

Business Case

Major Land Transaction

A business plan for The Cocos (Keeling) Islands Shire Council, acting in their capacity as Trustee of the Cocos (Keeling) Islands Lands Trust, 1984, to consider a major land transaction for the potential lease of a Portion of Lot 102 on Plan 18500, upon volume 2103 of Folio 111 (the Trust Lands) , Direction Islands in order to facilitate the development of a luxury eco-resort by Cocos Boronia Resort Pty. Ltd.

Prepared by the Shire of Cocos (Keeling) Islands
January 2020

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1. INTRODUCTION

As the Trustee of the Cocos (Keeling) Islands Lands Trust, 1984 (**the Trust**), the Cocos (Keeling) Islands Shire Council, (**Council**) is proposing to enter into a major land transaction involving a lease from the Council to Cocos Boronia Resort Pty Ltd (**CBR**) as one of three trading entities under the umbrella of Indian Ocean Leisure. The lease of the Proposed Premises is for a period of 40 years + 20 + 20 years, giving a total of up to 80 years for the purpose of developing and operating a luxury eco-resort (**the Project**). The Shire of Cocos (Keeling) Islands (**the Shire**) is the administrative arm of Council and therefore has prepared this Business Plan.

Given the complex legal environment of the Cocos (Keeling) Islands Land Trusts and the Cocos (Keeling) Islands in general, legal advice about whether the Council is required to prepare a Business Plan in accordance with section 3.59 of the *Local Government Act (WA) (CKI) 1995* for the project is not clear. However, Council believes it is prudent to do so for a land transaction of this size. Accordingly, the following Business Plan has been prepared and is advertised for public consultation.

The Business Plan outlines the:

- expected impact on the Land Trust finances;
- expected benefit, advancement and wellbeing of Cocos Islanders residing on land owned by the formal Cocos (Keeling) Islands Council;
- ability of the Shire to manage the undertaking and performance of a major land transaction.

This Business Plan provides details of the project venture, land ownership and benefits each party may become entitled to as a result of the Project.

This Business Plan reveals the preferred way to unlock a highly valuable and well-located land asset (that is the Proposed Premises) and balance complex legal and land administration processes and local economic conditions. This Business Plan offers a sound basis to progress this long-term land dealing that enables the best possible economic and social development outcomes in accordance with the Trust Deed 1984.

This Business Plan concludes that the Shire has the capability and capacity to manage the Project. It is expected that the Project will stimulate local business activity, particularly across the growing local tourism and allied service industries in a way that Advances our Islands.

The Shire intends to give notice of, and to invite submissions about, the Project by:

- Publishing a notice in the local Atoll on Friday 24 January 2020 (which is distributed to each household free of charge) and on the Shire's public web site; noting that the advertisement will be translated into Cocos Malay to ensure it is accessible to all members of our community.
- Making copies of this Business Plan available for inspection at Shire offices on Home Island and on West Island and on the Shire website.

2. SITUATIONAL AND HISTORICAL CONTEXT

The Cocos (Keeling) Islands are an Australian Territory located in the Indian Ocean at Latitude 12 deg 10' South longitude 96 deg 50' East. The islands lie 2,768 km north-west of Perth, 3,685 km due west of Darwin, approximately 900 km south-south west of Christmas Island and approximately 1,000 km south-west of Java and Sumatra. The highest point above sea level is 9 metres which is located on South Island. The islands in the southern atoll comprise an area totalling 14 square kilometres.

The two inhabited islands are Home Island, the home of the Cocos Malay community and the Shire Office, with a population of 466, and West Island on which is located the airport, Government offices, the homes of virtually all Government and contracted employees, and some private residences, with a population of 141.

The only passenger transport connection with the rest of the world is by an air service to Christmas Island and Perth. Currently this service operates twice weekly with additional flights during peak periods.

The climate is sub-tropical with mean daily maximum temperatures ranging from 28 deg C (August) to 29.9 deg C (February/March) and mean daily minimum temperatures ranging from 23.4 deg C (August/September) to 24.9 deg C (March/April). Relative humidity ranges from 72% to 78%. The islands are affected by cyclonic conditions but are rarely in the direct path of cyclones.

The Cocos Malay community speak Cocos Malay with English as a second language. Bahasa Indonesia and English are taught in the schools. Islam is the religion of the Cocos Malay people.

3. GOVERNANCE

On the 1st July 1992 the Territories Law Reform Act came into effect by which the Commonwealth Government applied Western Australian laws to the Cocos (Keeling) Islands. The Local Government (Transition) Ordinance 1992 established the Shire of the Cocos (Keeling) Islands by absorbing its predecessors the Cocos (Keeling) Islands Council. Through the Applied Laws (implementation) Ordinance 1992, the Local Government Act 1995 (WA) (Cocos (Keeling) Islands) became the legal charter for the Council. From the 1st July 1996, the Local Government Act 1995 (WA) (Cocos (Keeling) Islands) superseded the previous Local Government Act.

The Council is therefore required to operate as if it were a West Australian local government subject to the laws of that State in respect of all operations.

The Shire Council inherited all the assets, liabilities, rights and obligations of the former Cocos (Keeling) Islands Council that existed at the commencement of the Territories Law Reform Act 1992.

4. OUR ECONOMY

The Islands' Economic and Demographic Profile shows that our economy is heavily reliant on government services. Microbusinesses supporting the tourism industry offer the only other viable economic development opportunity.

Unemployment and under-employment figures also show that CKI is lagging by comparison to the rest of Australia.

Employment & Unemployment

	2006	2011	2016
Labour force	239	241	234

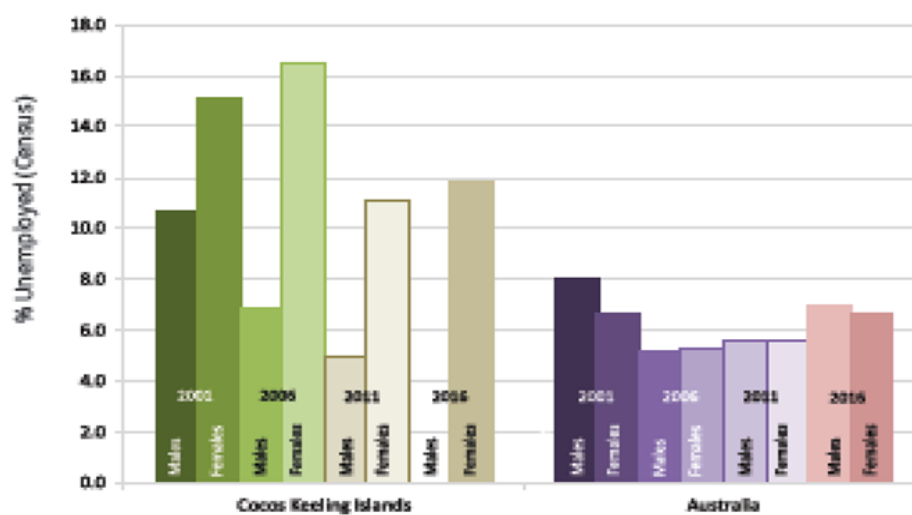


Table Two – Employment and unemployment
Reference: Our Cocos (Keeling) Islands 2030 Strategic Plan, March 2019

ECONOMY – RELIANT ON GOVERNMENT SERVICES

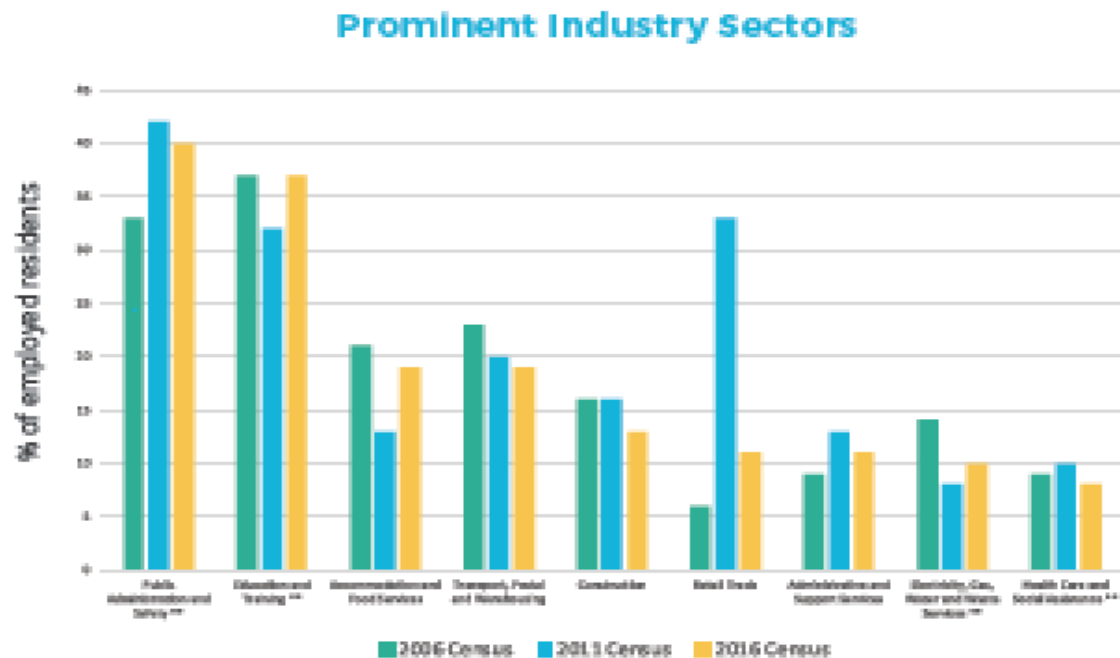


Table One – Prominent Industry Sectors

Reference: Our Cocos (Keeling) Islands 2030 Strategic Plan, March 2019

In this context, the development of the tourism industry is vitally important and this has been recognized in several strategic documents, for example the vision, as stated in “Our Cocos (Keeling) Islands 2030 Strategic Plan, March 2019 is that:

Tourism has taken hold as the mainstay of the economy and the Islands are a highly sought-after destination from people around the world. The Islands host international events and are clearly recognised for the diversity in water sports such as fishing, kite surfing, surfing and diving.

An internationally renowned eco-friendly resort is now operating in one of Australia’s most beautiful locations and is often showcased as a ‘must do’ destination by organisations in the travel industry.

Cocos (Keeling) Island has also become the first Australian Muslim Friendly Accredited tourist destination, and our connections with Asia continue to thrive and expand. We are proud of the welcoming nature our customer service and safe environment brings to our northern neighbouring communities.

CKI is seen as an industry leader for high yield – low impact tourism. Tourism numbers to CKI have been increasing with approximately 3500 per annum. The largest proportion of visitors are from Western Australia, while most of our global visitors are from Europe – noting that little is currently available to capitalise on the potential market from the large and burgeoning upper and middle class countries to the immediate north of CKI in Asia and South-East Asia.

Occupancy rates for tourism accommodation CKI is high especially during the ‘Trade Winds’ season’ when water sport enthusiasts visit, particularly for kite and wide surfing.

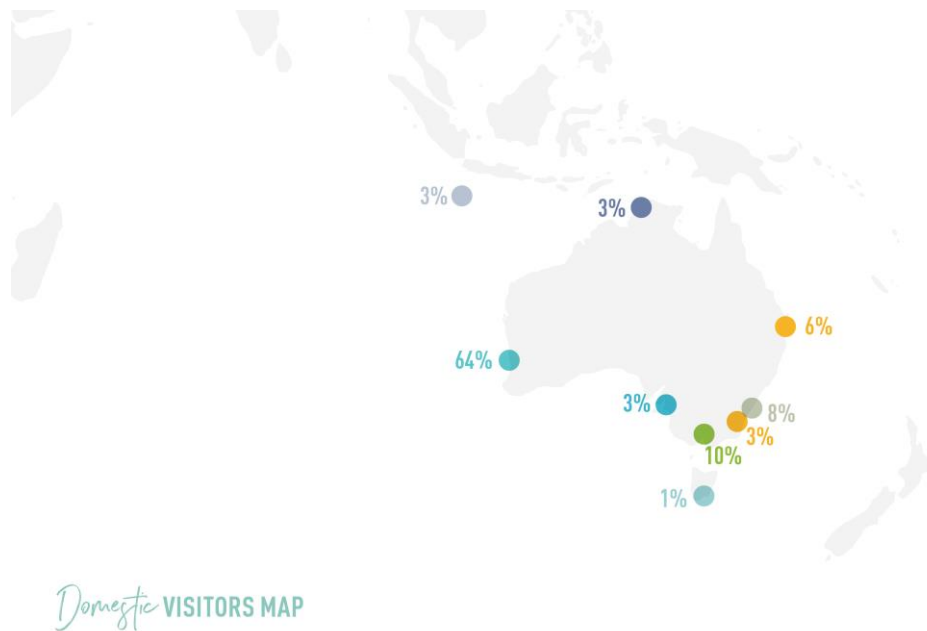


Diagram One – Domestic Visitors Map

Reference: Powerpoint Presentation to Community Reference Group by Rik Soderlund, Marketing Manager, CKI Tourism Association

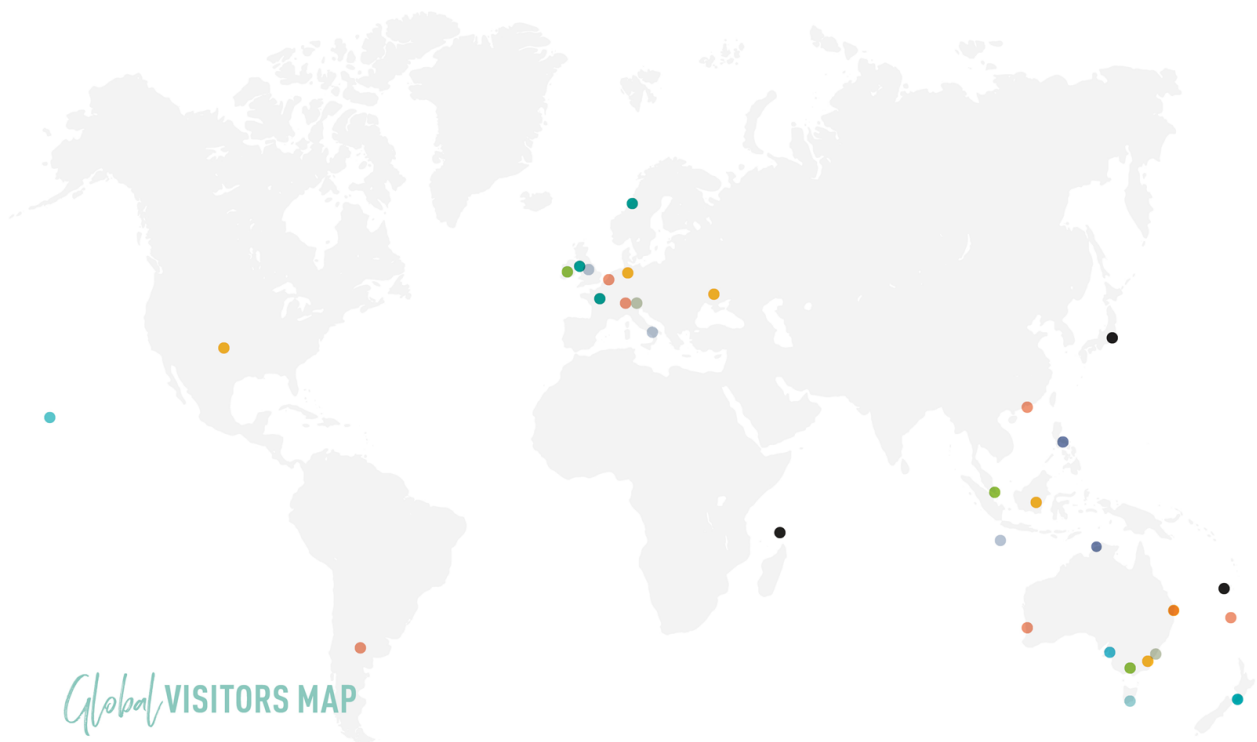


Diagram Two – International Visitors Map

Reference: Powerpoint Presentation to Community Reference Group by Rik Soderlund, Marketing Manager, CKI Tourism Association

A notable gap in the current product offering is high end luxury accommodation with the current market consisting of motel style and serviced apartment offerings, run by small operators, many of whom are here to enjoy the lifestyle of Cocos. This can sometime lead to a lack of a formal business focus.

A key investment by the Commonwealth Government, planned for the coming years (2022-2044), is the upgrade of the Runway to accommodate A320 aircraft. This investment has the potential to generate greater numbers of domestic and international visitors however, more and diverse accommodation will be required to leverage from this opportunity.

5. LAND TENURE GOVERNANCE

The land on Direction Island is owned by the Shire freehold, subject to the Cocos (Keeling) Islands Land Trusts – specifically the 1984 Trust Deed. The following 'Factsheet' issued by the Australian Government Department of Infrastructure and Regional Development provides a summary of the administration and operation of the Land Trusts.

The Cocos (Keeling) Islands Land Trust

Purpose

This Factsheet provides information relating to the Cocos (Keeling) Islands (CKI) Land Trusts. It addresses three common issues that have been raised with the Department of Infrastructure and Regional Development about the administration and operation of the Trusts.

The Shire of the Cocos (Keeling) Islands (the Shire) is the Trustee for:

- the 1979 Trust which is for the benefit, advancement and wellbeing of the community formed by Kampong residents; and
- the 1984 Trust which is for benefit, advancement and wellbeing of Cocos Islanders residing on land owned by the former Cocos (Keeling) Islands Council.

The Shire, as Trustee, can apply to the Supreme Court of Western Australia to determine the exact nature and extent of its powers under the Trusts, to amend the Trusts (for example to clarify terms or powers) or to have additional powers granted to enable the efficient administration of the Trusts.

Issue 1: Are the Shire's roles under the *Local Government Act 1995 (WA) (CKI)* and as Trustee of the Trusts incompatible?

There is no fundamental incompatibility between the role of the Shire as the Local Government and as Trustee.

The *Local Government Act 1995* does not limit the Shire's ability to act as a Trustee. The *Local Government Act 1995* implicitly recognises that a local government may hold property, including land or property in Trust.

The *Local Government Act 1995* and associated Local Government Regulations impose a number of obligations on the Shire in relation to the administration of Trust, for example:

- separate accounts must be maintained for Trust assets and proper accounting practices must be used for Trust assets, and
- The Shire's Annual Report must include financial information about the Trusts.

Issue 2: Can the Shire as Trustee Sell or Lease Trust land?

The Shire has the legal capacity to deal with land. If the land is Trust property, any dealing with the land must be in accordance with the Trust instrument and relevant legislation.

Selling Land

By implication under the Trust and expressly under the *Trustee Act 1962 (WA) (CKI)*, the Shire has power to sell the Trust land, provided the sale would further the purpose of the Trusts, that is the benefit, advancement and wellbeing of the community formed by Kampong residents; and the wellbeing of Cocos Islanders.

Leasing Land

The provisions of the Trusts imply that the Shire as Trustee has the power to lease land. In addition, under the *Trustees Act 1962*, the Shire may lease land for a term not exceeding 30 years.* However, a lease may include an optional or compulsory purchasing clause. Any lease of Trust land must further the purposes of the Trusts.

Issue 3: Do the Land Trust Deeds need to be modernised?

If the Shire as Trustee wishes to modernise the Trusts, it could seek to do so by applying to the Western Australian Supreme Court.

History of the Trusts

The Australian Government transferred ownership of CKI land to the Territory's local government for the benefit of Kampong Residents (the 1979 Trust) and the Cocos (Keeling) Island Community (the 1984 Trust).

First Trust: The 1979 Deed – for the benefit, advancement and wellbeing of the Kampong Residents

The Trust Deed states that the land is to be held by the Council 'upon trust for the benefit, advancement and wellbeing of the community formed by the Kampong residents'. No other terms were expressed in the Deed. 'Kampong residents' were described as 'the residents from time to time of the Kampong area'. Following the establishment of the Shire as the island's local government, the Trustee's role of administering the Trust was transferred to the Shire.

Second Trust: The 1984 Deed – for the benefit, advancement and wellbeing of the Cocos (Keeling) Islands Residents

The Australian Government transferred most of its remaining land to the Council by the Deed of Conveyance 1984. The transferred land was to be held by the Council (and later, its successor, the Shire) 'upon trust for the benefit, advancement and wellbeing of the Cocos (Keeling) Islands residents in the Territory'. The Deed prevents assigned Trust land from being sold without the consent of the Australian Government.

END FACTSHEET

QC ADVICE

In addition to this 'Factsheet' the Shire of Cocos (Keeling) Islands has, on three separate occasions received Queens Council (QC) advice over the past 15 years on the operation of the Trust, specifically the lease term. And while the Trustee Act provides for a term of 30 years for

leases, QCs have concluded that a lease of a particular term would not be inconsistent with the Trust purposes and that there may be cases where, in order to advance the Trust purpose, a long term lease is necessary and appropriate to give effect to the purpose. QC Colvin's advice stated that an assessment should be made on a case by case basis having regard to the consequences of the lease and the extent to which the proposal lease advantages the community. He noted that obviously the longer the lease term, the more significant the required advantage to the community. The Shire of Cocos (Keeling) Islands is of the view that the investment and benefits to the community from a proposal of this size and scale has the potential to provide unprecedented economic development. The Trustee will structure the lease to include conditions and KPIs to ensure that potential is maximized. This Business Case provides a summary of those lease conditions.

In addition to the QC advice and the decision of the Trustee, under the Trust Deed, the Shire is basing this negotiation and proposed term on an Expression of Interest that was facilitated by the Commonwealth in 2004 through the then Department of Transport and Regional Development. That process invited Expressions of Interest from developers for a tourism resort development on a different parcel of Trust Land under the same Trust Deed.

The Shire, as the administrative arm of the Trustee, has considered the legislative framework for disposal of Trust Land. As the Trust Deeds and the Trustee Act provide no clear direction on the process, the Shire has elected to utilize the process as outlined in the *Local Government Act (WA) (CKI) 1995* as a guide to best practice disposal of property that is community owned.

It is noted that under the Trust Deed the Commonwealth still need to provide sanction for the lease to proceed. This sanction has been requested but a response was not received at the time of writing this Business Case. The sanction will consider the Trust purpose and whether this proposal furthers the interests of the Trust purpose.



Shire representatives have spoken with officers at the Department of Planning, as agents of the Commonwealth, to enquire about their process for considering this proposal. The intent is to ensure the Shire and the Commonwealth processes are aligned and complementary.

ZONING

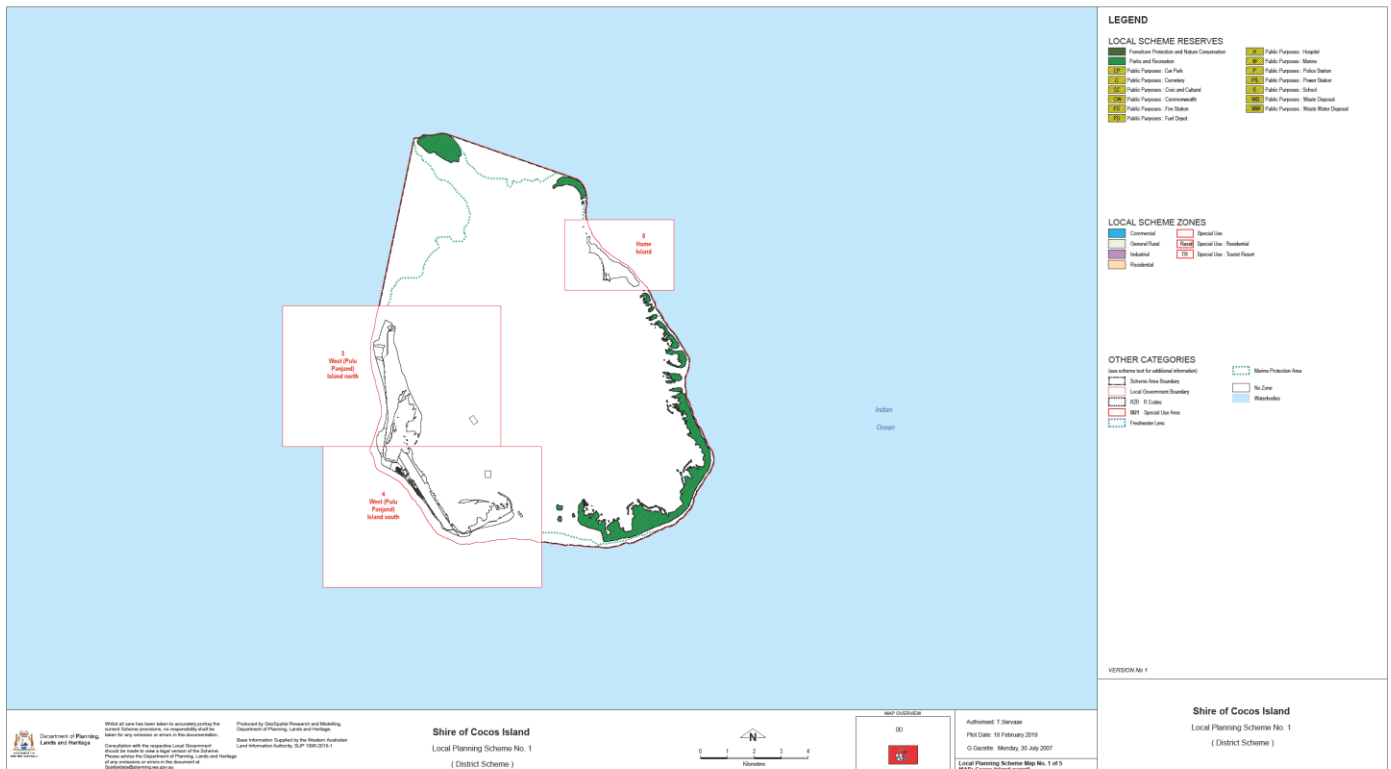


Diagram Four – Extract Shire of Cocos (Keeling) Islands Local Planning Scheme

Direction Island is zoned Parks and Recreation (P&R) in the Shire of Cocos (Keeling) Islands Local Planning Scheme. Advice from the Shire of Cocos (Keeling) Islands qualified Planning Advisor is that this use is suitable for the zone as it provides for recreational use, much the same as many caravan and tourist parks in WA on reserve P&R land. His opinion is based on:

- Research on tourist resorts and parks and recreation zones. Worldwide, it is accepted that tourist resorts fall within this land use. (Noting that the facility should only have short stay guests and no permanent units.)
- Precedent that P&R and tourist development have previously secured Department of Planning approval.

6. PROJECT SITE & DEVELOPMENT CONCEPT

6.1. PROJECT SITE

The Proposed Premises currently forms part of Lot 102 on Plan 18500, upon volume 2103 of Folio 111 (the Trust Lands). The said certain lands include all land situate and being above high-water mark upon the island within the Territory of Cocos (Keeling) Islands known as Direction Island.

The eastern boundary of the Proposed Lease run on a bearing of 50 degrees from the high tide mark 20 metres to the west of the Jetty thence to the high tide mark on the northern shoreline of the island.

Land Details	
Address:	Portion of Direction Island
Title:	The Proposed Premises will comprise of part of Lot 102 on Plan 18500, upon volume 2103 of Folio 111 (the Trust Lands).
Lease area:	18 ha;
Building footprint:	7 ha
LPS 1 Zoning:	Parks and Recreation
Owner:	Cocos (Keeling) Lands Trust

6.2. PROJECT CONCEPT

The concept as proposed by CBR is for a luxury Maldives-style resort which aims for 6 star (on completion). Proposed facilities include: restaurants, conference facilities, bars, pools (each villa) and spa facilities.

CBR has aligned their proposal with the International Ecotourism Society's definition of Eco-tourism.

"responsible travel to natural areas that conserves the environment, sustains the well-being of local people, and involves interpretation and education"

CBR's proposal commits CBR to the following:

- Environmental impact assessments: World best practice and minimisation of environmental impact;
- Ecologically sustainable tourism: Focus on experiencing natural areas and promoting conservation;
- Socio-economic: Benefits shared with local community, employment and local business participation; and

- Utilisation of renewable energy: Promote world's best practice and maximisation of renewable energy sources.

There is currently no luxury accommodation on CKI. CBR believes that a resort of this scale and quality located at the Proposed Premises will attract a new market and capture latent demand in the CKI, indeed the IOT accommodation sector and increase its penetration factor over time.

CBR believes that their proposed development differentiates it from the current accommodation offering and will be a key driver for the development and diversification of tourism to CKI. (See details of room and guest numbers below.)

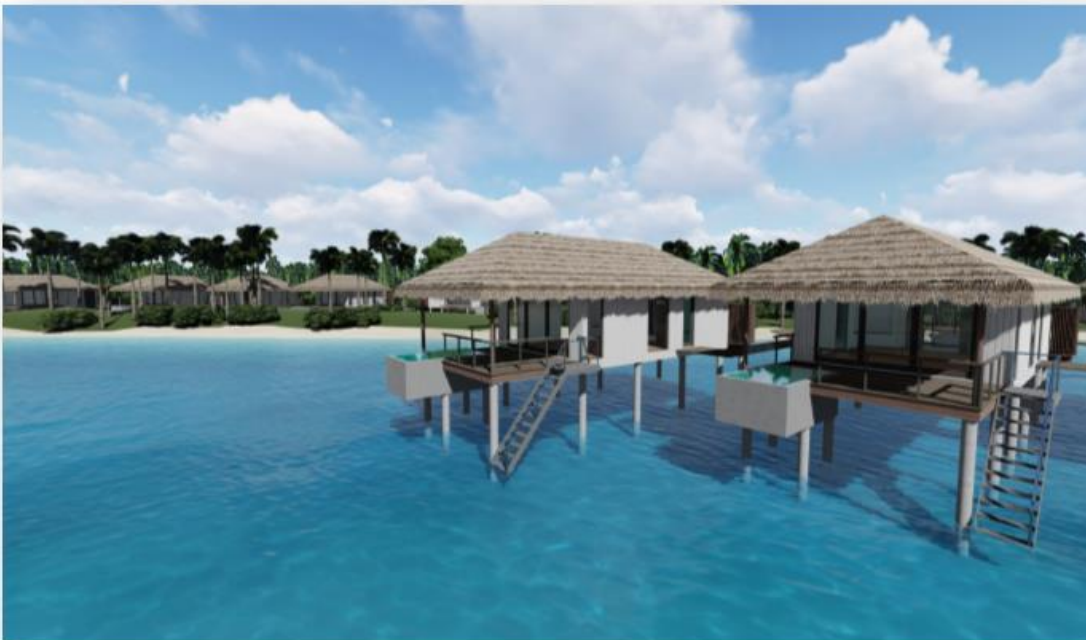
The Trustee is currently only willing to consider Stage One, therefore this Business Case is focused on stage one only. The Trustee has advised CBR that sometime in the future, should the resort be viable and returning the social, economic and environmental outcomes required by the community, and if the community has an appetite, the Trustee may consider future stages.

Villas — Stage 1 (Stage 2 proposed only)	Number of Rooms	Max Guest per night
Over water		
Presidential	2 (2)	4 (4)
Villa	18 (18)	36 (36)
Land based		
Villa	20 (38)	40 (76)
Villa - 2 bedroom	10 (6)	40 (64)
	50 (74)	120 (180)

Cocos Boronia Resort Direction Island Information Brochure, Cocos Boronia Resort Pty. Ltd., 2019.



1. *Diagram Three – concept designs, Cocos Boronia Resort Direction Island Information Brochure, Cocos Boronia Resort Pty. Ltd., 2019.*



2. *Diagram Four – concept designs, Cocos Boronia Resort Direction Island Information Brochure, Cocos Boronia Resort Pty. Ltd., 2019.*

7. PROCESS TO DATE:

The Shire, as the administrative arm of the Trustee, has developed a process outline for responding to unsolicited application for leases of Trust Land to ensure consistency, equity and transparency in dealing with land leases. In developing this process, the Shire has considered the legislative framework for disposal of Trust Land. As the Trust Deeds and the Trustee Act provide no clear direction on the process, the Shire has elected to utilize the process as outlined in the *Local Government Act (WA) (CKI) 1995* as a guide to best practice disposal of property that is community owned.

It is however necessary to note that each application is unique and therefore this process must be flexible to respond to differing circumstances. Discussions with CBR have generally followed this process.

	Action	Comment
1	Approach from interested party	Proponent seeks advice from the Shire. Shire to provide this document and assign an officer as the primary liaison.
2.	Gather information	Discussions and meetings between the Shire and proponent to gain an understanding the nature and scale of the request and of Shire processes.
3.	Cocos CV	Provide the proponent with the Cocos CV to provide a clear understanding of the Shire's commitment to economic development, local employment, local business support and the Island's sustainability.
4.	Check Zoning	Provide Proponent with a copy of the Shire's Local Planning Scheme to see if the proposed usage is consistent with zoning. Link to the DPLH page for the Scheme https://www.dplh.wa.gov.au/lps discuss if zoning is appropriate/permitted or discretionary. If inconsistent, discuss options with the proponent – e.g. another site or re-zoning.
5.	Trustee engagement/briefing	Proponent invited to present the concept at a workshop; noting that this is not a decision-making forum but can provide Councillors, in their capacity as Trustee, with an overview and an opportunity to ask questions.
6.	Community and Stakeholder engagement	Subject to the Trustee approval and the size and public interest in the project, preliminary community and stakeholder engagement is carried out to assist the Trustee to determine whether to not to proceed with negotiations.

7.	Valuation	Subject to Community and Stakeholder engagement outcomes, the Shire to arrange a valuation. If the proponent agrees with the valuation, no further negotiation on the valuation required. If not, negotiations on valuation to commence.
8.	Lease Term	Shire to seek advice from Commonwealth regarding lease term. If the proponent agrees with the lease term, no further negotiation on the lease term required. If not, negotiations commence.
9.	Draft Lease and Proponent Commitments	<p>Shire to provide proponent with a copy of a draft lease for consideration and to ensure should, at a later stage Council resolve to progress with a lease, that there is a mutual agreement on the lease terms. The lease requires a commitment to providing due diligence within set timeframes. Examples of items of due diligence required include but not limited to:</p> <ol style="list-style-type: none"> 1. Business attributes: this would include relevant expertise, experience, skills, etc. in the type and scale of development; 2. A feasibility study or business case: to include financial modelling, capital and operational costs and projected revenue, can be marked as commercial-in-confidence and not for public viewing at the proponent's request; 3. Concepts designs and plans; 4. A Map of the proposed lease area. 5. Social and cultural impact assessments; 6. Environmental impacts.
10.	Formal Request from Proponent	Once proponent has valuation, lease term and draft lease they will need to provide the Shire with a formal written request to progress to lease.

11.	Commonwealth Sanction	Shire to engage with the Commonwealth Government in the context seeking advice on Commonwealth Sanction.
12.	Finalise timelines	Shire and proponent to develop a proposed timeline for development approval and actual construction, should the lease be awarded, for Council to consider. This item aims to address Council's concern that land is leased but not developed and does not achieve the social, economic outcomes promised. The timeframes negotiated at this stage will be included in the lease and tie the proponent to some milestones and deadlines to carry out development.
13.	Community and Stakeholder Engagement	Proponent to develop a community and stakeholder engagement process using the Shire's Community and Stakeholder Engagement Framework. Shire reps to attend all engagement activities.
14.	Council meeting	Ordinary Meeting of Council for formal decision regarding whether to commence the statutory disposal of land process – noting Council is acting in the role of Trustee
15.	Public Notice period and community engagement	Pending Council decision – execute statutory public notice period and proponent to conduct complementary community engagement process.
16.	Legal Advice	Seek legal advice on the development of a lease conditions. See Page 20 below for a detailed outline of the legal advice obtained for this proposal.
17.	Community submissions	Compile feedback and submissions for Councillor Workshop
18.	Business Case	Pending the size and value of this project, a Business Plan is prepared for public review and submissions for a period of six weeks. The Business Plan will provide all information required under legislation and also aim to exceed statutory requirements by provide as much detail without breaching matters of commercial in confidence.

19.	Prepare agenda item to report of all engagement outcomes and to consider lease execution	Prepare agenda item for Ordinary Meeting of Council that includes report from Engagement and any proponent responses and officer's comments on queries or concerns raised during engagement. Officer's recommendations regarding whether to not to proceed with the lease will depend on outcome of engagement.
20.	Council meeting	Ordinary Meeting of Council for formal decision of Council (acting as Trustee) about whether to execute lease. Council (acting as Trustee) may choose: <ul style="list-style-type: none"> a. to execute the lease; OR b. to carry out further negotiations; c. carry out more community engagement; OR d. to not proceed.

NB: Development Approval

The lease does not give approval to develop the site. Prior to any development, the Proponent will need to lodge a Development Application for Council, as the statutory authority, to consider in relation to the Local Planning Scheme and the Deemed Provisions. Both documents can be found at the Department of Planning, Lands and Heritage website <https://www.dplh.wa.gov.au/>

Building Permit

Prior to any constitution the proponent must apply for a Building Permit. This is considered at an officer level – not by Council.

8. CONSIDERATION BY TRUSTEE

As outlined in the table above, this matter has appeared before the Council (acting in its capacity as Trustee) at several key milestones - see list of dates below. At each milestone, a full agenda item has been prepared by Shire officers, giving an update of status and information, seeking a Trustee decision to proceed to the next milestone. Copies of the agenda and minutes of these meetings are available on the Shire of (Cocos) Keeling Islands website <https://shire.cc/en/your-council/meetings.html>

- 23 January 2019
- 22 May 2019
- 04 December 2019

9. LEGAL ADVICE AND PEER REVIEW

Given the significance of this proposal, the complex legal context with the Trust Deed and the IOT's and the potential risks involved, it was critical to secure robust legal and peer advice.

The Shire is fortunate to have a relationship with other Local Governments in Western Australia who undertake major land transactions frequently. These include the Shire of Dandaragan and the City of Busselton. The pro-bono specialist advice from senior officers in both these local governments proved invaluable and the Shire of Cocos (Keeling) Islands acknowledges that support.

The Shire also engaged the services of a Solicitor and Barrister with a sound understanding of the Land Trusts who drafted the lease. This draft was reviewed by Shire officers and an updated draft document was sent to a legal practice in Perth for peer review by their Principal and Solicitor, both of whom have many years of experience in negotiating commercial leases for local governments in Western Australia.

The Hon. Nola Marino MP, Assistant Minister for Regional Development and Territories, visited Direction Island in September 2019 and took a keen interest in the Project and in ensuring the best outcomes for the community. The Assistant Minister offered support from Departmental staff and therefore the updated draft lease was sent to very senior officers in the Department for review. The final step in the review process will be a workshop with all Trustee members.

The process was as follows:

- Draft lease from Solicitor and Barrister specialising in the Land Trusts;
- Internal staff review and refinement;
- Peer Review - City of Busselton and Shire of Dandaragan;
- Peer Review - Perth legal firm;
- Peer Review - Department of Infrastructure, Transport, Cities and Regional Development;
- Trustee member review;
- Approval from WAPC.

10. COMMUNITY AND STAKEHOLDER ENGAGEMENT

Please see Appendix One for details of the community and stakeholder engagement process and outcomes in relation to a request from Cocos Boronia Resort Pty Ltd. The Shire, acting on behalf of Council in their capacity the Trustee of the Land Trust 1984, executed the community and stakeholder engagement process and has prepared this report. Supporting documents are attached as appendices.

Objectives of the engagement were:

- a. To ensure quality information was provided to the community to assist in any dialogue on the proposal.

-
- b. To foster interest and engagement.
 - c. To provide a transparent and open process for our community to follow.
 - d. To ensure anyone wanting to contribute to the debate had the opportunity and means to do so.
 - e. To ensure the Trustee was provided with an informed and demographically representative community view and with broader community views.

Outputs from the engagement included:

- a. A report from the Community Reference Group that included recommendations; and
- b. Public submissions,

The Report at Appendix One is the output from the engagement and was used to assist and inform Trustee decision-making regarding whether or not to consider leasing land on Direction Island to the proponent for the purpose of building a resort.

The IAP2 spectrum was used as a guide to the engagement strategy. The community engagement aims were:

- a. To provide opportunity for the community to have a deeper understanding of the proposal, its potential benefits, trade-offs and risks;
- b. To ensure input from a demographically representative sample of the community;
- c. To minimise the risk of minority and/or top-off mind informed views dominating the dialogue.

COMMITMENT:

The community engagement model was aligned with the “Involve” public participation goal as defined by the IAP2 Spectrum. The “Involve” goal committed to working directly with the public to ensure that community views are understood and considered, along with all other information, in decision-making processes.

METHODOLOGY:

The engagement strategy was designed in recognition that members of our community prefer different methods of engaging and involved the following:

1. Two parallel processes in March and April 2019:
 - a. A Citizen’s Jury/Community Reference Group (CRG) comprising of informed, demographically representative residents collaborating to present a report to the Trustee; and
 - b. An open call for public submissions from any member of the community or stakeholder.

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2. Regular updates in the local newspaper, the Atoll (distributed free to every household) which always invited people with questions or concerns to contact the Shire.
 3. Informal verbal updates on Radio via fortnightly CEO/DCEO Radio Chat segment.
 4. Two community meetings (one on Home Island and One on West Island) at which the proponents gave a presentation on the proposal and answered questions.
 5. A second call for public submissions from any member of the community or stakeholder – December 2019 – January 2020
 6. Correspondence in January 2020 to all members of the Community Reference Group advising of the updated status of negotiations and inviting comment.
 7. Correspondence in January 2020 to all individuals who had made a submission in April 2019 advising of the updated status of negotiations and inviting comment.
 8. A full business case which is currently available to any member of the community to comment or make a submission.

In addition to the formal process outlined above, more informally Trustee members and the Administrator have been proactive in speaking to members of the community to gauge community sentiment.

SUMMARY OF OUTCOMES

Public Submissions - March 2019: A total of 18 submissions were received, 5 were in support and 10 against with 1 supporting some level of development but of a lesser scale and 2 making observations rather than stating a position. The table of submissions was provided (with names of individuals removed to protect people's anonymity) to the CRG, to the Trustee and included in the full report below.

Community Reference Group - March 2019: Of the 23 participants, 20 supported the proposal in some form while 3 did not support the current proposal.

Of the 20 who supported the proposal in some form – 12 recommended that the Trustee support the Cocos Boronia Resort proposal, with conditions, while 8 felt that the Trustee should not deal exclusively with Cocos Boronia Resort.

Of those 12 who supported the current proposal, the conditions they recommended the Trustee consider were:

- a. Size and scale – 5 felt it should be smaller while 7 recommended that 60 rooms were acceptable.
- b. Local employment – an overwhelming condition recommended by the CRG was a commitment to local employment and up-skilling of local people.
- c. Halal section – the majority of the CRG felt that any resort development should include a Halal section. Associated conditions included the requirement for a social impact study and cultural awareness officer.
- d. Environment – environmental studies were an important consideration.

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- e. Flights and freight – a condition that the resort comes with its own flight and freight services was another recurring theme.
 - f. The 3 people who voted against the proposal, gave the scale as their primary concern.

Public submissions - December 2019/January 2020). At the close of submissions six written submissions had been received. Of the six submissions received, one “on and off” resident was against; two residents were in favour; one resident asked questions regarding the land tenure of Direction Island without stating an opinion; one ratepayer/seasonal resident was against; one non-resident was against.

The full report (Appendix One) below details the outcomes.

10.1. Technical advisors

In addition to stakeholders engaged in this process, the Shire has been fortunate to receive pro-bono advice from the following technical experts:

1. Indian Ocean Territories Regional Development Organisation (Economic Development)
2. Cocos Keeling Islands Tourism Association (Tourism)
3. Watercorp (Infrastructure, water, power, sewerage)
4. Parks Australia (Environmental management)
5. Shire of Dandaragan (Planning)
6. Shire of Busselton (Leases and legislative requirements)

11. LEASE ARRANGEMENTS

The Shire is considering a major land transaction by entering into a long-term lease of the Proposed Premises (part of Lot 102 on Plan 18500, upon volume 2103 of Folio 111 (the Trust Lands) for purposes of allowing development and operation of a luxury eco-resort). The proposed lease conditions are as outlined below.

11.1. LEASE TERM

The Term of this lease is forty (40) years commencing on the Commencement Date.

Option(s) for renewed term

Two options for a renewed term, each renewed term being of twenty (20) years.

11.2. RENT PAYABLE

Rental payable, the period for which that rental is payable and the terms of payment for that rental by the lessee will vary through the term in accordance with the terms of the following table. The amount of rental listed in the following table is the amount of rental as at the Commencement Date and is liable to increases via annual CPI and periodic market review.

Rental Item	Period commencing	Period concluding	Amount of rental	Payment terms
1	Commencement Date.	<p>The earlier of:</p> <p>1.The date on which a building permit for construction of commercial premise is granted; or</p> <p>2. 18 months after Commencement Date.</p>	\$100,000.00.	Payable on the Commencement Date.
2	18 months after Commencement Date.	The date on which a building permit for construction of commercial premise is granted.	\$60,000.00 per annum.	Payable in equal monthly instalments in advance on the first day of each month.
3	The date on which a building permit for construction of commercial premise is granted.	<p>The earlier of:</p> <p>1.The date on which an occupancy certificate is granted for commercial premise upon leased lands;</p> <p>2.The date on which the lessee commences hospitality trade upon leased land; or</p> <p>3. The date on which commercial trade (other than construction of a resort by or for the lessee) commences upon leased lands.</p>	\$120,000.00 per annum	Payable in equal monthly instalments in advance on the first day of each month.

4	<p>The earlier of:</p> <p>The date on which an occupancy certificate is granted for commercial premises upon leased lands;</p> <p>The date on which the lessee commences hospitality trade upon leased land; or</p> <p>The date on which commercial trade (other than construction of a resort by or for the lessee) commences upon leased lands.</p>	<p>The earlier of:</p> <p>1. Commencement of a renewed term; or</p> <p>2. The end of the lease.</p>	\$225,000.00 per annum.	Payable in equal monthly instalments in advance on the first day of each month.
5	Commencement of a renewed term	The end of the lease.	\$225,000.00 per annum.	Payable in equal monthly instalments in advance on the first day of each month.

Community services contribution

Community services contribution item	Period commencing	Period concluding	Amount of contribution	Payment terms
1	Period commencing ascribed to	Period concluding ascribed to	An annual amount calculated by using the	Payable within three months of the end of

	rental item 4 in item	rental item 4 in item	<p>following formula:</p> $A \times \$5.00$ <p>where:</p> <p>A = The sum number of all guest occupying the commercial leased lands during the preceding financial year, calculated daily at 6.00am.</p>	the financial year.
2	Period commencing ascribed to rental item 5 in item	Period concluding ascribed to rental item 5 in item	<p>An annual amount calculated by using the following formula:</p> $A \times \$5.00$ <p>where:</p> <p>A = The sum number of all guest occupying the commercial leased lands during the preceding financial year, calculated daily at 6.00am.</p>	Payable within three months of the end of the financial year.

11.3. DUE DILIGENCE ITEMS

This Business Case also services to address questions and concerns raised by the community about issues such as financial feasibility, environmental impact and social and cultural impact. The following table of due diligence items required as part of the lease conditions demonstrates

that these items have been given serious consideration and will be included as mandatory requirements. The table below is provided for community review and understanding of the lease negotiation process.

While in some circumstances it could be appropriate to seek due diligence items prior to the execution of the lease, in this situation, the Trustee is willing to lease the land to allow the proponent to secure investment and has included the requirement that CBR submits items of the due diligence items as a condition of the lease, including making the submission of these items time-bound. See below table for details.

Item number	Milestone	Responsible party	Completion date
1	Submission of a business plan to the lessor, for the purpose of facilitating due diligence enquiries	Lessee	8 August 2020
2	Submission of a development logistics plan to the lessor, for the purpose of facilitating due diligence enquiries	Lessee	8 August 2020
3	Submission of an operations logistics plan to the lessor, for the purpose of facilitating due diligence enquiries	Lessee	8 August 2020
4	Submission of a risk management plan to the lessor, for the purpose of facilitating due diligence enquiries	Lessee	29 August 2020
5	Submission of a financial feasibility model to the lessor, for the purpose of facilitating due diligence enquiries	Lessee	29 August 2020
6	Submission of a social, economic and cultural impact assessment to the	Lessee	29 August 2020

	lessor, for the purpose of facilitating due diligence enquiries		
7	Submission of a local content and community engagement plan to the lessor, for the purpose of facilitating due diligence enquiries	Lessee	29 August 2020
8	Submission of an environmental impact assessment and management plan to the lessor, for the purpose of facilitating due diligence enquiries	Lessee	29 August 2020
9	Submission of a development application to authorities	Lessee	31 December 2021
10	Submission of an application for a building permit to authorities	Lessee	8 April 2022
11	Soft opening of hospitality resort	Lessee	5 July 2023

The social, economic and cultural impact assessment will include KPIs to provide a clear process for measurement and accountability. The draft lease commits the Trustee and CBR to engaging an independent, third party arbitrator with the technical skills to assess the quality of the due diligence items. This serves to remove any subjectivity or potential conflict over their quality.

Additional lease conditions:

Other conditions of the lease not already covered above include:

Purpose of document	Provide CBR with security of tenure of the Proposed Premises
Construction conditions	<ul style="list-style-type: none"> • CBR to construct proposed luxury eco-resort at their cost and risk • building to be constructed in accordance with concept design approved by the Shire • No obligation on the Shire to contribute towards the construction or operational costs •
Security	Lessee to provide:
Rates and outgoings	Payable by lessee
Insurance	Effectuated and maintained by lessee
Building maintenance	Undertaken by sub-lessee at lessee's cost
Contamination and pollution	lessee responsible for any contamination and pollution caused by its business operations and use of the Proposed Premises
Right of first refusal	<p>If, during the term, the lessor decides to sell or lease any lands within the island known as Direction Island, the lessor will first offer it to the lessee who must within twenty-eight (28) days of notification of this first right of refusal enter into a contract for the purchase of the said lands.</p> <p>After twenty-eight (28) days the lessor may sell the property to any other party if the lessee has not exchanged such contract but shall not do so on terms substantially different from those offered to the lessee unless first making the same more advantageous offer to the lessee who shall then have a further twenty-eight (28) days to exchange the contract.</p> <p>This clause 7 of this SCHEDULE 2 does not apply where the lessor decides to sell, transfer, dispose, lease, or grant demise any lands within the island known as Direction island to:</p> <p>The Cocos (Keeling) Islands Shire Council or its successor, in capacity as Trustee;</p> <p>The Cocos (Keeling) Islands Shire Council;</p> <p>The Commonwealth; or</p>

	an Authority.
Trustee conditions precedent	<ul style="list-style-type: none"> • Trustee securing Commonwealth Sanction; • Shire complying with the requirements under Sections 3.58 and 3.59 of the <i>Local Government Act 1995</i>.
CBR conditions precedent	<ul style="list-style-type: none"> • Obtaining development approval for the Project • Obtaining a investment to undertake and complete the Project

Shire Officers, as the administrative arm of the Trustee, are at the point of finalising the lease for the Proposed Premises and the terms of a lease with CBR.

The Trustee and CBR intend to enter into the lease and, subject to all conditions being satisfactory to both the Shire and CBR, the lease will be executed in April 2020.

Under the lease, CBR will be responsible for, and bear the risk in relation to, the construction and maintenance of all buildings and other structures required for the Project. CBR will also be responsible for the engagement of a suitable and experienced hotel operator to manage the resort on the Proposed Premises.

CBR will also be required to obtain the necessary development approvals as well as a building permit pursuant to the *Building Act, 2011* and a liquor licence. At the development application stage, the Shire will assess design elements of the proposed resort buildings including landscaping, servicing, drainage, finishes, textures and overall size, bulk, scale and appearance. The Trustee, and hence Council and the Shire, will have no role, interest or liability in relation to the Project other than the role of lessor of the Proposed Premises.

In effect, the legal structure of the Project places significant onus on CBR to ensure the Project is delivered in accordance with the lease requirements. This will, among other things, over the term of the lease, increase the financial viability of the Land Trust allowing the Trust to reduce its financial reliance on the Shire, and increase the rateable revenue to the Shire.

12. ASSESSMENT OF MAJOR LAND TRANSACTION

12.1. STATUTORY FRAMEWORK

The Shire, as the administrative arm of the Trustee, has considered the legislative framework for disposal of Trust Land. As the Trust Deeds and the Trustee Act provide no clear direction on the process, the Shire has elected to utilize the process as outlined in the *Local Government Act (WA) (CKI) 1995* as a guide to best practice disposal of property that is community owned.

The executive functions of local government are prescribed in Part 3 of the *Local Government Act, 1995 (WA)* and its Regulations (**Act**). The Act:

-
- Allows the Shire to acquire and dispose of land, including by way of lease (“land transaction”);
 - Defines a “major land transaction” for a local government of the size of Shire of Cocos (Keeling) Islands as a land transaction with a value of more than the lesser amount of either
 - (i) \$2 000 000; or
 - (ii) 10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year.

The Shire’s operating expenditure for the 2018/19 financial year was \$5,834,120m, therefore the 10% in this case equates to **\$583,412**. In this case the value of the proposed “land transaction” is **\$8,325,000m** (for the rent payable under the lease at \$100,000 for construction period of 18 months, \$120,000 per annum for the construction period, plus \$225,000 per annum during the operational phase for the first term of the lease being 40 years). Therefore, the Shire has prepared a business plan for public advertising in accordance with Section 3.59 of the Act.

The purpose of this business plan is to provide an overall assessment of the proposed “land transaction” (that is the Project) having regard to the purpose of the Trust as the Trust Deed explicitly states that in making any decision in relation to the Trust, the Trustee (Council) must give due consideration of the purpose of the Trust that is “for the benefit, advancement and wellbeing of the Cocos Islanders residents in the Territory” and ensure their decision-making is guided by this objective.

As the Trust Deed, nor any other document, provides clear guidance on how to measure or assess the benefit, advancement and wellbeing of the Cocos Islanders residents in the Territory, the Trustee will use *Our Cocos (Keeling) Islands 2030 Strategic Plan, March 2019* and the *Shire of Cocos (Keeling) Islands Community Strategic Plan 2013 - 2023* in assessing the alignment with this Project with the purpose of the Trust, in terms of benefit, advancement and wellbeing of the Cocos Islanders residents in the Territory. These documents were developed in strong consultation with the residents of Cocos (Keeling) Islands and reflects their aspirations for their advancement and wellbeing.

In accordance with Section 3.59 of the Act the Shire will give statewide notice, make a copy of the business plan available for public comment and invite and consider submissions about the proposed “major land transaction”.

13. EXPECTED IMPACTS

13.1. TRUST FINANCES

The Shire, with the support of the Commonwealth, has commenced a process of separating the Trust finances from the Shire finances as this is a requirement under the *Local Government Act (WA)(CKI)* 1995. Preliminary calculations suggest that the Trust is not viable and is heavily reliant on the Shire for financial support. The Land Trust is rich in land assets; however currently those land assets do not provide a revenue stream for the Trusts. There is also a need to increase the levels of renewal expenditure on Kampong housing (as Trust infrastructure) as a priority. This major land transaction will increase revenue for the Trusts by \$225,000 per annum thus enabling the Trust to take a more proactive approach to maintenance and renewal of Trust owned infrastructure.

13.2. ECONOMIC DEVELOPMENT

The Project will require CBR to develop and operate a luxury eco-resort at their own cost. CBR will be responsible for, and bear the risk in relation to, construction of all buildings/other structures required for the Project and maintaining over the term of the lease these buildings and other structures. The Trustee, and the Shire, will have no role, interest or liability in relation to the Project.

The economic base of Cocos (Keeling) Islands is largely driven by a government services, however, the tourism industry is seen as the only other significant economic driver. However, the tourism industry has very little room to grow as accommodation is frequently at full occupancy from tourists but also from contractors and other government workers. There is a general lack of quality accommodation stock across the entire sector, suggesting CKI is missing out on a high-yield market segment. The quality of this proposal differentiates it from the current short stay accommodations offerings in this area.

The Indian Ocean Territories Regional Development Organisation (via their Chair and Regional Investment Officer) have been engaged and informed throughout this process and negotiation and have provided advice and support to Shire officers and the Trustee.

The IOT RDO's Regional Investment Officer provided the following figures for this Project.

- Industry share of direct tourism GVA (Gross Value Added)
 - Transport - \$650 per visitor day
 - Accommodation - \$438 per visitor day
 - Food Services - \$280 per visitor day
 - Retail Trade - \$85 per visitor day
 - Recreational Activities - \$40 per visitor day

His assessment was that, based on 1 job per 51 visitor days 1 (noting that figures are based on Australia's North West statistics: <https://www.tra.gov.au/Economic-analysis/Economic-Value/Regional-Tourism-Satellite-Account/regional-tourism-satellite-account>) the Project would have the following economic impact:

- Investment would create approx. 20 jobs;
- Construction phase – approx. 5 jobs would be created throughout supply chain;
- Based on 60 keys, twin share, at 80% occupancy p.a.
 - Full-time jobs – 225 (direct and indirect)
 - Part-time jobs – 56

Even adopting a more conservative approach and halving the above figures, the potential employment opportunities would result in enough work for every jobseeker on Cocos (Keeling) Islands.

It is assumed that the Project may have some impact on occupancy rates and pricing of existing accommodation providers elsewhere on the Islands. However, this is expected to be offset in part by the increased demand for accommodation and the new market segment associated with the Project.

13.3. EXPECTED FINANCIAL EFFECT ON THE SHIRE

Western Australia's Integrated Planning and Reporting Framework require local governments to develop a Strategic Community Plan and Corporate Business Plan by 30 June each year. The intention is to ensure a consistent "whole of organisation" approach to strategic and long-term financial planning.

The Shire's Long-Term Financial Plan informs its Corporate Business Plan as well as its annual budget. It enables analysis of financial trends over a ten-year period, based on numerous assumptions and specific operating conditions and capital requirements. Underpinned by several statutory performance measures (in the form of financial ratios), this plan helps the Shire assess its ability to provide services.

A snapshot of the Shire's financial position is outlined below:

Resident population	510 ¹
Number of rateable properties	207 ²
Total rates Levied	\$ 402,159 ²
Total revenue	\$5, 561,660 ²
Total operating expenditure	\$ 5,834, 120 ²
Total Capital expenditure	\$ 921,605 ²

¹ 2016 Census

² Shire of Cocos (Keeling) Islands – 2018/19 Audited Financial Reports

While the lease payments will be made to the Trust, the Shire will receive an annual rate payment and the Shire would raise rates based on a valuation from the Valuer General from the time the lease is executed.

The draft lease includes a requirement for the lessee to maintain all insurances to protect the Shire and the Trustee from any insurance claims.

The draft lease contains clauses for a security bond during the construction phase, operational phase and at end of term. This protects the Shire and Trustee from having to make good the site in the event that the project fails at any time.

Accordingly, this Business Plan concludes that there are no long-term financial implications for the Trustee or for the Shire.

13.4. EXPECTED EFFECT STRATEGIC PRIORITIES

This Business Plan reveals that the Project is considered to be consistent with the community's forward planning regime. Of particular importance is the Project's consistency with the

Our Cocos (Keeling) Islands 2030 Strategic Plan, March 2019 and the Shire of Cocos (Keeling) Islands Community Strategic Plan.

COMMUNITY OBJECTIVES	STRATEGIC PLAN
Development of an eco-resort	<i>Our Cocos (Keeling) Islands 2030 Strategic Plan, March 2019</i>
Support and assist Tourism in recognition of its importance as an economic driver	<i>Shire of Cocos (Keeling) Islands Community Strategic Plan 2013 - 2023</i>
Facilitate additional accommodation to meet a variety of needs	<i>Shire of Cocos (Keeling) Islands Community Strategic Plan 2013 - 2023</i>
Promote potential developments that foster economic development and diversification	<i>Shire of Cocos (Keeling) Islands Community Strategic Plan 2013 - 2023</i>
Support employment and promote business opportunities	<i>Shire of Cocos (Keeling) Islands Community Strategic Plan 2013 - 2023</i>

In addition, the Project has potential to generate the following incentives/features that will enhance the character and amenity of the Shire and benefit the community as a whole:

- Increasing the number of short stay accommodation rooms/facilities within the Shire;
- Providing luxurious short stay accommodation within the Shire to complement existing lower level accommodation.
- Increasing job prospects within the Shire.
- Supporting economic activity and new tourism opportunities for the community and the region.
- Financial returns in the form of revenue from lease fees from a currently vacant block of land and additional rates revenue from the development.

14. CONCLUSION

The Project proposal is for quality accommodation offering in a desirable location and will be a significant asset for tourism in the region

This Business Plan indicates that:

- The Project will further the purpose of the Trust in that it is for “*the benefit, advancement and wellbeing of the Cocos Islanders resident in the Territory*”;
- The Project should not have any adverse impacts on the provision of facilities and services by the Shire;
- The benefit of the Project to the community and the broader region outweighs any expected adverse effect on other persons providing facilities and services in the district;
- The Shire is expected to benefit financially from the Project;
- The Project aligns with relevant matters referred to in the Shire’s forward planning; and
- The Shire has sufficient capacity and capability to manage the undertaking and ongoing performance of the Project.

15. METHOD FOR SUBMISSIONS

In compliance with Section 3.59(4) of the Act the Shire intends to:

- Publish public notices in the Atoll on 24 January 2020 and on the Shire's public web site;
- Make copies of this Business Plan available for inspection at Shire offices at Home Island and West Island, Cocos (Keeling) Islands.

Timeframe for making submissions

Submissions must be submitted before:

4:00 pm (CKI time) on 11 March 2020

How to make submissions

Submissions must be clearly marked:

"Submission – Resort Development Direction Island"

and may either be submitted:

by email to info@cocos.wa.gov.au

or in writing to be sent or delivered to:

The Chief Executive Officer
Shire of Cocos (Keeling) Islands

As soon as it is practicable after the last day for submissions the Shire will consider any submissions made and make a final decide whether to proceed with the proposed land transaction.

16. REFERENCES

This Business Plan has been informed by the following documents and presentations:

3. *Our Cocos (Keeling) Islands 2030 Strategic Plan, March 2019*, Indian Ocean Territories Regional Development Organisation, 2019.
4. *Shire of Cocos (Keeling) Islands Community Strategic Plan 2013 – 2023*, Shire of Cocos (Keeling) Islands, 2013.
5. *Cocos (Keeling) Islands - Paradise Defined*. Presentation by Rik Soderlund, Marketing Manager, CKI Tourism Association, to the Direction Island Resort Proposal Community Reference Group, March 2019.
6. *Economic Development Pros and Cons*. Presentation by Madi Signa, Regional Investment Officer, to the Direction Island Resort Proposal Community Reference Group, March 2019.
7. *Australia's Indian Ocean Islands Tourism Workshop May 2018*, Presentation by the CKI Tourism Association [201-].
8. *Local Planning Scheme No. 1*, Shire of Cocos (Keeling) Islands, 2010.
9. Trust Deed, 1984.
10. *Annual Report*, Shire of Cocos (Keeling) Islands, 2019.
11. *Cocos Boronia Resort Direction Island Information Brochure*, Cocos Boronia Resort Pty. Ltd., 2019.
12. *City of Busselton Business Plan Hotel Site 2*, City of Busselton, 2019.
13. *Land Administration Act, 1997*, Government of Western Australia, 1997
14. *Local Government Act (WA) (CKI) 1995*, Government of Western Australia, 1995
15. *Local Government (Functions and General) Regulations*, Government of Western Australia, 1996

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