

From: [REDACTED]
To: [REDACTED]
Subject: FW: Crown land transfer [SEC=OFFICIAL]
Date: Friday, 28 October 2022 11:36:55 AM
Attachments: [image001.png](#)
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Frank Mills

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From: FORBES Kim [REDACTED]
Sent: Friday, 28 October 2022 3:32 AM
To: Frank Mills <frank.mills@cocos.wa.gov.au>
Cc: [REDACTED]
[REDACTED]
[REDACTED]
Subject: RE: Crown land transfer [SEC=OFFICIAL]

OFFICIAL

Hi Frank

I can appreciate the council in wanting to tidying up outstanding issues. As this issue is new to me, and it appears to have not been resolved in 4 years, I will need to understand this further before I can provide further details.

Regards
Kim

Kim Forbes

Assistant Secretary

Indian Ocean Territories

[REDACTED]
[REDACTED]

GPO Box 594 Canberra, ACT 2601

Department of Infrastructure, Transport, Regional Development, Communications and the Arts
CONNECTING AUSTRALIANS • ENRICHING COMMUNITIES • EMPOWERING REGIONS

OFFICIAL

From: Frank Mills <frank.mills@cocos.wa.gov.au>

Sent: Thursday, 27 October 2022 3:27 PM

To: CHARLSTON Tania [REDACTED] FORBES Kim

[REDACTED] Cr Aindil Minkom [REDACTED]; Ibrahim Macrae [REDACTED]

Subject: Crown land transfer

Good morning Tania and Kim,

One of the things I would like to tidy up, which seems to be outstanding since 2018 is - Recommendation 10 of the Governance in the Indian Ocean Territories – Final Report: Economic Development and Governance, tabled in the Australian Parliament by the Joint Standing Committee on the National Capital and External Territories on 15 March 2016.

The Acting CEO of the Shire received in a letter dated 20 February 2018 (attached) from Karly Pidgeon then the General Manager Indian Ocean Territories Branch of the Australian Government, Department of Infrastructure, Regional Development and Cities, as follows:

I am writing in regard to Recommendation 10 of the Governance in the Indian Ocean Territories – Final Report: Economic Development and Governance, tabled in the Australian Parliament by the Joint Standing Committee on the National Capital and External Territories on 15 March 2016:

The Committee recommends that the Department of Infrastructure and Regional Development transfer, on a long-term basis, the following Crown land assets on West Island to the Shire of Cocos (Keeling) Islands for development:

- *the four commercially zoned parcels on Embden Walk;*
- *the Light Industrial Area bounded by Sydney Highway, Fremantle Road and Alexander Street; and*
- *the land suitable for retail at lot 193 William Keeling Crescent.*

The letter further requested (in part) – I also seek the Shire's advice on its continued interest in acquiring:

- *five houses to accommodate staff, being Lots 126 (Government House), 116, 131, 139 and 143. Rents would be payable to the Shire, with responsibility for management, repairs, maintenance, and lease arrangements also resting with the Shire; and*
- *Lot 3 (DP 44688) and Lot 4 (DP 44688) on Buffets Close. Department agreed to provide these blocks to the Shire for the construction of housing on 15 September 2015. Although a lease was provided to the Shire on 12 February 2016, it has not yet been signed. All costs associated with the construction of housing would be borne by the Shire.*

The Acting CEO responded on the 19 March 2018 - This was informally discussed by Council after its Ordinary meeting held on Wednesday 28 February 2018 and I would like to advise the following:

- *Council is interested in taking over the five houses to accommodate staff being Lots 126 (Government House), 116, 131, 139 and 143.*
- *Council is not interested in the Buffet Close blocks being Lots 3 and 4.*
- *Council is interested in acquiring the Light Industrial Area and commercial blocks on Embden Walk however, in the event these properties were to be transferred to the Shire, Council would want to obtain formal condition assessment report done of the properties before formally making the decision to take ownership of them.*

It is my intention to take this matter to the November 2022 Ordinary Meeting of Council for formal resolution. To assist this process, I have attached copies of both letters and I would like some follow up information as follows thanks:

The four commercially zoned parcels on Embden Walk

Lot 190, which is currently privately owned by Verisign and is going through a process to be to Council, as such this should be removed from further action between the Commonwealth and the Shire – no action required.

Lot 188 which is a “dual” block with two separate buildings, one occupied by Cocos Autos and the other Viva Energy both under commercial lease to the Commonwealth – can you advise the lease terms and conditions as per those outlined in the letter of 20 February 2018?

Lot 187 which is home to the West Island synagogue – are there any issues with a transfer to the Shire.

The Light Industrial Area bounded by Sydney Highway, Fremantle Road and Alexander Street; and

Can you advise the lease terms and conditions of the various buildings, infrastructure, and container park and whether a property report is available for all buildings and infrastructure?

The land suitable for retail at lot 193 William Keeling Crescent.

I understand this lot refers to Saltmakers by the Sea and the lease for this block is currently under review, can you advise the terms and conditions of the previous lease please?

Five houses to accommodate staff, being Lots 126 (Government House), 116, 131, 139 and 143.

Lot 126, self-explanatory although I believe there has been a transfer to and from the Shire previously,

Lot 131 and 116 currently occupied by Shire staff,

Lot 139 and Lot 143, can you advise the terms and conditions of the lease arrangements associated with these dwellings?

The Buffet Close blocks are both still vacant, can you advise if there are any issues with transfer of these blocks to the Shire if that is the determination of Council?

As this matter has been outstanding for 4 years, I would like Council to formally resolve its situation as soon as possible so we can all move forward.

Regards
Frank

- Lot 3 (DP 44688) and Lot 4 (DP 44688) on Buffets Close.

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