WA Auditor General's Office conducting an audit in accordance with the *Financial Administration and Audit Act 1985*. Appropriate record keeping and accounting practices are required to separately identify IOT receipts, expenditures and to account for assets purchased under the SDA.
- II. Provide performance reports which detail Agencies services to the Territories. (These are generally timed to correspond with the tabling in WA Parliament of the Agencies WA Annual report.)

- III. Advise the Commonwealth of changes (legislative or otherwise) that will impact on the IOTs.

With regard to reporting and accountability compliance, the findings of the Review Team are as follows:

DME	
Financial Reporting and Record Keeping Major clauses Part V	▪ Has undertaken financial reporting and record keeping in accordance with financial requirements.
Performance Reporting CI 9(2)	▪ Has provided performance reports in accordance with requirements.
Provision of Information to the Commonwealth Major Clause 20(1)b	▪ Nil applicable.

Commonwealth obligations

Under the terms of the SDA, the Commonwealth is required to:

- I. Make payments in accordance with the Financial Provisions;
- II. Advise the State Agency of legislative changes that affect the operation of the services; and
- III. Provide appropriate delegations for the performance of services in the Territories.

The Commonwealth:	
Payments Major clauses 8(1), and Financial Provisions 3.1, 3.2	Has made payments in accordance with the financial provisions.
Information about legislative changes and delegations Major Clauses 6(1) and 16.1	Has notified the Agency of any changes to Commonwealth legislation that affected their operations in the IOTs. Appropriate delegations have been made to enable the Agency to provide services in the IOTs.

7. CONCLUSIONS

The Review Team considers that the services provided by DME have achieved stated objectives, are consistent with services provided to other similar remote mainland communities and continue to be relevant to the Territories. However, further enquiry into the number of compliance visits to CKI by EDG Division will be undertaken between DoTRS and DME. The obligations of the SDA have been met by DME.

8. RECOMMENDATIONS

The Review Team recommends that:

1. That the SDA between the Commonwealth and the State for the provision of DME services in the Indian Ocean Territories be renewed for a further three years.
2. DME will continue to encourage Christmas Island Phosphates to establish safety systems and procedures, which will be reviewed by conducting the following repeat audits.
 - Management Safety Systems Audit.
 - Dust Management Audit.
 - Emergency Preparedness Audit.
3. The level of EDG monitoring on CKI will be reviewed in light of comments emanating from this review.
4. Improvement in compliance levels on CKI requires more focus and effort from EDG Division.

SMALL BUSINESS DEVELOPMENT CORPORATION

1. BACKGROUND

The conduct of the Small Business Development Corporation (SBDC) is established under the *Small Business Development Corporation Act 1983*.

An SDA between the State and the Commonwealth was first executed in 1995 to provide enterprise development services and programs to small business operators in the IOTs.

In order to provide more immediate services, a third party contract, in keeping with operations on the mainland, was entered into between SBDC and Indian Ocean Group Training Association (IOGTA) to act as Agent to SBDC and provide direct services in the Territories. The service, provided by IOGTA, is supported by the SBDC web site, telephone consultations, and six monthly visits by enterprise development officers from the mainland.

Following review of the Arrangement in 1998, it was renegotiated for a further 3-year period. The current Arrangement is due to expire on 30 June 2001.

In addition to the Review Team, for the purposes of this Agency Review DoTRS was represented by Mr Wal Young (Assistant Director), the SBDC by Mr Bruce MacFarlane (Director Enterprise Development Services) and Mr Bruno Delfante (Director Business Migration Enterprise Development Services).

2. ACHIEVEMENT OF OBJECTIVES

2.1 Description of Objectives

For the purposes of the SDA developed in 1998, the Mission Statement of the SBDC for service provision in the IOTs was to:

Encourage economic growth and enhanced employment opportunities through the development of effective small to medium sized enterprises.

The objectives were to be achieved through the operation and support of the following programs:

- Business Advisory Service (BAS)
- Management Education Services (MES)
- Business Information and Licence Centre; and
- Business Enterprise Centre (BEC).

and the delivery of their range of services.

The strategies to achieve the development of small to medium sized enterprises (SMEs) in the IOTs were by:

- Providing support to industry and regional groups
- Providing useful and accessible advice, information and enterprise development services to prospective and existing SMEs; and
- Providing representation for the sector to minimise impediments and promote a business environment conducive to growth.

The core service provided by SBDC to IOT small business has been one-on-one consultation to provide information and guidance on establishing, operating and developing local enterprises. Major areas of demand included taxation, GST, ABN, customer service, tendering, electronic accounting systems and leasing commercial premises.

Workshops on preparing a tender and MYOB computer accounting systems were held, and inquiries on GST and ABN were supported with access to a hotline direct to the SBDC GST Transition Centre in Perth. The SBDC web site was widely promoted on the islands, particularly as source of information on starting a business, and licence requirements. Additionally, the SBDC telephone advisory service was made available to local businesses that did not want to discuss their affairs on Island.

The islands were visited twice annually by an SBDC enterprise development officer, who visited local businesses and met with business groups, hosting small business networking functions with the Christmas Island Chamber of Commerce, Cocos Islands Small Business Association and Muslim Business Association.

In addition LOGTA continued to be supported by the SBDC web site, telephone consultations, and six monthly visits by enterprise development officers from the mainland.

Major problems faced by small business on the Islands include a shrinking local market, strong competition from similar style enterprises and the cost and availability of freight and air services. Despite this, the Ministry of Fair Trading has reported that there has been an increase in the number of business names registered. As at 30 June 2000, 178 business names were registered on Christmas Island, and 53 business names were registered on the Cocos Islands, up from 146 and 40 respectively as at 30 June 1999.

2.2 Stakeholder Feedback:

(i) Christmas Island Chamber of Commerce/Business Centre

- The overall comment is that SBDC funding is very visible, provides tangible results, is appropriate and well received.
- The SBDC officers regularly visit the IOTs and make a clear effort to contact as many businesses as possible and distribute good, usable printed matter outlining SBDC functions and objectives.
- The SBDC funding through the IOTGA is regarded as one of the most effective and productive forms of Commonwealth assistance to the private sector in the IOTs.
- The SBDC funding through IOGTA for Business Advisory Services (BAS) has been a 'lifeline' to a number of small businesses on CI. It has indirectly caused the establishment of at least three new businesses during the past two years, and has sustained a significant number of existing businesses through what has been a very difficult economic downturn.

(ii) Shire of Christmas Island

Whilst the SOCI has minimal contact with SBDC it has suggested that officers arrange to visit the Shire each trip to discuss and raise relevant issues. The best opportunity would be to time visits to coincide with Chamber of Commerce monthly meetings.

(iii) Cocos Islands Business Association

A negative response was forwarded by a member of the Cocos Islands Business Association. Indications are that the Association has had little to do with SBDC and that contact has been unsatisfactory and not particularly useful for CKI. The BAS information has not been pertinent and there have been no 'start-ups' through the Association. This information, however, is inconsistent with information which suggests that 13 new businesses were registered during the last 12 months on CKI.

The Review Team recommends that the SBDC consider the comments made by the Association to either redress or clarify the situation (if there has been an error of judgment by the Association).

3. PERFORMANCE INDICATORS

Under the 1998 SDA, the Performance Indicators were identified as follows;

(i) Efficiency Indicator:

The cost (net expense) per direct client services by the Business Advisory, Licence and Information Centre sections of SBDC or its Agent.

The cost to provide the service to the IOTs in 1999/2000 totalled \$47,823 and registered 368 business client contacts. This was an improved performance on the previous year (\$49,336 for 211 business client contacts).

(ii) Effectiveness Indicator

Overall satisfaction with the service provided.

The number of contacts is as follows:

Client Contacts	Christmas Island	Cocos Islands	Total
One on one appointments	168	41	209
Telephone Consultations	15	11	26
Workshops and functions	87	46	133
Total	270	98	368

In November 1999 and June 2000 a random survey, shown below was conducted with clients who had used the service during the year. In total, 34 individual clients, 23 from Christmas Island and 11 from the Cocos Islands were interviewed by telephone and asked their opinion of the Service.

Table 2

Client Opinions	Christmas Island	Cocos Islands	Total
Satisfaction	83%	91%	85%
Usefulness	83%	91%	85%
Improved decision making	70%	73%	70%
Improved business performance	69%	51%	62%
Maintained or increased employment	51%	38%	46%
Informed decision making	58%	100%	70%
Access to service	100%	100%	100%
Customer service provided	87%	91%	88%
Time taken to respond	78%	100%	85%
Use service again	87%	91%	88%

Overall, most clients were generally satisfied with the service, and ratings received were similar to the previous year. The only two areas of major change were improved business performance, which decreased from 73% to 62%, and informed decision making which increased from 61% to 70%.

4. COMPARISON WITH MAINLAND SERVICES:

For SBDC services, it is not valid to compare the Indian Ocean Territories against remote WA communities or provide a comparison against the aggregate State results as population, economic conditions and industry base differ significantly.

However, as a comparison:

- The Derby Enterprise Centre received a grant of \$74,500 for the 1999/2000 financial year, to provide an enterprise development service to its local small business community, and registered 437 business contacts. At a cost of \$170 per client contact, the service compares favourably with the Indian Ocean Territories service cost of \$130 per client contact for the same period.
- In September 1999 a survey was conducted to measure the effectiveness of the Statewide Business Enterprise Centre Network. Overall, client opinions expressed for the same criteria compared favourably with the Islands survey as indicated as follows:

Client Opinions	BEC Network	IOT
Satisfaction	90%	85%
Usefulness	91%	85%
Improved decision making	59%	70%
Improved business performance	59%	62%
Access to service	91%	100%
Customer service provided	95%	88%

5. IMPROVEMENTS IN SERVICE DELIVERY

Whilst all indications show that the services provided by SBDC are meeting objectives and satisfying clients (except for the Cocos Islands Regional Business Association), future requirements include more training on marketing and e-commerce. SBDC therefore plan to stage a series of workshops on marketing and e-commerce to ensure the local business community is prepared to take advantage of any opportunities that arise on and off the islands.

The Small Business Improvement Program will also be marketed more aggressively to increase formal business planning on the Islands.

6. COMPLIANCE WITH THE ARRANGEMENT

State Agency obligations:

Under the terms of the SDA, State Agencies are required to:

- I. Submit annual budget estimates and financial acquittals to DoTRS, with the WA Auditor General's Office conducting an audit in accordance with the *Financial Administration and Audit Act 1985*. Appropriate record keeping and accounting practices are required to separately identify IOT receipts, expenditures and to account for assets purchased under the SDA.
- II. Provide performance reports which detail Agencies services to the Territories. (These are generally timed to correspond with the tabling in WA Parliament of the Agencies WA Annual report.)
- III. Advise the Commonwealth of changes (legislative or otherwise) that will impact on the IOTs.

With regard to reporting and accountability compliance, the findings of the Review Team are as follows:

SBDC	
Financial Reporting and Record Keeping Major clauses Part V	▪ Has undertaken financial reporting and record keeping in accordance with financial requirements.
Performance Reporting CI 9(2)	▪ Has provided performance reports in accordance with requirements.
Provision of Information to the Commonwealth Major Clause 20(1)b	▪ Nil applicable.

Commonwealth obligations

Under the terms of the SDA, the Commonwealth is required to:

- I. Make payments in accordance with the Financial Provisions;
- II. Advise the State Agency of legislative changes that affect the operation of the services; and
- III. Provide appropriate delegations for the performance of services in the Territories.

The Commonwealth:	
Payments Major clauses 8(1), and Financial Provisions 3.1, 3.2	Has made payments in accordance with the financial provisions.
Information about legislative changes and delegations Major Clauses 6(1) and 16.1	Has notified the Agency of any changes to Commonwealth legislation that affected their operations in the IOTs. Appropriate delegations have been made to enable the Agency to provide services in the IOTs.

7. CONCLUSIONS

The Review Team considers that the services provided by SBDC have achieved stated objectives, are consistent with services provided to other similar remote mainland communities and continue to be relevant to the Territories. The obligations of the SDA have been met by SBDC.

8. RECOMMENDATIONS

The Review Team recommends that:

1. That the SDA between the Commonwealth and the State for the provision of SBDC services in the Indian Ocean Territories be renewed for a further three years.
2. SBDC to stage a series of workshops on marketing and e-commerce to ensure the local business community is prepared to take advantage of any opportunities that arise on and off the islands.
3. The Small Business Improvement Program to be marketed more aggressively to increase formal business planning on the Islands.
4. The concerns of the Cocos Islands Business Association be addressed to the extent possible.

OFFICE OF THE VALUER GENERAL

1. BACKGROUND

The Valuer General's Office is established under the *Valuation of Land Act 1978* and administers the *Valuation of Land Act 1978 (WA) (CI) (CKI)*.

The Valuer General primarily provides valuations for rateable and taxable property on Christmas and Cocos Keeling Islands. This includes the respective Shire Councils and the State Revenue Department. Requests for market valuation advice associated with the sale, lease and purchase of land are also received from the local governments.

In addition to the Review Team, for the purposes of this Agency Review DoTRS was represented by Ms Deb Blaskett (Assistant Director), VGO by Mr Gary Fenner (Valuer General) and Mr Graham Jeffrey (Chief Valuer Country).

2. ACHIEVEMENT OF OBJECTIVES

2.1 Objectives

Under this SDA the objectives of the VGO are to provide an independent and impartial valuation service which is cost effective for Government and clients, and maintain an accurate land and property database by:

- (1) Making General and Interim valuations of rateable land at a frequency that meets legislative responsibilities and satisfies client needs in terms of time frame, accuracy and currency.
- (2) Making valuations of land other than rating and taxing valuations for Government, statutory clients and any person, body or authority authorised by the applied Valuation of Land Act 1978, within agreed timeframes and standards.
- (3) Maintaining a fully integrated central land and property data base to facilitate the provision of valuation, property information and consultancy services to Government and the wider community.

2.2 Services

The services to be provided under this SDA comprised:

1. Rating and Taxing Valuations:
 - (i) Gross Rental Values
 - (ii) Unimproved Values

2. Other Valuations:
 - (i) Asset Valuations
 - (ii) Stamp Duty Valuations
 - (iii) Market Valuations

3. Client Services
 - (i) Consultancy
 - (ii) Property Information
 - (iii) Research

VGO visited Christmas Island from 10 – 17 October 1998 and the Cocos (Keeling) Islands from 10 – 18 April 1999, to conduct field investigations and inspections associated with general valuation of property for rating and taxing purposes.

Valuation activity during 1999/2000 included the annual General Valuations on the Unimproved Value basis of both Christmas Island and Cocos Keeling Islands. Other valuations for rating and taxing included the making of interim valuations on both the unimproved and gross rental value basis. "Other Valuations" were restricted to 6 market rental values for properties located on Cocos (Keeling) Islands and 13 valuations for adjudication of stamp duty on Christmas Island. There were no visits to the Island Territories during 2000. The visit to Cocos (Keeling) Islands in 1999 provided the necessary data to carry out the rental and stamp duty valuations without the need for further visits.

Comments from the SOCI, as the major stakeholder, indicate that the services provided by VGO are acceptable. An improvement suggested by SOCI is for the despatch of valuations by overnight express to ensure that they are given priority within the current postal services provided to the IOTs.

3. PERFORMANCE INDICATORS

The table below summarises the valuation outputs under each activity.

RATING AND TAXING VALUES	CHRISTMAS	COCOS (KEELING)	WA ACTUAL ¹⁰	WA TARGET
Output - Total No of Values:				
General Valuations				
• Gross Rental Values (GRV)	N/a	N/a	56,774	59,015
• Unimproved Values (UV)	380	228	753,533	741,973
Interim Values				
• Gross Rental Values	0	8	55945	46250
• Unimproved Values	5	25	24811	23850
Key Effectiveness				
<i>Accuracy and Uniformity</i> ¹¹				
• Mean Ratio Test	N/a	N/a	91.77%	90 –110%
• Coefficient of Dispersion	N/a	N/a	4.47%	<15%
<i>Acceptance of Values</i>				
• Number of objections received.	0	0	1765	1435
• Number of queries received.	2	0	1038	1360
• Number of Appeals received against determined objections.	0	0	18	63
<i>Timeliness</i>				
Completion of general valuations by 31 May ¹² .	0%	0%	84.72%	98%
Key Efficiency				
Cost Per Value (GRV Interims)	N/a	18.40	40.16	39.08
Revenue Per Value (GRV Interims)	N/a	28.00	31.84	39.83
OTHER VALUATIONS				
Output - Total No. Of Values				
• Asset Values	0	0	121,112	128,900
• Market Values	0	6	9,475	8,916
• Stamp Duty Values	13	0	6,425	6,331
Key Effectiveness – Timeliness				
• Stamp Duty - % of requests within 10 days	n/a	n/a	88.9%	80%
• Market values in 20 working days.	n/a	n/a	56.3%	70%
- Cost				
Cost Per Value - Stamp Duty	28.36	n/a	105.90	n/a
- Market Values	n/a	84.73	162.14	n/a
Revenue Per Value - Stamp Duty	76.25	n/a	145.36	
- Market Values	n/a	105.17	214.37	
ADVISORY SERVICES				
Output - No Of Consultancy Jobs	0	0	3410	970
Key Efficiency				
• Cost Per Consultancy	n/a	n/a	133.43	n/a
• Revenue Per Consultancy	n/a	n/a	119.67	n/a
• Total Cost Property Information	n/a	n/a	665,743	n/a
• Total Revenue Property Information	n/a	n/a	667,493	n/a

¹⁰ WA Actual and Targets as published in the Annual Report to Parliament

¹¹ Test not conducted in the Territories given the small statistical sample.

4. COMPARISON WITH MAINLAND SERVICES

The services provided by VGO are consistent with mainland services in terms of access, response, quality, level and standard.

5. IMPROVEMENTS IN SERVICE DELIVERY

The VGO advises that there were no issues during the year of a contentious nature requiring reporting.

DoTRS and VGO agree that plant and equipment valuations should be clearly specified in Clause 2.1.2 – Other Valuations, in a renewed SDA.

6. COMPLIANCE WITH THE ARRANGEMENT

State Agency obligations:

Under the terms of the SDA, State Agencies are required to:

- I. Submit annual budget estimates and financial acquittals to DoTRS, with the WA Auditor General's Office conducting an audit in accordance with the *Financial Administration and Audit Act 1985*. Appropriate record keeping and accounting practices are required to separately identify IOT receipts, expenditures and to account for assets purchased under the SDA.
- II. Provide performance reports which detail Agencies services to the Territories. (These are generally timed to correspond with the tabling in WA Parliament of the Agencies WA Annual report.)
- III. Advise the Commonwealth of changes (legislative or otherwise) that will impact on the IOTs.

With regard to reporting and accountability compliance, the findings of the Review Team are as below:

VGO	
Financial Reporting and Record Keeping Major clauses Part V	▪ Has undertaken financial reporting and record keeping in accordance with financial requirements.
Performance Reporting CI 9(2)	▪ Has provided performance reports in accordance with requirements.
Provision of Information to the Commonwealth Major Clause 20(1)b	▪ Nil Applicable.

Commonwealth obligations

Under the terms of the SDA, the Commonwealth is required to:

- I. Make payments in accordance with the Financial Provisions;
- II. Advise the State Agency of legislative changes that affect the operation of the services; and
- III. Provide appropriate delegations for the performance of services in the Territories.

The Commonwealth:	
Payments Major clauses 8(1), and Financial Provisions 3.1, 3.2	Has made payments in accordance with the financial provisions.
Information about legislative changes and delegations Major Clauses 6(1) and 16.1	Has notified the Agency of any changes to Commonwealth legislation that affected their operations in the IOTs. Appropriate delegations have been made to enable the Agency to provide services in the IOTs.

7. CONCLUSIONS

The Review Team considers that the services provided by VGO have achieved stated objectives, are consistent with services provided to other similar remote mainland communities and continue to be relevant to the Territories. The obligations of the SDA have been met by VGO.

Plant and equipment valuations should be clearly specified and included in Clause 2.1.2 – Other Valuations of Schedule A, the Operational Brief of a renewed SDA.

8. RECOMMENDATIONS

The Review Team recommends that:

1. That the SDA between the Commonwealth and the State for the provision of VGO services in the Indian Ocean Territories be renewed for a further three years.
2. VGO to consider for the despatch of valuations by overnight express to ensure that they are given priority within the current postal services provided to the IOTs.

APPENDIX 1 – SHARE HOLDERS MATRIX

STAKEHOLDERS	F & C S		AGENCY				MRD	E-MAILED	POSTED	RESPONSE
			EOC	DME	VG's	SBDC				
Administrators Advisory Committee	*		*	*	*	*		26/03/01	Y	-
Shire Councils (Both Territories)	*		*	*	*	*		26/03/01	Y	SOC 13-May
A.F.P. (Both Territories)	*		*	*				27/03/01	Y	11-Apr
C.I. C of Commerce (JOGO)						*		27/03/01	Y	11-Apr
CKI Business Assoc (JCR)						*		27/03/01	Y	29-Mar
C.I. Phosphate				*				27/03/01	Y	29-Mar
Shell CKI (fuel supplier)				*				27/03/01	Y	4-May
Gaseng CI (fuel supplier)				*				27/03/01	Y	-
IOTHS	*							27/03/01	Y	13-Apr
J. Low (Private submission received)			*							4-May
*	Correspondence sent to stakeholder, seeking comment on Service Delivery									
SDA EXPIRY	30/06/01	30/06/01	30/06/01	30/06/01	30/06/01	30/06/01	30/06/01	30/06/01	30/06/01	30/06/01

APPENDIX 2 - ISLANDS ROADS SURVEY

CHRISTMAS ISLAND:

- There has been a significant improvement in the maintenance of roads on Christmas Island. Response by the Shire to reported road problems has been dealt with efficiently and effectively.
- Sing Sang Road
Road surface near kerbs needs to be resealed to prevent vegetation growth on the edge of the road. Surface of road is also uneven at the junction of Murray Road.
Shire to take appropriate maintenance action.
- Traffic Signs
There is an urgent need to install a traffic light to the Poon Saan Community Hall bus stop as many children use the bus stop every morning. It is quite dangerous to see vehicles travelling too fast and not stopping for children crossing Murray Road. Don't wait until an accident happens, then feel guilty at the need to install a traffic light.
The installation of a traffic light (Pelican Crossing lights) is not warranted. However, there may be a need for a crossing attendant, Police surveillance or additional signage. The Shire should follow up this issue.
- Lily Beach Road/Ethel Beach Road improvement, realignment and seal is required.
Currently periodically graded and subjected to scours after each wet season. It is too steep for vehicles towing boat trailers to access boat ramps at Ethel Beach.
The Shire is currently undertaking improvements to these roads and access to Ethel Beach. Sealing of these roads is not a viable option at this stage.
(Submission by Indian Ocean Diving Academy)
- Kung Wai Lane
Road improvements and sealing to access most properties has been satisfactorily completed by the Shire. Although the recently completed work was well done, further work is required regarding the exit of this road onto Murray Road.
The shire is planning to realign the exit to improve the junction with Murray Road.

- There has been a considerable improvement in the quality of the Town roads over the past 12 months – well done. However, the roads through the National Park and to scenic tourism locations of interest are abysmal. They have deteriorated considerably over the past 5 years. It is suggested that the Shire be given sufficient funding to upgrade and improve all roads of tourism significance. The Shire is capable of doing this work – Parks Australia is not. The following roads should be improved:

- Lily Beach
- Ethel Beach
- Dolly Beach
- Blowholes
- Margaret Knoll

There is a world class board walk to Dolly Beach, but no one can get to it.

The issue of improving road access to these locations as well as Winifred Beach and the Dales was discussed during meeting with Parks (refer to Report of Visit to Islands). Adequate funding is required to upgrade and maintain these important access roads. Parks are not provided with funds to undertake such improvements. The deterioration of walking trails is another issue that needs to be addressed by Parks.

- The Chamber members collectively, strongly suggested and endorsed the requirement to weather seal the road from the Phosphate Hill turn off to the Airport. It is understood that this was planned several years ago, but lack of available funding prevented its commencement.

The Commonwealth Government have announced extra road funding for country and remote areas and the Chamber respectfully requests that the Shire schedule this section for funding and subsequent sealing – perhaps in conjunction with other planned developments.

A final point raised was that the Shire's suction road sweeper, which apparently receives little use, should be used more frequently in certain areas and particularly during the red crab migration to remove crushed crabs on certain roads in populated areas.

The Shire has not programmed to upgrade and seal the section of North-South Baseline from Phosphate Hill turn-off to the Airport. Roads to Recovery funding has been programmed for other specific projects eg. sealing of low skid resistance road sections using imported igneous rock aggregate.

The Shire should follow up on the use of the suction road sweeper.

(Submission by the Christmas Island Chamber of Commerce).

APPENDIX 2 CONT - ISLANDS ROADS SURVEY

COCOS (KEELING) ISLANDS

- Road improvement/road maintenance

The following roads on Home Island need urgent attention by the Shire.

- Jalan Balok Mem
- Jalan Kampong Atas
- Jalan Kipas
- Jalan Raya
- Jalan Mesjid

This would apply to exposed coral sand base and rock resulting in hazardous road conditions. Paving of these road sections would alleviate the problem, however, in the interim the Shire needs to maintain unpaved road sections in a safe state.

- Home Island Roads

- Jalan Balok Mem
 - * Grading and road maintenance is required.
- Jalan Kampong Atas
 - * Clean up of coconuts and palm fronds is required as routine maintenance.
 - * It should be regularly graded as required by unpaved roads.
- Bicycle Education and Road Safety Program should be provided to Home Island (and West Island) Communities.
 - * *These programs are to be provided in May 2001.*
- Road signs should be spelt correctly and visible to road/pedestrian users.
 - * *This issue needs to be addressed by the Shire. Removal of vegetation from signs should be a routine maintenance task.*
- Plant Operator and Road Maintenance Training.
 - * More training should be undertaken with the road maintenance gang on road grading, etc. A bilateral trainer arrangement should be introduced by the Shire, with the trainer brought to the Islands to provide training and enhance skills and work opportunities for local personnel.
 - * *This issue is being addressed by the Shire.*

- General

The Cocos (Keeling) Islands Roads are vastly improved since 1997. The reduction in dust around the Kampong area of Home Island is quite noticeable. Thanks for the improvement.

Major Contractors employed on road projects (or other projects) have consistently not used the local labour workforce, many of whom are qualified plant operators. The community deserves some improvement in this area.

The only major road project in recent times which didn't use local personnel would be the resealing of West Island Roads. The most significant road contract employing local (Home Island) personnel is the paving of Home Island Roads.

(Submission by Indian Ocean Group Training)

- General response from the Home Island Community.

The paving of roads on Home Island has been well received by the Community and provides an excellent solution to road improvements, particularly for local skills and employment. The quality of the finished product is excellent. Paving of these roads has had a significant impact on dust reduction in the Kampong area.

- Road Improvements

- Roads are of a far higher standard than one would expect in such a remote island location. I continue to be amazed at how good a thoroughfare Sydney Highway is, and other gravel tracks are of an adequate or better standard for their designated purposes.

- Having said that, I think most people thought the recent reseal of West Island roads was a questionable use of time/money. If anything, we felt the reseal led to a poorer result than what was there previously. (We were amazed to learn that the reseal had actually been completed – we thought it was only Stage 1 of some further finishing application).

There was a misunderstanding on what resealing of roads meant. An explanation has been provided to the respondent.

- The brick paved roads on Home Island are most attractive and functional and have provided good employment opportunities for local people.

- Road Maintenance

- Again, there is very little to complain about with regards to the standard of roads or road maintenance, apart from the road down the South End which used to be maintained to a much higher standard (eg. regular grading and clean-up of palm fronds/coconuts).

Action needs to be taken by the Shire to improve routine maintenance tasks.

- Council is obviously doing its best to address the problem of the impact of coastal erosion on roads of both islands.

The problem on Sydney Highway seems to have stabilised. The Shire is to address the tidal flooding of Jalan Kampong Atas by raising this road and placing rock protection.

- Traffic Management
 - There seems to be good co-operation between the Shire, the Admin, the AFP, other agencies and the community with regards to traffic management, though this is obviously not a major problem in place like Cocos.
- Traffic Signs
 - Again, perfectly adequate.
- Response by Council to Reported Road Problems.
 - Not a problem, except for south end roads which have come up in a couple of OIC meetings recently but have not been attended to.
Action to be taken by Shire.
- Bicycle education programs and traffic safety
 - There seems to be some effort made last year, with the free issue of bicycle helmets to school children. No enforcement is taking place however and it is only thanks to low traffic volume conditions that is not an urgent priority.
A Bicycle Education/Road Safety Program is to be provided in May 2001.
- Training programs and skills enhancement for Shire employees
 - I was involved in teaching the ESL program for shire employees when I first arrived but apart from that I have no knowledge of what training/skills programs are currently taking place, though I'm sure I could ring Council and they would tell me.
The Shire is undertaking several training programs to improve skills of its personnel.
- Other Road Issues.
 - I do not see the need for any upgrade to street lighting in the settlement.
 - I'd be interested to know what traffic islands are proposed as I cannot determine the need.
A raised pedestrian crossing is proposed in Fremantle Road in front of the Airport entrance.
 - It was disappointing that some dispensation could not be made for recent legislation that prohibits riding in the back of utes. I can only thank the Council, the Admin and the AFP for jointly trying to put forward the community's views.
This legislation has resulted from many fatalities on remote roads. It is a road safety issue which has been satisfactorily addressed for the benefit of all road users.