



Australian Government

Department of Infrastructure
and Regional Development



JERVIS BAY TERRITORY

Options for Future Service Delivery Arrangements



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Director – Publishing and Communications
Communications Branch
Department of Infrastructure and Regional Development
GPO Box 594, Canberra ACT 2601, Australia

Email: publishing@infrastructure.gov.au
Website: www.infrastructure.gov.au



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Executive Summary

The Jervis Bay Territory (JBT) was surrendered to the Commonwealth by New South Wales (NSW) in 1915 to provide the nation's capital with access to the sea. This purpose has never been realised but the Commonwealth has retained JBT as a non-self-governing territory to manage a range of interests including the naval base HMAS Creswell; maintaining support to the Wreck Bay Aboriginal Community Council (WBACC); and the Booderee National Park.

In November 2013, the Prime Minister agreed to the then Premier of NSW's request to work with the Australian Capital Territory (ACT) and NSW governments to develop options for future service delivery arrangements in JBT. The ACT Government had previously advised that it was not best placed to provide services to the JBT community and requested that the Australian Government examine the potential to transition service delivery to an alternate service provider. The JBT community has also from time to time raised its frustrations with a service delivery system that is isolated and disconnected from the broader regional services provided nearby in NSW.

A Tripartite Working Group (TWG) of Australian, NSW and ACT government agencies was established in January 2014 and tasked with identifying options for future service delivery arrangements to JBT. The TWG was chaired by the Australian Government Department of Infrastructure and Regional Development with membership from the NSW Department of Premier and Cabinet and the now ACT Chief Minister, Treasury and Economic Directorate. The TWG was asked to report back to the First Ministers.

In developing options for future JBT service delivery arrangements, the TWG was guided by common policy interests between the three governments including: improving service delivery and Indigenous outcomes; cutting red tape; and enhancing the cost-effectiveness of services. The TWG was also mindful of the need to ensure that the residents of JBT were afforded, where possible, the same access to services as citizens in other jurisdictions.

The TWG identified three possible options for future service delivery arrangements in JBT:

1. Transfer service delivery responsibility to NSW and apply NSW law;
2. Reincorporate the JBT into NSW; and
3. Maintain the current arrangements and improve efficiency.

JBT residents were consulted as part of the TWG's inquiries. The majority of permanent residents of JBT are members of WBACC, who are also the traditional owners and holders of the majority of land in JBT. It should be noted that only a small percentage of JBT residents participated in the consultations and it is not possible to determine whether or not their views reflect those of the majority of JBT residents.

Comments from some residents, who attended public meetings on service delivery issues, focused on the importance of the Jervis Bay School and their desire to retain a local police presence – with a preference for the Australian Federal Police to continue to service the area. They also suggested a fourth option that WBACC be responsible for delivering state and local government-type services to JBT.

JBT residents further articulated a number of key values which will be important in informing government decision-making. These values include remaining 'on-country'; maintaining and developing an environment to continue their culture; a desire to continue to identify themselves as a discrete community; opportunities for economic development, including local employment; and equity with other Australians.



A number of non-service delivery related issues were also raised by some of the WBACC residents including concerns over the state of housing owned and managed by WBACC; enforcement of by-laws under the *Aboriginal Land Grant (Jervis Bay Territory) Act 1986*; and their current land claim. However these issues were not considered by the TWG as they were not directly related to service delivery arrangements.

JBT residents made the general point that any changes should not result in a decrease in the quality and number of services. Residents also emphasised that if governments decide to transfer service delivery responsibility to NSW then arrangements should be cost neutral to residents.

The TWG recommends this report on options for future service delivery arrangements in JBT to their respective governments for consideration. This report is intended to promote informed discussion and provide input to decision-making by the governments concerned.



Lighthouse ruins, Cape St George (courtesy of Chris Baseler, JBT Administration Office)



Key Findings

The Tripartite Working Group (TWG) used a range of sources to inform its findings. These included past reports such as the Commonwealth Grants Commission *Report on the Jervis Bay Territory* (2002); the House of Representatives Standing Committee on Legal and Constitutional Affairs *Islands in the Sun* inquiry (1991); and other reports such as the Wreck Bay Aboriginal Community Council (WBACC) annual reports and Jervis Bay School annual reports. Government policies and publications such as the Australian Government's annual budget papers also informed the findings of the TWG. While some of these sources were developed some time ago, they remain relevant today.

The TWG also consulted with Jervis Bay Territory (JBT) residents to inform its findings. JBT residents conveyed particular key values and priorities around service delivery and provided initial responses to the options for future service delivery arrangements.

The findings below outline the pertinent matters for First Ministers' consideration of options.

1. ACT delivers a limited number of services (eight) directly to JBT.

The Memorandum of Understanding (MoU) and Service Delivery Agreements between the Australian Government (through the Department of Infrastructure and Regional Development) and the Australian Capital Territory (ACT) Government for service delivery to JBT cover a limited range of services including: primary and pre-school education; health protection services; environmental monitoring (groundwater); motor vehicle registration and driver licensing; court services; births, death and marriages registration; community and welfare services; and the coordination of these and other ad hoc services.

The full range of services available within the ACT in a particular sector, such as family and community services, are not accommodated in the funding provided by the Australian Government. Under current arrangements, if a further service is identified or requested then the Australian Government and the ACT Government negotiate service delivery arrangements to fit within the approved funding envelope.

2. The ACT is not well-positioned to deliver state-type services to JBT.

The ACT Government has considered for some time that it is not well-positioned to deliver state-type services such as health and education to JBT. The ACT Government formalised its policy to withdraw from service delivery to JBT as part of the MoU with the Australian Government in 2012.

The ACT Government recognises that the current arrangements are a legacy of the Commonwealth's decision to provide service continuity for JBT when the ACT achieved self-government in 1988.

These arrangements are not considered optimal by the ACT Government for either the JBT or the wider ACT community. The key reasons for this are that the distance between the two territories and the small JBT population being serviced limits the ACT Government's ability to achieve economies of scale. This increases the cost of providing services and reduces the scope of services that can be effectively delivered within the Australian Government's funding envelope. ACT legislation, policies and services are not tailored for JBT as the policies are developed for the ACT's population. Furthermore both distance and requirements under ACT law can impact negatively on the timely provision of critical services, such as emergency child protection or repairs to school buildings.



3. JBT residents already access a significant number of state-type services in New South Wales (NSW).

JBT residents seek community and commercial services outside the borders of JBT. For example, there is no permanent general practitioner, dental service or hospital in JBT so residents travel to surrounding NSW towns such as Nowra for these services. Similarly secondary schooling, technical training and some legal assistance are accessed in NSW.

The majority of services funded by the Australian Government Department of Social Services, which are available to JBT residents, are also located in adjacent areas in NSW.

4. Current arrangements risk poor service outcomes.

There are three key factors that increase the risk of poor service outcomes:

1. Service providers operating under different policy, legislative and regulatory frameworks;
2. Multiple service providers, who normally operate under different frameworks, operating in the one sector, for example health; and
3. The distance between the ACT and JBT, which can mean some services are not able to be provided in a timely manner.

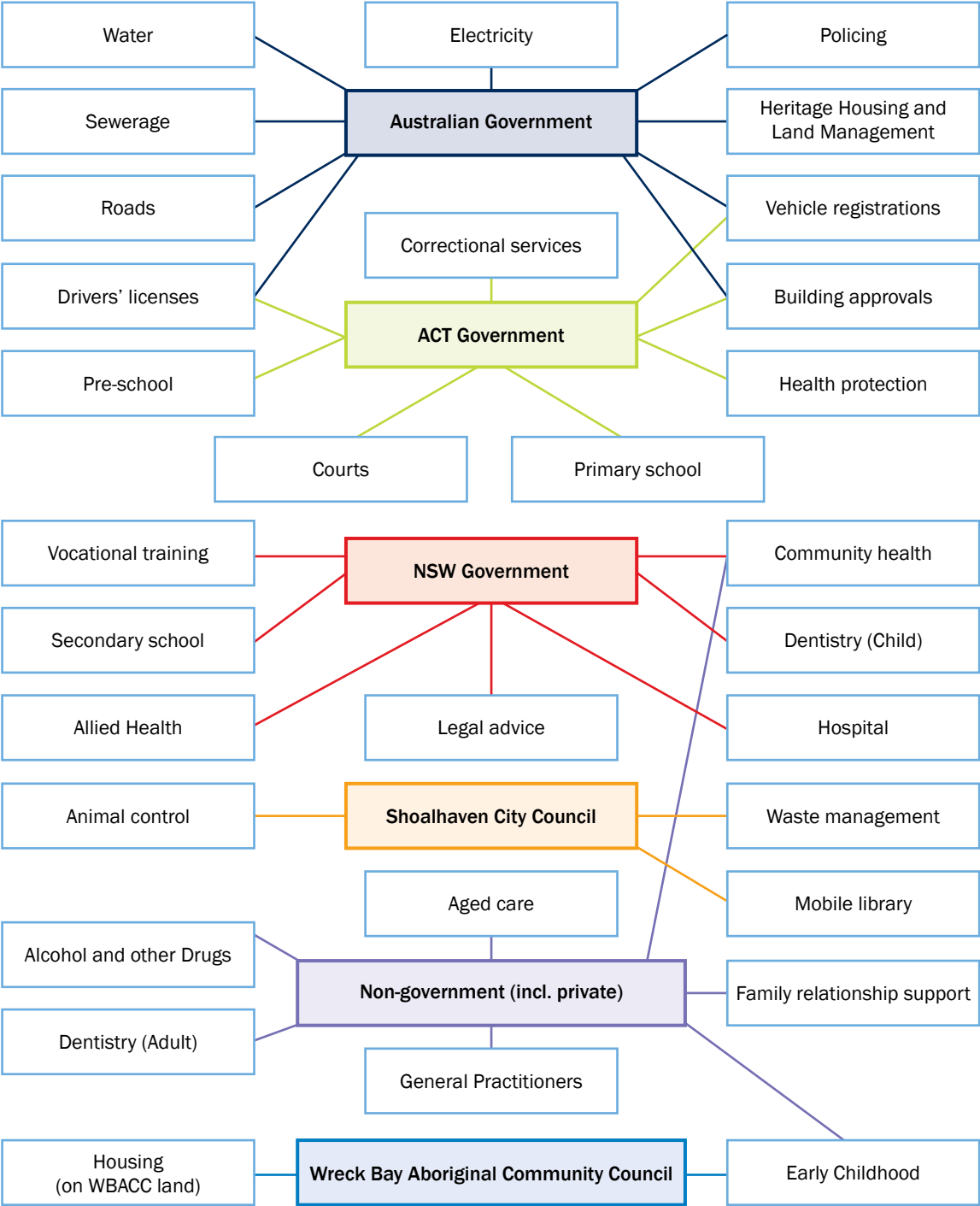
The current arrangements may not be delivering the best outcomes for JBT residents. For example, the TWG heard that the lack of alignment between the terms at Jervis Bay School (JBS), which follows ACT school terms, and Vincentia High School, which follows NSW school terms, creates difficulties for families. There is anecdotal evidence that this is a cause of school attendance difficulties. Parents with both high school and primary school children have to cover school holiday care for an extended period. This can be challenging for some families and so, at times, children are kept out of school. The JBS has put significant resources into addressing this issue with parents and the Australian Government funds a school bus so that children can get to school.

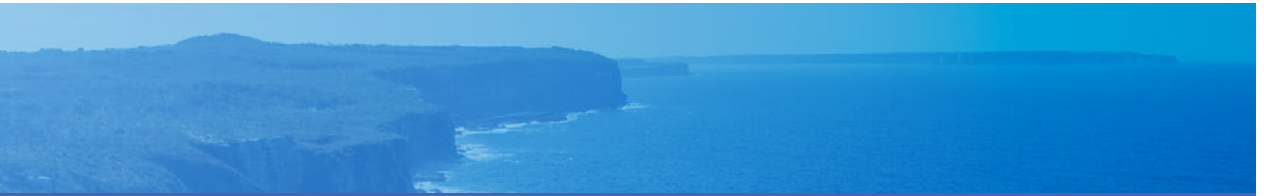
Other concerns regarding the impact of the lack of alignment between the ACT and NSW education systems includes the time it takes to transition Year 6 JBS students into Year 7 at Vincentia High School. JBT residents attribute this issue to the differences between the two education systems and curricula.

The diagram below is an indication of the highly complex service operating environment in JBT. This diagram is not exhaustive.



Diagram 1 Operational service environment in JBT





5. JBT has adequate local government services.

The Australian Government has been responsible for local government-type services in JBT since the ACT achieved self-government in 1988. The Australian Government facilitates the provision of all relevant¹ services listed by the NSW Local Government Grants Commission for NSW local governments² in JBT.

Local government services are either delivered directly by the Australian Government's JBT Administration Office located in Jervis Bay Village; the Director of National Parks; or through contracts with service providers. Service providers include private businesses and the Shoalhaven City Council.

Under the current funding deed (2014–15) WBACC is also funded to provide a limited range of services on its land, including for example, pothole repairs, stormwater maintenance and fencing improvements.

The Director of National Parks provides several services in respect of the park such as the maintenance of park roads and rubbish collection within the Booderee National Park. The Director of National Parks also maintains some roads in the Wreck Bay Aboriginal community on behalf of the Australian Government³.

6. Economies of scale and efficiencies for JBT-specific services are difficult to achieve for a population of less than 400 people under the current arrangements with the ACT Government.

With a population of less than 400 people and a distance of 253 kilometres between the ACT and JBT, realising economies of scale or efficiencies in services delivered by the ACT Government for JBT in isolation is not achievable.

There are four key drivers of the inefficiencies:

1. Service agreements: decisions over services require continuous negotiation between the Australian and ACT governments;
2. Governance: the *Aboriginal Land Grant (Jervis Bay Territory) Act 1986* (the ALG Act) provides WBACC with some state and local-government type powers. This has resulted in a complex operational arrangement, particularly for local government-type services, with some services provided by WBACC on its land and others provided by the Australian Government by arrangement with WBACC;
3. Legislative framework: the development and administration of ordinances for individual, ad hoc services not delivered by the ACT or covered by ACT legislation is a significant administrative burden; and
4. Policies: policies such as purchasing electricity from the Department of Defence results in double-handling between the Department of Defence and the Department of Infrastructure and Regional Development.

¹ JBT does not have an aerodrome therefore this service is not applicable.

² General administration and governance; aerodromes; services for aged and disabled; building control; public cemeteries; services for children; general community services; cultural amenities; control of dogs and other animals; fire control; health testing; library services; noxious plants and pest control; town planning control; recreational services; stormwater drainage and national report flood mitigation; street and gutter cleaning; street lighting; and maintenance of urban local roads, sealed local roads, and unsealed rural local roads.

³ These roads are excluded from the grant of Commonwealth land including Wreck Bay Road, Summercloud Bay Road, Boorerla Road from Wreck Bay Road to Summercloud Bay boat ramp.



7. The legislative framework that underpins service delivery is not always practical due to the distance between the ACT and JBT.

Service delivery in JBT is underpinned by ACT laws applied by the *Jervis Bay Territory Acceptance Act 1915* (JBTA Act), along with ordinances made under the JBTA Act.

The distance between the ACT and JBT means that the application of ACT law as Commonwealth law to JBT is at times impractical. For example, it is not realistic or effective for the ACT Government to deliver emergency management services in JBT. The Australian Government has therefore contracted NSW agencies to deliver rural fire management services in JBT. The Australian Government issued an ordinance⁴ under the JBTA Act to align with the relevant laws for rural fire services as it is not cost effective for the NSW Rural Fire Service to establish separate systems and training to enable that service to operate under applied ACT law in JBT.

Developing and issuing an ordinance is resource intensive and can involve delays and costs.

8. JBT residents are not represented in the legislatures that make the majority of laws applied in JBT.

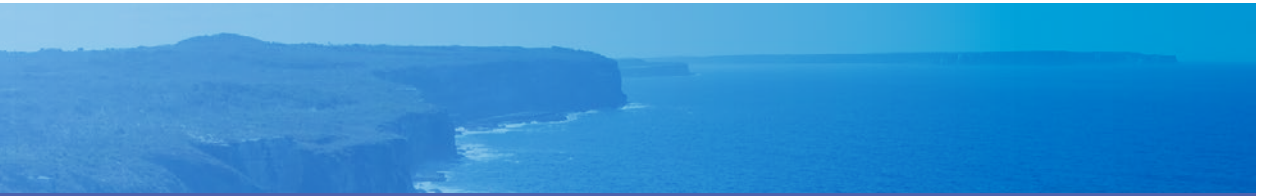
As a non-self-governing territory, JBT does not have its own legislature and residents only vote in Federal elections. As the Australian Government is responsible for JBT, it is appropriate for JBT residents' interests to be represented at this level. However, JBT residents are not represented in either the ACT or NSW legislatures that make many of the laws that affect them.

9. JBT residents value the strong links to culture and country in the pre and primary school education services.

Pre and primary school education services are provided at the Jervis Bay School (JBS) under a service delivery funding arrangement with the Australian Government. The JBS has been servicing JBT since 1914 with services delivered by both the NSW or ACT education departments at various times. The ACT Government currently delivers the pre and primary school services.

The longevity of the JBS has resulted in it becoming a site of inter-generational and cultural importance to JBT residents, particularly residents who are members of WBACC. As with schools in the surrounding NSW region, JBS has a number of programmes which focus on cultural connections in order to improve outcomes for Indigenous students. Programmes include the Booderee Junior Rangers programme which focuses on youth leadership and future careers.

⁴ *Jervis Bay Territory Rural Fires Ordinance 2014*



10. Service delivery changes could be made without affecting the powers, functions and roles of WBACC under the *Aboriginal Land Grant (Jervis Bay Territory) Act 1986 (Cwlth)*.

The ALG Act provides for the establishment of WBACC and for WBACC to be granted Aboriginal land in JBT. Under section 6 of the ALG Act, WBACC has functions in relation to the Wreck Bay Aboriginal community that are similar in some respects to those of a state and local government. These include, in consultation with the responsible Minister, housing, social welfare, education and health. Other functions include maintenance of Aboriginal land, including protecting its natural and cultural sites, engaging in land use planning and conducting business enterprises for the economic or social benefit of the community. WBACC also has the power to make by-laws in relation to activities on the Aboriginal land it owns.

Each of the options for future service delivery arrangements in JBT, could be implemented without reducing the scope of WBACC's powers, functions and roles outlined in the ALG Act.

11. WBACC issues in respect of the *Aboriginal Land Grant (Jervis Bay Territory) Act 1986* and the land claim are not related to service delivery arrangements, and should continue to be managed separately.

The Department of the Prime Minister and Cabinet (PM&C) is responsible for administering the ALG Act. WBACC is currently working with PM&C on issues related to their powers under the ALG Act; as well as their application for a land claim in JBT.

Consultations highlighted a lack of clarity about the difference between service delivery arrangements and WBACC issues related to the ALG Act and Booderee National Park. It is important to maintain a distinction between these processes and note that they are not related to this process.



12. Services in the NSW region surrounding JBT are comprehensive and well-targeted.

The Shoalhaven region, in which JBT is geographically located, is well serviced by state, local and non-government agencies. A comprehensive range of services are provided in the region ranging from health and education to regulatory services such as vehicle registration.

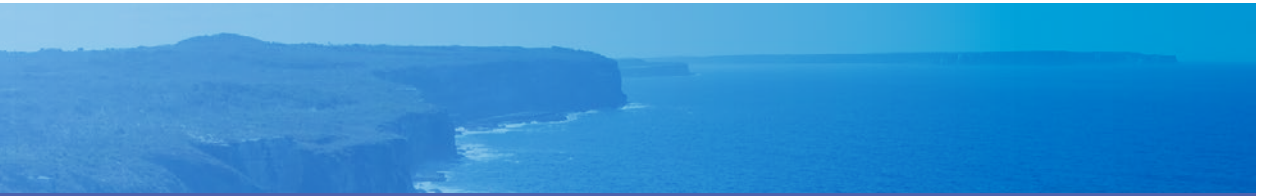
The NSW Government has an overarching policy of ensuring that services are targeted to meet the needs of local people. To facilitate this, it is rolling out a range of initiatives including giving schools more authority to meet the needs of their communities; greater interaction between communities, government and the non-government sector in meeting the needs of children and their families; and the Local Decision Making initiative which aims to significantly change the way Aboriginal communities and government work together. This initiative envisages that Aboriginal communities will move towards self-governance and management, with accompanying decision-making power and authority.

Changes are also being made at a practical level through the roll-out of ‘Service NSW’ – the NSW Government’s one-stop shop to make transactions with government easier for NSW residents and businesses.

Further information on NSW Government services in the Shoalhaven region is provided at **Appendix D**.



Welcome to Booderee National Park sign, Jervis Bay Road JBT (courtesy of Chris Baseler, JBT Administration Office)



Future Service Delivery Options

In developing options for future Jervis Bay Territory (JBT) service delivery arrangements, the Tripartite Working Group (TWG) was guided by common policy interests between the three governments including: improving service delivery and Indigenous outcomes; cutting red tape; and enhancing the cost-effectiveness of services.

JBT residents were consulted as part of the TWG's process. Some residents expressed a desire that the TWG include an option for WBACC to deliver state and local government-type services to JBT. The TWG requested information from residents on how this might work and what model of administration might be used. This information has not been provided. However, the TWG believes that JBT would benefit from a streamlined administrative model which can leverage economies of scale for improved service outcomes. This may not be possible if the Australian Government's administration of JBT was substituted by another JBT-specific body.

Option 1

Transfer service delivery responsibility to New South Wales (NSW) and amend the *Jervis Bay Territory Acceptance Act 1915* to apply NSW law as Commonwealth law in JBT.

Under this option, NSW would deliver state and local government services to JBT residents. At a practical level this means that those state and local government-type services currently delivered by the Australian Capital Territory (ACT) and the Australian governments would be delivered by the NSW Government. For example, pre and primary school students would use the NSW curriculum and school services would be managed by the NSW Department of Education and Communities.

The second aspect of this option is the application of NSW rather than ACT law in JBT. Currently, the *Jervis Bay Territory Acceptance Act 1915* (the JBTA Act) applies ACT law as Commonwealth law by default, while allowing for ordinances to be made to amend or repeal those laws where appropriate. For example, as described above, an ordinance has been made to apply NSW law instead of ACT law in relation to rural fire services. The application of NSW law as the default position could be achieved through amendments to the JBTA Act.

There would not be any amendments to the *Aboriginal Land Grant (Jervis Bay Territory) Act 1986* or the Booderee National Park arrangements under this option. Any changes would be part of a separate policy process. The naval base, HMAS Creswell would be unaffected by this option.

Benefits and Opportunities

This option provides for better alignment of JBT's service, regulatory and legislative environment with that of neighbouring areas. Examples of this are consistency in road laws and school terms. JBT residents would experience better service delivery outcomes under this option because services would be better integrated, more timely and have a greater range.

The Australian Government would also realise efficiencies from this option. Rather than having multiple agreements and contracts to manage, it could have a single inter-governmental agreement with NSW. This would also see increased transparency and accountability.



Service delivery reform would also likely enhance responses to incidents in the Booderee National Park that affect life, property and the environment, including vehicle accidents, search and rescue operations, medical emergencies, and wildfires.

Challenges

There are legislative, financial and administrative complexities associated with a general application of NSW law in JBT. For example the provision of policing services, the operation of the court system and the performance of certain duties by NSW public officials. These would require a review of certain NSW and Commonwealth laws and appropriate drafting of legislative amendments and possibly ordinances.

Many pieces of Commonwealth legislation presently rely upon the JBTA Act to enliven the substantive ACT criminal law to create a broad range of criminal code offences and procedures. Such legislation will need to be reviewed and amended.

Implementation

There are two possible implementation approaches under this option. The first is to transfer responsibility for all services at once; and the second is to transfer responsibility for different services or bundles of services over a period of time. Both approaches are likely to incur transition costs.

All services at once

A total transfer of responsibility for state and local government-type service delivery to NSW from a single point in time would be the least legislatively and administratively complex of the two implementation approaches for this option. It would also be the simplest for JBT residents and service delivery agencies to understand as they would not need to navigate the concurrent operation of two systems.

Given the linkages between laws that relate to similar matters, such as child protection laws, criminal laws and education laws, transferring responsibility for all services at once will minimise potential legislative gaps. This is because many of the linkages will be automatically captured by applying one holistic legislative framework (i.e. NSW laws) without exceptions.

The TWG considered indicative dates for a possible transfer of services at once, taking into consideration the need to minimise disruption to school students, as well as the time required to introduce and pass any necessary legislation. Ensuring JBT residents were involved in the planning process and had time to understand any changes was also a key priority. To this end, the TWG considered 1 January 2016 a realistic transfer date should governments agree to this option.

Phased transfer

Phasing the transfer of responsibility for service delivery to NSW would be highly complex as it would require the concurrent operation of two legislative, regulatory and administrative systems. While the JBTA Act would be amended to apply NSW law as a general rule by default, ordinances would be required to continue the application of ACT laws relevant to services continuing to be delivered by the ACT.

A key implementation risk to this approach would be the need for JBT residents to know which services were still provided under the 'old system' and which were to be provided by NSW. They would also need to know which laws would apply. Service delivery agencies and the justice system would face similar issues.



The additional administration required for a phased transfer approach to implementation would significantly increase the overall cost of administering JBT. Known requirements include drafting multiple ordinances to cover services continuing to be delivered by the ACT; training NSW judiciary officials in those aspects of ACT law that remain through ordinances; developing bilateral agreements for bundled services; and preparing and implementing multiple community information and education campaigns to advise them of each change.

Option 2

Reincorporate the JBT into the State of NSW.

Under this option, JBT would once again be part of NSW as it was before 1915 and would cease to be a Commonwealth territory. The process for achieving the reincorporation of JBT into NSW is provided by the Australian Constitution.

If JBT was reincorporated into NSW, there would not need to be any change to the substance of the arrangements under the *Aboriginal Land Grant (Jervis Bay Territory) Act 1986*. Reincorporation would also not affect the status of the Booderee National Park as a Commonwealth Reserve under the *Environment Protection and Biodiversity Conservation Act 1999*.

Reincorporation would not affect the status of the naval base HMAS *Creswell*.

Benefits and Opportunities

This option provides a single comprehensive approach to state and local government service delivery. It will also allow JBT residents to vote for members of the legislature that makes state level laws that are applied to them.

Reincorporation would address the anomaly of the land not being used for its intended purpose as a sea port for the nation's capital – a purpose which is no longer relevant.

Service delivery reform will enhance responses to incidents in the Booderee National Park that affect life, property and the environment, including vehicle accidents, search and rescue operations, medical emergencies, and wildfires.

Challenges

There are a number of issues to be considered with this option. First of these is that there is currently no political or community mandate for reincorporation. To build that mandate, both the Australian and NSW governments would need to begin a conversation on the issue with NSW voters and JBT residents.

As a matter of constitutional law, reincorporation could only be achieved if a successful referendum on that question was held in NSW. A successful referendum outcome will require community and bi-partisan political support for the issue; public education and information on the question and the referendum process itself; and the consideration of the timing of the actual referendum vote.

Another key challenge would be to ensure that JBT residents have a voice in the reincorporation decision-making process. In accordance with the Australian Constitution, the referendum would be held for NSW voters, not JBT residents, so alternative mechanisms for gauging the support of JBT residents for reincorporation should be considered. This is particularly important given residents expressed a desire to maintain their identity as a discrete community.



As with Option 1, many pieces of Commonwealth legislation presently rely upon the JBTA Act to enliven the substantive ACT criminal law to create a broad range of criminal code offences and procedure. Such legislation will need to be reviewed and amended.

Implementation

A referendum should not be considered before a broader community consultation process to assess the support for such an approach. Should the Australian and NSW governments agree to implement this option in the longer term, an engagement strategy should be developed and implemented to develop and assess community support. Community information and education around the referendum process as well as on the question itself would need to be conducted.

Option 3

Maintain the current arrangements and improve efficiency.

Under this option the ACT Government would continue to deliver state-type services under arrangements with the Australian Government, and the Australian Government would continue to be responsible for local government services. JBT would remain a Commonwealth territory with applied ACT laws.

The ACT Government has indicated that it is not cost effective, nor appropriate, to continue current service delivery arrangements for JBT within the current funding envelope. The ACT has also flagged the need for increased funding in order to continue the current arrangements as costs continue to grow and there are no further efficiencies to be found. The distance between the ACT and JBT would continue to impact on the form, frequency and timeliness of services to JBT.

Refer to **Appendix A** for more information on the current arrangements.

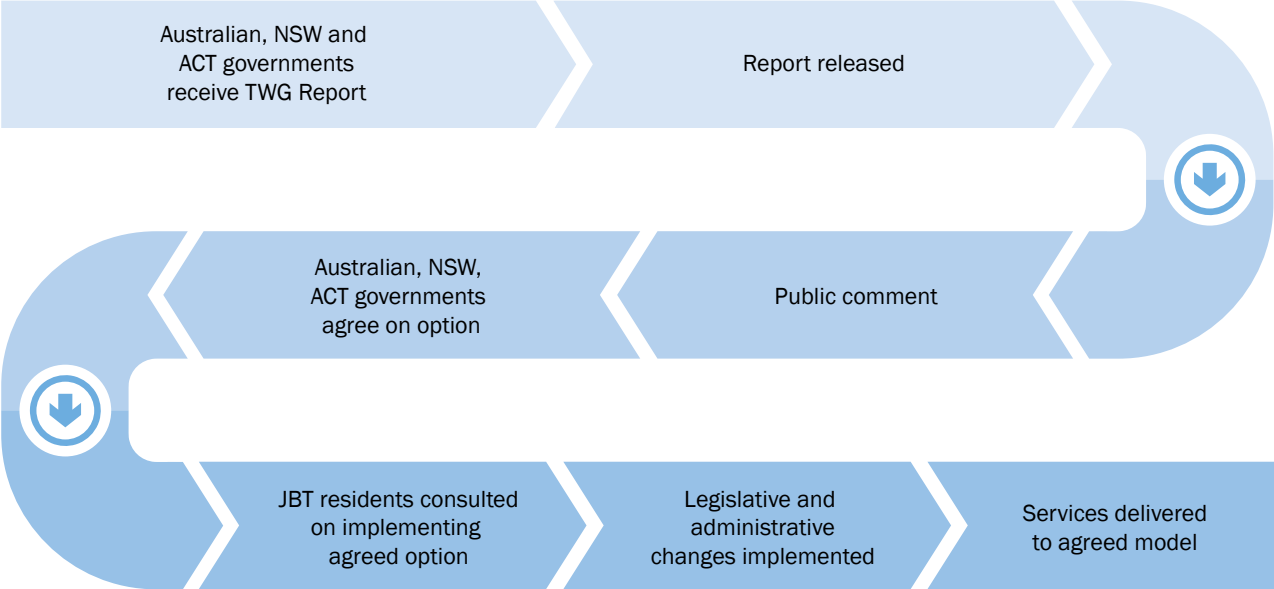


Next Steps

This report aims to inform the consideration of the Australian, New South Wales (NSW) and Australian Capital Territory (ACT) governments in deciding future service delivery arrangements in the Jervis Bay Territory (JBT).

When considering the timing of any changes, governments will need to prioritise minimising disruption to school students as well as the time required to introduce and pass any necessary legislation. Ensuring JBT residents are involved in the planning process and have time to understand any changes is also a high priority.

Diagram 2 Below outlines a possible process for decision-making and implementing the Australian, NSW and ACT governments preferred decision.





Appendices



Appendix A: Overview of the Jervis Bay Territory Arrangements

A Brief History

The Jervis Bay Territory (JBT) is geographically surrounded by New South Wales (NSW) and is made up of about 6,500 hectares of the Bherwerre Peninsula and the adjoining Bowen Island. By road, it is about 200 kilometres south of Sydney, 35 kilometres from Nowra and 260 kilometres from Canberra. JBT is a non-self-governing Commonwealth territory.

In 1908, the Australian Government legislated in the *Seat of Government Act 1908* that the nation's capital should have access to the sea. In 1915, the NSW Government agreed to surrender JBT area to the Commonwealth. The Royal Australian Navy has had a base there since 1915. This base is known as *HMAS Creswell*.

The Jervis Bay Nature Reserve was established in 1971 and extended in the 1980s to include foreshore areas of Jervis Bay and Bowen Island. The Jervis Bay Botanic Gardens were established in 1952 as an annex of the Australian National Botanic Gardens in Canberra.

Aboriginal ownership of land on the Bherwerre Peninsula was formally acknowledged in the *Aboriginal Land Grant (Jervis Bay Territory) Act 1986* (the ALG Act). This gave the Wreck Bay Aboriginal Community Council (WBACC) ownership of 403 hectares based on the settlement at Wreck Bay. In 1995, the land and sea areas comprising both the National Park and the Botanic Gardens were granted to the Wreck Bay Aboriginal community, leased back to the Director of National Parks and are managed jointly by the Director and the traditional owners through a Board of Management. The Aboriginal community now owns about 91 per cent of JBT. In 1998, the National Park and Botanic Gardens were renamed the Booderee National Park and Booderee Botanic Gardens. The Gardens were incorporated into the Booderee National Park in 2000.

JBT Today

As at the 2011 census, there were 378 people in JBT⁵. This total has fallen from the number of residents (604) recorded at the 2001 Census. This is largely due to the transient *HMAS Creswell* population.

JBT comprises five distinct areas:

- i. **Booderee National Park (BNP)** (about 85 per cent), which has no permanent residents. The Park provides accommodation for about 550 campers and receives approximately 450,000 visitors annually;
- ii. **Wreck Bay Village** (about 6 per cent), which is owned by WBACC as a single private property, and has an estimated population of 186⁶;
- iii. **HMAS Creswell and the Jervis Bay Range Facility** (about 8 per cent). According to the 2011 Census approximately 69 people in JBT were employed by the Department of Defence;
- iv. **Jervis Bay Village** (about 0.5 per cent), which has 24 houses and four flats that are commercially leasable; and

⁵ http://www.censusdata.abs.gov.au/census_services/getproduct/census/2011/quickstat/910051009?opendocument&navpos=220

⁶ http://www.censusdata.abs.gov.au/census_services/getproduct/census/2011/quickstat/1LOC90200102?opendocument&navpos=220



- v. **Sussex Inlet** (about 0.4 per cent), of which there are nine blocks, eight of which are currently subject to Crown leases. The leases are a mix of residential and tourism, and six of the nine have leases running to 2029 with an option to extend the lease for an additional 25 years. The ninth block is vacant Crown (ex-grazing) land and is currently not leased.

The Australian Government Assistant Minister for Infrastructure and Regional Development, the Hon Jamie Briggs MP, is responsible for the administration of the *Jervis Bay Territory Acceptance Act 1915* (the JBTA Act). The JBTA Act provides that the laws of the Australian Capital Territory (ACT) apply in JBT as if it was part of the ACT, and ACT courts have jurisdiction there. Some matters are also addressed by ordinances made under the JBTA Act. Ordinances currently in place relate to administration, leases, maritime safety, fire management and supervision of offenders undertaking community service. An additional ordinance is currently being drafted to cover emergency management (2014).

The Australian Government Minister for Indigenous Affairs, Senator the Hon Nigel Scullion, is responsible for administering the ALG Act.

The Director of National Parks has responsibility for administering relevant provisions of the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) in relation to the BNP.

JBT is in the Federal Electoral Division of Fraser. JBT residents do not have electoral representation at the local or state government level and are not eligible to vote in ACT elections. Members of WBACC vote every two years for an Executive Board which is the decision-making body for the community.

Service Provision Responsibilities

Funding and service provision arrangements currently in place for JBT are complex. The range of service providers are presented at Table A.1 on page 23.

Australian Government

Department of Infrastructure and Regional Development

The Department of Infrastructure and Regional Development (Infrastructure) administers JBT on behalf of the Australian Government.

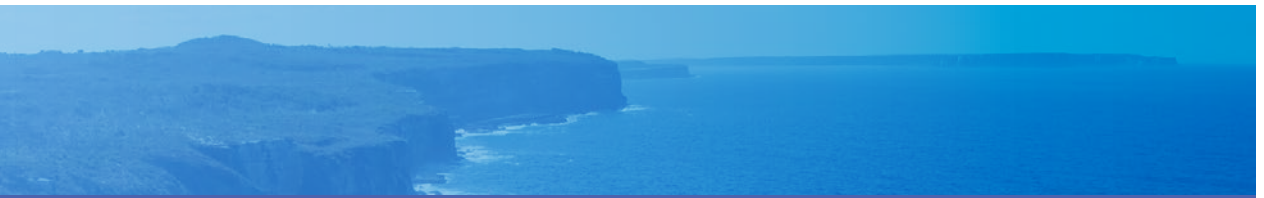
The Australian Government, through Infrastructure, provides funding to the ACT and NSW Governments, Shoalhaven City Council and other contractors for the provision of state and local government-type services for JBT residents. It also provides funding to WBACC for the performance of agreed land council and local government-type activities.

Funds for state and local government-type services are appropriated through the *Services to Territories* administered programme⁷, JBT was allocated \$5.870 million⁸ from within this programme in the 2014–15 Budget. The Australian Government's capital assets are upgraded and maintained by Infrastructure through the broader Territories Administered Capital Budget on an as needs basis. The allocation for JBT in 2014–15 is \$0.576 million. A more detailed budget breakdown can be found at **Appendix C**.

JBT administration staff are located in both Canberra and JBT. Canberra-based staff responsibilities include: JBT policy; legislation; budgeting; and liaison with agencies providing services to JBT. Staff located in JBT provide customer service; asset management; contract management; stakeholder management; and contribute to the operation of JBT's emergency management system.

⁷ This programme has been identified as been subject to the Administered Programme Indexation Pause.

⁸ 2014–15 Portfolio Budget Statement Infrastructure and Regional Development Portfolio, see page 95.



Australian Federal Police

Under the *Australian Federal Police Act 1979*, the Australian Federal Police (AFP) provides community policing, and search and rescue coordination services to JBT. The AFP applies all Commonwealth criminal laws, the laws of the ACT (as applied in JBT by the JBTA Act), and ordinances made under the JBTA Act.

The AFP currently deploys a Sergeant and three Constables to JBT.

AFP officers are Recognised Law Enforcement Officers under NSW legislation to allow for cross-jurisdictional support from time to time.

Director of National Parks

The Booderee National Park (BNP) is administered by the Director of National Parks (the Director). The lease of the BNP area from WBACC is held by the Director. BNP has a joint Board of Management (the Board), the majority of its members coming from WBACC.

While the Director is responsible for the day to day management of BNP through the Park Manager, the Director will be guided by the Board. The Board must have a majority of Indigenous persons nominated by the traditional owners of the land in BNP. The Director will consult with and have regard to the views of traditional owners via WBACC in accordance with the BNP management plan and the lease.

The Director is responsible for services within BNP (roads, rubbish removal and recreation facilities), either directly or through contracts. Funding is provided by Commonwealth subventions and revenue raised under the EPBC Act, such as BNP user charges.

The assets and facilities in BNP were valued at \$11.203 million as at 31 March 2014. Operating costs for BNP in 2012–13 were \$7.300 million with capital expenditure of \$0.804 million and external revenue of \$1.509 million. Payment of \$0.632 million was made to WBACC under the BNP lease (see below for detail of this payment). Other monies are paid for services delivered under contract by WBACC.

Department of Education

The Department of Education (Education) funds the Wreck Bay Gudjahgahmiamia early education day care centre under the Budget Based Funded Programme, as a Multifunctional Aboriginal Children's Service. WBACC received \$0.327 million in 2012–13 under this programme.

Education also provides funds under the Council of Australian Governments National Education Reform Agreement to the ACT Government as the Jervis Bay School is part of the ACT Government school network. In 2014, this is estimated to be \$0.371 million.

Department of the Prime Minister and Cabinet

The Minister for Indigenous Affairs is responsible for administering the ALG Act. The Minister for Indigenous Affairs is also responsible for two programmes under which WBACC receives funding. These are the Advancement of Rights to Land and Sea – Native Title and Land Rights Programme; and the Indigenous Parenting Service.

Department of Social Services

The Department of Social Services funds a range of services available to JBT residents including aged care; disability employment; settlement and multicultural affairs; carers and mental health; families; and communities. The service points for the majority of these services are in locations adjacent to JBT. However, the Autism Spectrum Disorder Early Intervention Programme, Communities for Children and the Family Relationship Centre have an outreach service in JBT.



Department of Human Services

The Department of Human Services funds WBACC to operate a Centrelink agency service for the Wreck Bay Aboriginal community. Funding provided in the 2013–14 financial year was \$32,567.

Department of Finance

The Minister for Finance is responsible for the *Public Governance, Performance and Accountability Act 2013*. WBACC is a corporate Commonwealth entity for the purposes of this Act.

Department of Defence (HMAS Creswell)

The Department of Defence (Defence) provides a number of services for its staff and their families within the boundaries of HMAS Creswell. It provides health and housing services, welfare services for families, Naval policing functions, maintains the roads inside HMAS Creswell and provides recreation facilities for naval personnel. Defence allows wider community access to a few of its facilities, including a childcare centre and Post Office. Access is subject to certain conditions and during periods when use does not interfere with Defence activities.

Some assets used for general community service are located on Defence land but are recorded as assets under Infrastructure's control. They include the Jervis Bay School, the Jervis Bay Village Community Health Centre and JBT's sewerage treatment works. Infrastructure funds and operates both the School and the effluent processing system.

The Commanding Officer of HMAS Creswell is appointed JBT Special Magistrate for the period of their tenure. The Commanding Officer is also a member of the BNP Board. There are close links between HMAS Creswell and the local community in areas such as emergency management and some support to the Jervis Bay School in a variety of activities.

Defence has a whole-of-government electricity purchasing arrangement from which Infrastructure purchases electricity for JBT under the terms of a Memorandum of Understanding (MoU).

Attorney-General's Department

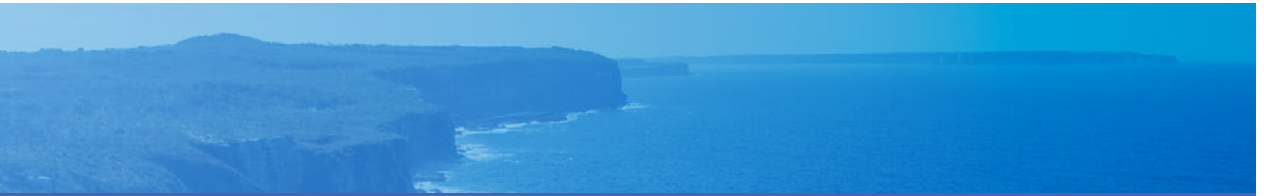
The Attorney-General's Department has portfolio responsibility for the AFP. The Attorney-General's Department also provides advice to the Australian Government about constitutional issues, federal court jurisdiction and related legislation matters.

ACT Government

The ACT Government is responsible for the delivery of state government-type services provided in JBT.

Shortly after self-government, the ACT signed an MoU with the Australian Government under which it would provide services to JBT. In 2012, the MoU provided for the continuity of ACT services while the Australian Government explores alternative arrangements for the delivery of services in JBT. Both of these MoUs are underpinned by subordinate arrangements (MoUs/Service Delivery Agreements) that detail the service to be provided and annual budgets based on cost for delivering the service.

The services provided to JBT are not representative of the breadth of availability of services provided in the ACT. For example, the Justice and Community Safety Directorate is able to provide only a subset of the regulatory and justice services it provides within the agreed budget. An ACT Magistrate attends for up to three days (including travel) every two months to consider matters. However, Coronial and the Civil and Administrative Tribunal services are provided on an ad hoc basis. There are additional costs associated with these services. The Office of Regulatory Services attends JBT four times a year and as requested to undertake driver license assessments.



Service provision by the ACT in JBT is not straightforward. The distance of the ACT from JBT also results in additional costs and, at times, less timely services. There are also social and economic needs in JBT which differ from those in the ACT. For example, approximately 87 per cent of primary school students attending JBS identify as Indigenous.

NSW Government

Infrastructure engages the NSW Government via service level agreements to provide primary health care services and rural fire management services in JBT. In addition, JBT residents directly source a range of NSW Government services from the surrounding NSW regions. These include secondary and vocational education and training, private medical and dental, hospital and ambulance services.

The NSW Government does not receive untied grant revenue from the Australian Government in respect of JBT residents. It does however receive some Australian Government funding for JBT students in NSW schools. Any gap in the costs associated with providing secondary education to JBT residents and funding from the Australian Government is met by the NSW Government.

The NSW Government Southern Rivers Catchment Management Authority provides approximately \$35,000 in annual funding to WBACC for weed management activities. WBACC also contributes financially to this activity.

In order to deal with cross-jurisdictional matters, certain NSW Police Officers are appointed as AFP special members which provides them with the full range of community policing powers under JBT law.

Shoalhaven City Council

Infrastructure contracts Shoalhaven City Council (SCC) to provide a range of local government-type services including mobile library, waste collection, telemetry (provided by Shoaltech, a business unit of SCC) and domestic animal control services in JBT. SCC is authorised by the ACT Government to implement animal control services in JBT.

JBT residents also use other services, most notably roads and recreational services, when they visit the SCC area.

Wreck Bay Aboriginal Community Council

WBACC, established under the ALG Act, has specific powers and responsibilities including:

- holding title to land;
- in consultation with the responsible Australian Government Minister, considering and, where practicable, taking action for the benefit of the community in relation to housing, social welfare, education, training and health needs;
- providing community services to the Wreck Bay Aboriginal community;
- protecting and conserving natural and cultural sites on the land it owns; and
- conducting enterprises for the economic and social benefits of the community.

The Australian Government is the largest funder of WBACC, with funds being provided by Infrastructure and the Departments of the Prime Minister and Cabinet, Human Services, Education and Social Services. WBACC also receives revenue from contracts and income derived from the lease and use of BNP. The Australian Government Director of National Parks provided \$0.272 million and \$0.337 million in 2012–13 to WBACC for the annual lease and 25 per cent of Park entry and camping fees respectively.



WBACC does not receive funding under the *Local Government (Financial Assistance) Act 1995*. In lieu of this payment, Infrastructure provides annual funding to undertake agreed local government activities.

WBACC provides some quasi-local government services to its members in Wreck Bay Village.

Crown Land Leases (Sussex Inlet leases)

There are nine parcels of Crown land available for long term private leases in JBT, of which eight are currently leased. The ninth, a vacant ex-grazing block, is not currently leased. Lessees are responsible for the provision of services on leased land include sewerage and water. The blocks are accessed via unsealed roads through BNP. These roads are maintained by the Director of National Parks.

Revenue collection responsibilities

Revenue collection responsibilities for state-type taxes, fees and user charges are handled by a number of agencies.

ACT Government

JBT residents pay ACT state-type taxes, and fees in relation to the services the ACT Government provides, such as court fines, traffic infringement fines and animal registration fees. In reality, such revenues are so small that, according to the ACT, with the passing of time they have become impossible to identify, let alone report separately.

A larger component of ACT revenue collection is in the area of car registration and drivers licenses. The ACT Government receives the monies for these fees from Infrastructure, processes them, takes out an administration fee and any funds left over are then returned to the Australian Government.

Australian Government

Department of Infrastructure and Regional Development

Infrastructure's JBT Administration Office, on behalf of the ACT Government, administers and collects fees related to the registration of vehicles, issue of driver licences and conducting of driver training courses. The Office also interacts with the ACT Justice and Community Safety Directorate for processing and billing.

JBT Administration Office also directly provides a billing, revenue collection and debt management service for Crown land leases, electricity supply, water and wastewater services within JBT. The Office engages a commercial agent to manage the Commonwealth housing estate at the Jervis Bay Village (24 houses and four flats). Debt recovery by the commercial agent is routinely escalated to the Office.

The Australian Government, through Infrastructure, contracts the Shoalhaven City Council to provide recycling and pays for waste collection services in the Wreck Bay and Jervis Bay Villages. These costs are not passed on to Wreck Bay Village residents due to a historical agreement that the Australian Government will pay for these services. As for Jervis Bay Village, the Australian Government, as the landlord, is responsible for the cost of these services.



Department of Finance

The Jervis Bay Police Station complex (including the court house) are Australian Government assets managed by the Department of Finance (Finance).

Director of National Parks

Under the lease of BNP the Director of National Parks pays an annual rent to WBACC plus 25 per cent of income received under the EPBC Act from park use and camping fees and permit fees.

The lease requires the Director of National Parks, subject to the BNP management plan, to:

- contract WBACC's services and engage as many community members as practicable to provide services in relation to the park; and
- encourage appropriate business and commercial initiatives and enterprises by WBACC members within the BNP.

Wreck Bay Aboriginal Community Council

WBACC is responsible for Wreck Bay Village community housing.

Responsibility for land and other assets

The Wreck Bay Aboriginal community owns about 91 per cent of the land in JBT, which is held in trust for it by WBACC. The remaining 9 per cent is Crown land administered by Defence, Infrastructure or Finance.

The Australian Government, through Infrastructure, Defence, Director of National Parks and Finance, are the owners of the majority of state and local government-type infrastructure. WBACC owns, and is responsible for, some state and local government-type infrastructure on its land.

The following buildings and equipment are included on Infrastructure's asset register:

- Jervis Bay School;
- JBT Village Health clinic;
- power transmission, water and wastewater services assets;
- housing and roads in JBT Village;
- JBT Administration Office Building and Depot;
- fire sheds and appliances; and
- Crown land (other than Defence facilities).

The Director of National Parks manages assets (roads, recreation and service facilities) in BNP, all of which are on Aboriginal land leased to the Director. The AFP facilities are on Commonwealth-owned land managed by Finance. WBACC owns the community housing located in the Wreck Bay Village except for electricity infrastructure to the residences which is owned by the Australian Government, administered through Infrastructure.

Infrastructure is currently the owner and administrator of the JBT electricity distribution network. The Australian Government, through Infrastructure, also owns and maintains the sewerage system and potable water system. The Director of National Parks has a services contract with WBACC to provide road maintenance, cleaning services, entry station operations, ground maintenance, and infrastructure maintenance. The Director also has a contract with WBACC to provide capital works and unscheduled maintenance as needed.



Table A.1 Table of Service Access Points and Providers (2014)

Services	Service Access Point	Service Provider
General Practitioner	NSW and JBT	NSW private provider Non-government organisations
Community Health Nurse	JBT	Non-government organisations NSW Government
Dentist – Adult	NSW	NSW private provider NSW Government
Dentist – School health check	JBT	NSW Government
Alcohol and Drug	NSW/Outreach	Non-government organisations
Hospital	NSW	NSW Government
Allied Health	NSW	NSW Government
Sexual Health	NSW/Outreach	Non-government organisations
Early childhood	JBT	HMAS <i>Creswell</i> Australian Government – Department of Education WBACC
Pre-school	JBT	ACT Government
Primary School	JBT	ACT Government
Secondary School	NSW	NSW Government
Vocational Training	NSW	NSW Government
Tertiary	Individual choice	Various
Centrelink	JBT	WBACC (operates the service kiosk only)
Family Relationship Support	JBT	Non-government organisations
Disability Employment Services	NSW	Various
Aged Care	NSW	Non-government organisations
Police Station	JBT	Australian Federal Police
Magistrates court	JBT	ACT Government
Children and Coroner’s Court	JBT	ACT Government
Legal advice	NSW/ACT	Legal Aid NSW Aboriginal Legal Services (NSW/ACT)
Prisoner Transport	JBT	Australian Federal Police
Correctional services	ACT	ACT Government
Drivers licenses	JBT	ACT Government/JBT Administration
Vehicle registration	JBT	ACT Government/JBT Administration
Local Government-type Services		
Development approvals	JBT	Australian Government

(continued)

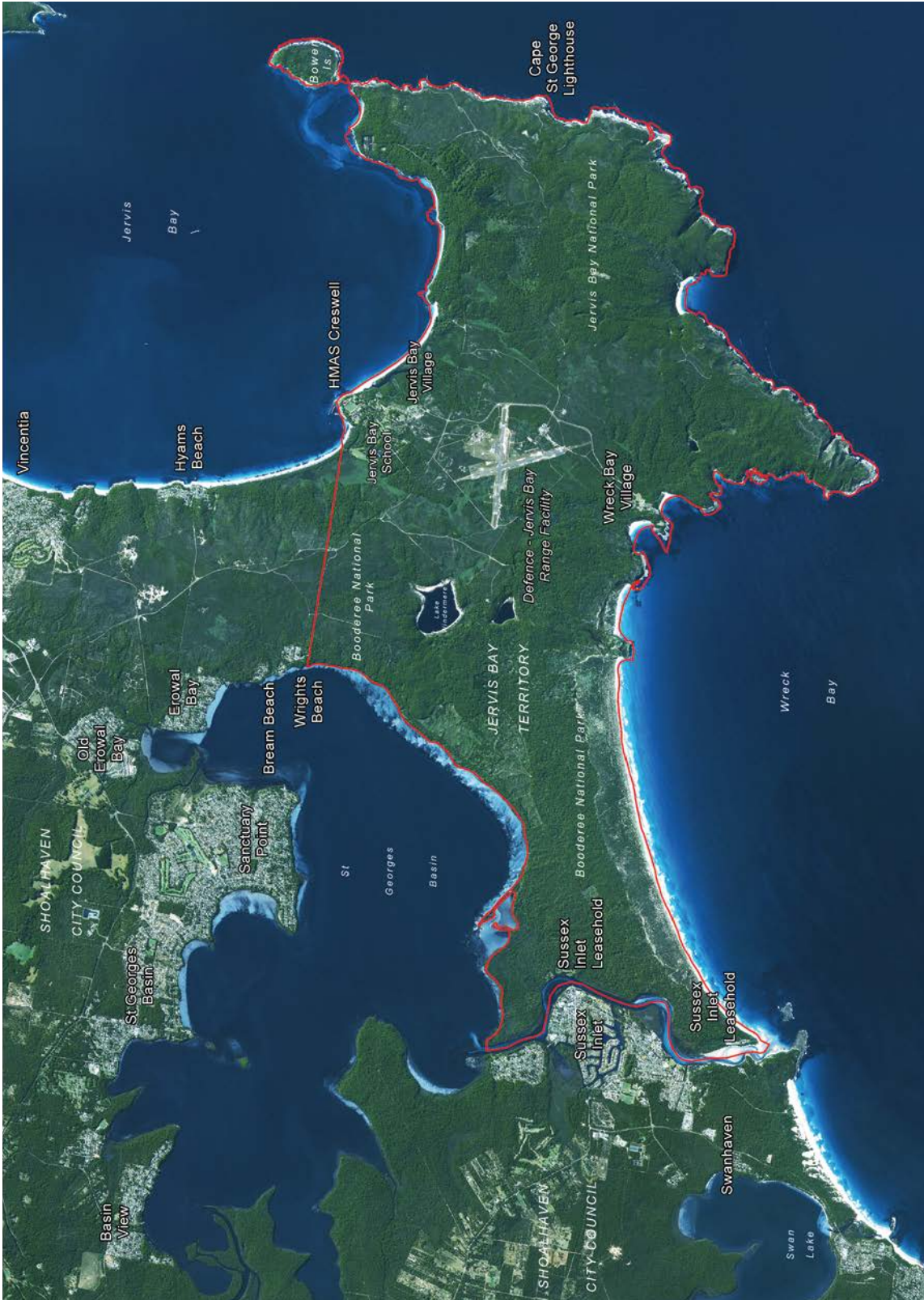


Services	Service Access Point	Service Provider
Building approvals	JBT	ACT Government
Water bills	JBT	Australian Government
Electricity bills	JBT	Australian Government
Sewerage bills	JBT	Australian Government
Roads issues	JBT	Australian Government Director of National Parks



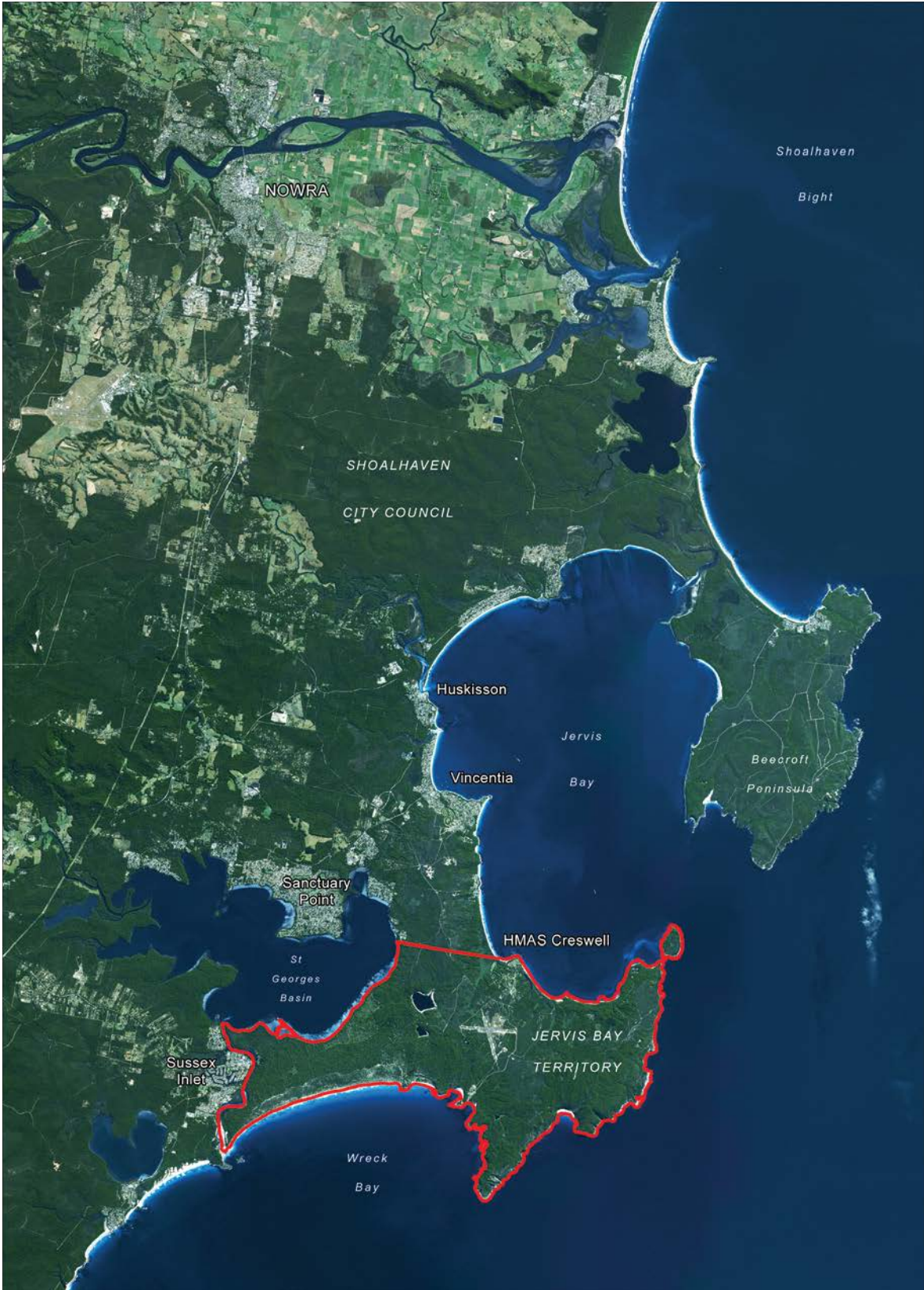
Appendix B: Maps

Map 1 Jervis Bay Territory





Map 2 Region





Appendix C: Department of Infrastructure and Regional Development – Jervis Bay Territory Budget 2014–15

In 2014–15 the Australian Government, through the Department of Infrastructure and Regional Development (Infrastructure), allocated \$5.870 million⁹ from the *Services to Territories* administered programme for Jervis Bay Territory (JBT) service delivery. In addition, the Australian Government has allocated \$0.576 million from the Territories Administered Capital Budget to maintain and replace infrastructure.

Infrastructure cannot commit to expenditure outside this approved envelope. To provide for contingencies including service delivery cost increases, unforeseen events and new Government initiatives, the established practice is for Infrastructure to seek adjustments through the Additional Estimates process.

Funding from other Australian Government agencies for services in JBT is not included in this budget breakdown.

Table B.1 JBT Administered

2014–15 Operational Budget \$		2014–15 Capital Budget \$	
Service Delivery Arrangements	3,515,843	Administered Capital Budget	576,000
Commercial Contracts	910,500		
Support to WBACC	208,719		
Administration	484,938		
Bulk Electricity supply	750,000		
Total Operational Budget	5,870,000	Total Capital Budget	576,000

⁹ This programme has been identified as been subject to the Administered Programme Indexation Pause.



State Government-Type Service Delivery Arrangements

The approved start-up budget for Infrastructure's facilitation of state government-type services to JBT in 2014–15 is \$3.516 million¹⁰:

- \$2.976 million for eight (8) agreed ACT Government services; and
- \$0.540 million for two (2) NSW Government services.

Table B.2 2014–15 State Government-type service delivery arrangements

Provider	Service	Description
ACT Education and Training Directorate	Primary and Preschool	ACT provision of primary school and pre-school services and transport services to Vincentia High School.
ACT Chief Minister and Treasury and Economic Development Directorate	Coordination	Coordinate ACT service delivery.
ACT Health Directorate	Health protection	ACT manages environment health testing for JBT with respect to water quality, regulatory inspections of food premises and boarding houses.
ACT Environment and Sustainable Directorate	Environment Protection Services	Environmental monitoring including water tests.
ACT Justice and Community Safety Directorate	Motor Vehicle Registry associated services	ACT Road transport services including driver training; licencing; and vehicle registrations.
ACT Justice and Community Safety Directorate	Magistrates Court	Scheduled magistrate courts hearings occur six times a year, with supplementary special magistrate hearings, as appropriate.
ACT Justice and Community Safety Directorate	Births Deaths and Marriages	ACT Justice and Community Safety Directorate, stores and records all JBT births, deaths and marriages.
ACT Community Services Directorate	Welfare Services	ACT welfare services and care management including child protection services, as appropriate to JBT.
NSW Health (Illawarra, Shoalhaven, Local Health District)	Primary Health Care	The Illawarra, Shoalhaven, Local Health District (NSW) provides the community and clinical dental health services as well as a range of specialist health visits such as dietitians, as appropriate.
NSW Rural Fire Service (NSW RFS)	Fire Management Services	The NSW RFS provides fire management services to JBT under the auspices of the <i>Jervis Bay Territory Rural Fire Ordinance 2014</i> .

Further information on NSW Government services currently provided in the surrounding Shoalhaven region are detailed at Appendix D.

¹⁰ This budget is subject to ongoing review. The Australia Government has in the past provided additional funding to JBT during the financial year for additional revenue collected in the prior year, and movements in the costs of service delivery.



Local Government-Type Services and Essential Service Delivery

In 2014–15, Infrastructure has commitments valued at \$0.911 million with local government and private sector service providers for the services referred to below. The value to individual contracts has not been disclosed due to the commercial-in-confidence nature of this information.

Table B.3 2014–15 Local Government-type Services and Essential Services

Contract	Service
Water, Wastewater and Stormwater	Commercial contractor
Mobile Library Services	Shoalhaven City Council
Telemetry (and Chlorine)	Shoalhaven City Council
Domestic Animal Control	Shoalhaven City Council
Waste Collection / Garbage	Shoalhaven City Council
Electricity Maintenance and Management	Commercial contractor
Security Monitoring	Commercial contractor
Fire Equipment Testing	Commercial contractor
Motor Vehicle and Motorcycle Training	Private contractor
Crown Land Management	JBT Administration Office
Maintenance Parks and Gardens: Jervis Bay Village Recreational Areas (Including playground area)	Shoalhaven City Council
Housing Management	Commercial contractor for leasing
Housing Maintenance	JBT Administration Office

JBT Electricity Supply

Due to the operation of the *Jervis Bay Territory Acceptance Act 1915*, the National Electricity Market does not operate in JBT. Infrastructure leverages the buying power of the Department of Defence to achieve value for money in the procurement of bulk electricity for JBT. Procured electricity is reticulated by Infrastructure through its electricity distribution network to residents, commercial customers and HMAS *Creswell*. JBT Electricity Supply Fee Determinations are made annually – generally benchmarked against retail pricing in the adjacent Shoalhaven region.

Infrastructure has budgeted for \$0.750 million for bulk supply JBT electricity procurement for 2014–15.

Support to the Wreck Bay Aboriginal Community Council

In 2014–15, Infrastructure is providing \$0.209 million to support WBACC undertake local government and land council activities for their community.

JBT Corporate Overheads and Projects

In 2014–15, Infrastructure has allocated \$0.485 million (excluding Departmental costs for staffing) for the administration of JBT and for special projects.

JBT Capital Budget 2014–15

Infrastructure is investing \$0.576 million to acquire new and upgrade existing infrastructure in JBT. Projects to be completed in 2014–15 include upgrading the sewer system at the Jervis Bay School replacement of an electrical substation and an upgrade of stormwater drainage adjacent to the Jervis Bay Supermarket.



Appendix D: NSW Government services in the Shoalhaven region

The NSW Government provides extensive services in the Shoalhaven region including, but not limited to:

- Education and training;
- Health;
- Licensing, births, deaths and marriages;
- Community services and housing;
- Police; and
- Aboriginal Affairs.

Education and training

The NSW Government operates 100 preschools which are co-located with public primary schools. However, the majority of preschools in NSW are located separately from primary schools and are operated by local government, community-based organisations or the private sector. These preschools and long day care centres are often partly funded by the NSW Government.

There are several preschools and long day care centres operating in the Shoalhaven region such as those in Vincentia, Sussex Inlet, Huskisson, Sanctuary Point, Jervis Bay, Callala Bay and Nowra.

The Shoalhaven region is serviced by several primary and high schools including Vincentia Public School (primary) and Vincentia High School. Education is delivered in line with the NSW syllabus for the Australian Curriculum and reflects the NSW Government's principles of access and equity.

The NSW Department of Education and Communities is implementing a range of reforms to improve the quality of teaching in schools, to improve outcomes for all students, and to give schools greater authority to meet the needs of their communities. The latest implementation of key reforms from Local Schools, Local Decisions, Great Teaching, Inspired Learning and the Rural and Remote Education Blueprint will support improvements to teaching and school leadership in every public school in NSW.

There are also vocational education providers in the Shoalhaven region such as Nowra TAFE and tertiary providers such as the University of Wollongong's Shoalhaven campus.

Several registered group training organisations, funded by the NSW Government State Training Services, operate in the Shoalhaven including the soon-to-be opened South Coast Vocational Training and Employment Centre in Nowra. Through the Centre, unemployed Aboriginal people will be trained into jobs where employers have identified an actual need and will commit to employing graduates once they complete training.

Health

NSW Government health care services are provided by the Illawarra Shoalhaven Local Health District (ISLHD) in accordance with the National Health and Hospital Agreement.

Health care services can be accessed through providers such as the Shoalhaven District Memorial Hospital, Nowra Community Health Centre, Sussex Inlet Community Health Centre and Tresillian Family Care Centre.



The ISLHD also funds a range of non-government organisations to deliver services to the community, supporting Indigenous and multicultural communities and assisting in disability services and mental health services. Services delivered by non-government organisations include health promotion, drug and alcohol, HIV/AIDS, homeless youth, women's health, community services, mental health, ageing and disability and child health and safety.

The ISLHD partners with the Illawarra Aboriginal Medical Service, South Coast Aboriginal Medical Service, Oolong House and Waminda to improve the health outcomes for Aboriginal people in the Illawarra and Shoalhaven region.

Licensing and births, deaths and marriages

Service NSW is the NSW Government's one-stop shop to make transactions with government easier for NSW residents and businesses. Through Service NSW, users can access more than 850 transactions such as driver licences, vehicle registrations, birth, death and marriage certificates, as well as senior's card applications, housing payments, boating licences and more.

Service NSW plans to transition existing registry centres into Service NSW centres over the next two years with an increased focus on digital transactions. NSW residents in the Shoalhaven region currently have access to registry services in Nowra.

Community services and housing

The NSW Department of Family and Community Services (FACS) oversee housing, disability and community services. Recent changes in FACS, designed to provide closer engagement with the community, mean the Director of the Illawarra Shoalhaven District has responsibility for the full range of services in JBT's geographic region.

Recent reforms and initiatives in the sector include the:

- transition of the provision of statutory out-of-home care services to the non-government sector;
- 'A Safe Home for Life' child protection legislative reforms placing children and their families at the centre of decision making; and
- social housing reforms including the 'Going home, Staying home' initiative which seeks to reduce homelessness and repeated episodes of homelessness.

A key feature of more localised service delivery in FACS is the interaction between community, government and the non-government sector in meeting the needs of children and their families.

Police

The NSW Police Force works cooperatively across borders with its state and territory counterparts through conducting joint training exercises and seconding liaison officers.

The Shoalhaven Local Area Command incorporates Nowra, Berry, Culburra, Huskisson, Kangaroo Valley, Sussex Inlet and Ulladulla. There are seven police stations located in the Shoalhaven including stations in Nowra, Huskisson and Sussex Inlet. Nowra Police Station has three Domestic Violence Liaison Officers and an Aboriginal Cultural Liaison Officer to service the Shoalhaven Region.



Aboriginal Affairs

The NSW Government's plan for Aboriginal Affairs, OCHRE (Opportunity, Choice, Healing, Responsibility, Empowerment), has identified several initiatives to improve outcomes for Aboriginal people in education and employment, services delivery and accountability. These initiatives include Connected Communities, Language and Culture Nests, Opportunity Hubs and Local Decision Making.

The Local Decision Making initiative represents a significant change in the way Aboriginal communities and government work together. Aboriginal communities will move along a pathway of self-governance and management, decision-making power and authority. Through Local Decision Making, the NSW Government will become more flexible and responsive to the needs of Aboriginal communities, and recognise Aboriginal leadership and decision-making.

The Local Decision Making initiative will be delivered in partnership with communities and requires community agreement and consent. Local Decision Making will build on existing strengths and local governance structures and will not cut across existing relationships or affiliations between existing organisations and government.

Local Decision Making will commence initially at a regional level in: Far Western NSW; Illawarra South East; and the North Coast.



Appendix E: Consultation Process

The following information is a summary of the consultation process held with Jervis Bay Territory (JBT) residents from late May to July 2014.

Participation

Engagement mechanisms:	Number of Contacts:
Open meetings with JBT residents	50 people (45 adults and five children) attended three community meetings
Face-to-face meetings with WBACC Executive Board	One formal; two informal
Written submissions	Two
Communication mechanisms:	Reporting details:
Newsletters	Four newsletters were disseminated to residents
Information sheets	Two information sheets were disseminated to JBT residents
Dedicated Hotline	Three calls were received
Feedback email in-box	Seven emails were received
Website	Information on the review process and advice to residents provided online (including Newsletters and summary notes from the public meetings)

Open meetings

Three meetings were held with JBT residents. Information sheets providing further details on the proposed options were distributed to all JBT residents before each meeting.

The first of these meetings was held on 28 May 2014 at the Jervis Bay School hall. Eighteen JBT residents (16 adults and two children) attended the meeting and raised a range of issues related to the options as well as issues related to the day-to-day administration of JBT. A summary of the meeting was prepared and distributed to all JBT residents.

There were another two meetings held on 3 July 2014. Officials from the Australian Government Departments of Infrastructure and Regional Development and Prime Minister and Cabinet, as well as officials from the NSW and ACT governments, attended the meetings.

The first of these two meetings was held at lunchtime in the Wreck Bay Village Community Hall. The timing of the meeting was held as a response to comments made at the 28 May 2014 meeting that not all residents could make a night-time meeting. Twenty-one JBT residents (19 adults and two children) attended the meeting.

The second of these two meetings was held in the evening at the Jervis Bay School hall. Eleven JBT residents (10 adults and one child) attended the meeting.

Summaries of issues raised at these meetings were prepared and distributed to all JBT residents. They are included in this Appendix.



Face-to-face meetings

Face-to-face meetings were held with members of WBACC – Executive Board on an informal and formal basis. A formal meeting was held in Wreck Bay on 28 May 2014.

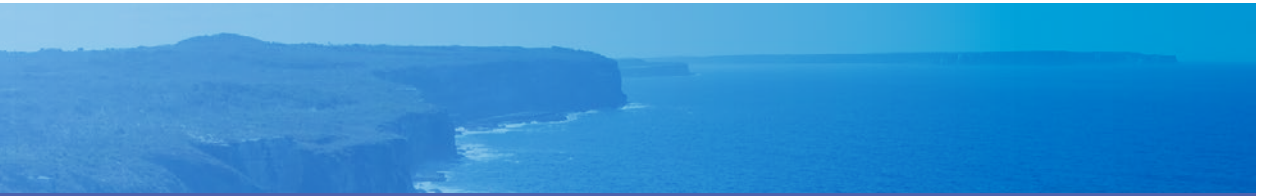
Written Submissions

Two written submissions from JBT residents were received and are included in this Appendix.



The following information details a summary of the issues discussed at the public meetings held in the Jervis Bay Territory.

Summary notes – 28 May 2014 public meeting



Jervis Bay Territory – Review of Service Delivery Options

Summary Notes – Public Meeting

Jervis Bay School Hall

28 May 2014, 7:00pm

Introduction

A Welcome to Country was conducted by community elder, Ms Elaine Sturgeon.

The Commonwealth advised attendees that the ACT and NSW Governments have asked the Commonwealth to look at service delivery arrangements for the Jervis Bay Territory (JBT).

The Departments of Infrastructure and Regional Development and Prime Minister and Cabinet (the Commonwealth) arranged this public meeting to seek JBT residents' views on possible service delivery options.

The Commonwealth advised that the meeting marked the beginning of consultations with JBT residents.

The Commonwealth also advised that JBT residents' views on the possible service delivery options would be included in a report to "First Ministers" (the Prime Minister, ACT Chief Minister and NSW Premier).

The Commonwealth outlined the options developed to date are as follows:

1. Maintain the current arrangements and improve efficiency;
2. Transfer services to NSW and apply NSW law; or
3. Reincorporate the JBT into NSW.

The Commonwealth advised that more information on what the options may mean for the community will be discussed at future meetings.



Here is a summary of what we heard you say and our response

Options

Why is there not an option to have WBACC delivering services?

WBACC is already funded by the Commonwealth to provide some local government type services on its (403 ha) land, however it may be difficult for them to deliver state and regulatory services such as courts and hospitals.

How would current service arrangements be improved?

The Commonwealth understands that JBT residents want services that are simple and coordinated. This is what the Commonwealth wants to achieve through this process.

It is difficult to comment on the options without knowing the impacts.

More information on what the options may mean for you will be provided to JBT residents for consideration ahead of future meetings.

Specific details for each service under each option are difficult to identify at this stage particularly because they involve multiple governments. JBT residents will be consulted on specific changes to services and transitional arrangements once it was known which option governments preferred.

How will this process reach the JBT youth, particularly about getting a driver's licence?

Changes to specific services will not be fully known until there is a decision by governments about the preferred future service delivery option. Your issue has been noted.

What do you mean by reincorporation?

This means the JBT would become a part of NSW. JBT would no longer be a Commonwealth territory. This would require:

- Changing legislation;
- Agreement by governments; and
- Potentially a referendum of NSW voters.

I don't think the JBT should be reincorporated into NSW.

Your view has been noted.

I don't see any options for the community to advance.

Your view has been noted.

I don't want to be railroaded into a large state and experience negative implications for services.

Your view has been noted.



WBACC Board

Why did you meet with the WBACC Executive Board separately earlier today? The Board doesn't speak on my behalf.

The Commonwealth wants to hear the views of all JBT residents. The WBACC Executive Board advised the Commonwealth that the Board spoke as individuals, not on behalf of the community as it acknowledged it hasn't yet consulted with the Wreck Bay community – which it has undertaken to do.

JBT residents can share their views with the Commonwealth by phone, email, letter or fax.

[Feedback and further information on the contact details are listed on the final page of this meeting summary.]

The Review process and future meetings

The Government has raised this before and nothing has happened. How long is this process and when will a decision be made?

This is the start of a new process and is being driven collaboratively with the NSW and ACT Governments. Previous reviews are informing this process and the development of options. These reviews helped to identify key priorities of JBT residents as outlined in the information sheet provided to community members ahead of the meeting. Timing is subject to any decision on changes to service delivery by government ministers. It is anticipated that a report will be provided to the Prime Minister, ACT Chief Minister and NSW Premier on possible options this year (2014).

I'd like our views (individuals) to be weighted equitably with other JBT stakeholders, such as Defence and WBACC.

JBT resident views will be weighted appropriately.

Some residents have trouble getting to a meeting in the School Hall on a weeknight. It might be worth holding them at other times and locations.

Future meetings will be held at a range of times and locations to try and make it convenient for as many people as possible to be able to attend and express their views.

How else can we provide feedback and who can we address it to?

JBT residents can write; phone the 1800 free call number or send fax or emails to the Commonwealth via the Department of Infrastructure and Regional Development. There will be another opportunity for residents to provide face to face feedback at the next public meeting in JBT, scheduled for the end of June or early July.

[Feedback and further information contact details are listed on the final page of this meeting summary.]

Can future meetings be recorded?

It may be possible, but may need consensus by all participants.

Land Claim

How will this process affect the land claim?

Service delivery arrangements are not affected by the land claim. The current claim would progress as per the *Aboriginal Land Grant (Jervis Bay Territory) 1986* legislation. The Commonwealth is still trying to understand what impact reincorporation could have on land claims. This is why reincorporation is currently considered as a longer term option.



Jervis Bay School

The School is very important to the community and provides key cultural programmes and opportunities for future leaders – this may not happen in the NSW education system.

Your view has been noted.

The School is turning 100 years old. Is there any funding to help celebrate this?

The Commonwealth funds the ACT Government to operate the school.

Employment

It would be good to see employment opportunities for Aboriginal people in the local government system. There are also not many opportunities for Aboriginal people at HMAS Creswell.

Your view has been noted.

Voting rights / democratic representation

JBT residents can't vote in local government elections and they only see their Federal members at election time.

Acknowledged as an ongoing issue for JBT residents.

Having a forum to raise issues in a democratic process and vote for representatives who make decisions which impact a community is a basic right.

We don't want to be lost in the Federal system.

Your view has been noted.

Service Delivery over Distance

Distance shouldn't be an issue. Christmas and the Cocos (Keeling) Islands are serviced by Western Australia (WA)/ Perth, which is further away than the ACT from the JBT.

There are operational differences between the Christmas and Cocos Islands and JBT. An ocean lies between WA and Christmas and the Cocos (Keeling) Islands, whereas NSW is only a few minutes drive from JBT.

Confusion about location

Some service providers don't know where the JBT is located. This can be a problem when calling for an ambulance. Some people are also confused by our JBT car licence plates.

An education/awareness programme would help service providers know who has responsibility for what if the JBT remained a Territory.

Some local ambulance personnel are not familiar with street names within the JBT.

JBT residents are encouraged to share further thoughts by email, phone, letter, or at the next JBT Review public meeting.

[Follow-up advice: When the street names were changed in the Wreck Bay Village the ambulance service was provided with the details and advised that they had updated their database.]



Housing

Is the Government interested in selling the houses on Village Road?

Current arrangements will continue into the foreseeable future.

Which State laws apply to our tenancy agreements and are there financial implications of the process underway to standardise the agreements?

The applied regime is ACT tenancy laws and the financial conditions of the agreements won't change.

Car Registration and licencing

Car registration is more expensive since the ACT took over.

The Department of Infrastructure and Regional Development noted the desire for a more cost-effective service.

I'm worried that vehicle registration costs will increase if services are transferred to NSW.

Any changes to services will be designed so as to minimise the transition costs to JBT residents.

Asbestos

There were houses along the Defence boundary that were demolished without consultation with the community (a community member stated that they believed the houses were pulled down because they contained asbestos).

Your view has been noted.

There are signs about asbestos in some residents' electricity meter boxes, which give the impression that there is danger to residents. All residents should be notified.

The notification in meter boxes are an alert for any tradesperson working on the house that there may be asbestos present. The types of asbestos in question aren't dangerous or present in significant quantity. The Department of Infrastructure and Regional Development will reissue advice on this to residents.

Emergency Management

Emergency evacuation procedures need to improve.

The JBT Emergency Management Committee is currently focusing on community education and is reviewing bushfire preparedness activities and survival plans.

Crisis House

I'm concerned about the lack of a crisis/safety house in the JBT Village.

There is a 24/7 crisis house in nearby Nowra; however your opinion has been noted.



Postal Services

We don't have standard house-to-house mail delivery.

It was explained to the meeting that Australia Post does not provide home delivery locally.

Electricity

What is the source of electricity to the JBT? There is a lack of different providers. Is there an option to have underground electricity or solar energy to reduce bills?

Electricity for the JBT is sourced through an arrangement with the Department of Defence using a whole of government procurement arrangement to reduce costs. The cost of electricity is benchmarked to the nearby region and the JBT costs lag about 6–12 months behind what is being charged there. Alternative green energy sources may be considered but could be more expensive.

Internet

Will the JBT get the NBN and if not, could a repeater be built in the JBT?

This is not a state or local government service. The Department of Infrastructure and Regional Development undertook to investigate the applicability of the new Australian Government regional mobile services programme.

Flag

The JBT does not have its own flag like the other Australian Territories do.

Your view has been noted.



Close of meeting

The Commonwealth reiterated that this is the start of the consultation process, thanked everyone for coming and called the meeting to a close.

Next steps

The Department of Infrastructure and Regional Development is aiming to hold further meetings with the JBT community around the end of June or early July. Details will be advised to JBT residents ahead of the meetings.

Feedback and further information

Residents can provide their comments to the JBT Review team in the Department of Infrastructure and Regional Development via:

Email: Feedback.JervisBayTerritory@infrastructure.gov.au

Free call: 1800 080 090

Mail: GPO Box 594, CANBERRA ACT 2601

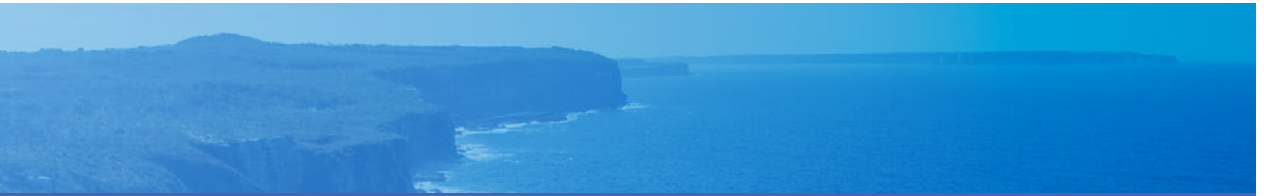
Fax: (02) 6274 8205

Further details available at www.regional.gov.au/territories/jervis_bay/index.aspx.



The following information details a summary of the issues discussed at the public meetings held in the Jervis Bay Territory.

Summary notes – 3 July 2014 public meetings



Jervis Bay Territory – Review of Future Government Service Delivery Options

Summary Notes – Public Meetings 3 July 2014, 12:00pm and 6:30pm

Overview

This paper sets out the issues raised by residents of the Jervis Bay Territory (JBT) at two public meetings with Government officers on 3 July 2014. These meetings followed a meeting in the JBT on 28 May 2014. These meetings sought residents' views on options for future government service delivery arrangements for the JBT. A summary of these views will be provided to the Commonwealth, NSW and ACT Governments to assist them in making a decision about future arrangements.

At the meetings, the Commonwealth Government explained that it is working with the NSW and ACT Governments to identify options for future service delivery arrangements in JBT. The three possible options identified, and considered the most practical at this time, are:

- transfer services to NSW and apply NSW law as Commonwealth law;
- reincorporate the Jervis Bay Territory into NSW; or
- maintain the current arrangements with improved efficiency.

During the meetings some residents suggested other options, including:

- that the Wreck Bay Aboriginal Community Council (WBACC) provide some or all service delivery in the JBT; and
- transferring some services to NSW, but the ACT would continue to deliver some services.

Residents voiced similar concerns at all public meetings, which include:

- uncertainty that changes would result in better services for residents;
- a concern that costs would increase if NSW delivered services;
- the need to preserve connection to country and culture; and
- the desire for democratic equity with other Australians.

Several issues not related to service delivery were also raised, such as the outstanding WBACC land claim, the powers of WBACC and management of WBACC land and Booderee National Park.

A detailed summary of what we heard some attendees say about these and other issues are outlined in this paper.



Here is a summary of what we heard you say and our response

The Review

We heard you ask: What is the problem you are trying to fix?

We said: The Commonwealth Government currently buys some state-government type services such as pre and primary school education from the ACT Government. The distance between the ACT and the JBT makes government services more expensive to deliver, and this can affect whether JBT residents get services in time. For example, if there is a need for a case manager to attend for a child protection issue it can take more than three hours for the welfare officer to arrive from Canberra.

We heard you ask: If NSW take responsibility for delivering services, will JBT become a part of NSW?

We said: That would only happen under the option to reincorporate the JBT into NSW. If NSW were to deliver services on behalf of the Commonwealth Government, JBT would remain a Commonwealth territory.

We heard you ask: When will a decision be made?

We said: A report is being prepared for the Commonwealth, NSW and ACT Governments. Your views are important and will be included in the report. We aim to submit it soon.

We heard you ask: Have you consulted with all residents including those in the Jervis Bay Village?

We said: We have held public meetings for all residents regardless of where they live or whether they are members of the WBACC. All JBT residents have been invited to provide feedback, including through email, phone and post.

Services

We heard you say: Transferring services to NSW will not necessarily address confusion of accessing services given the location of the JBT.

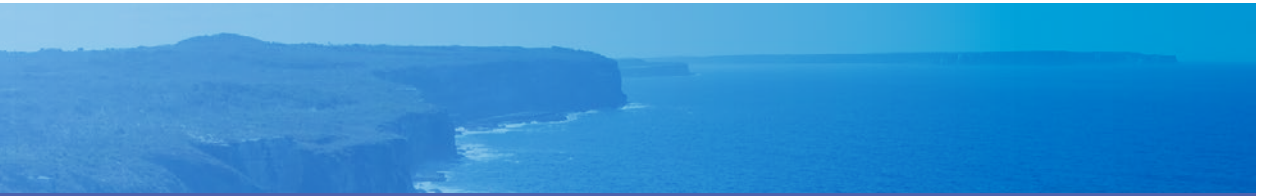
We said: The Commonwealth is looking into these issues at the moment.

We heard you say: JBT should not become part of NSW simply because the ACT doesn't want to provide services.

We said: Transferring services to NSW does not mean that the JBT will be reincorporated into NSW. It's not that the ACT doesn't want to provide services but it does not consider itself best placed to provide them. For example, the JBT has its own needs which are very different from those of the ACT and it is difficult to make ACT policies work in the best interests of the JBT. We believe there must be a better way of doing things.

We heard you ask: Why do you think NSW would improve services when other Aboriginal communities in NSW seem to have fewer services?

We said: The NSW Government has a strong regional presence. If services transferred to NSW, the NSW Government would work closely with Aboriginal Affairs and JBT residents to deliver well-targeted policies and programmes.



We heard you say: There is no need for change because we think we will get better results from the ACT and WBACC than we would from NSW and non-government service providers.

We said: A factor in undertaking this Review is in response to requests by residents to improve service delivery and access to services. It would be a condition of any changes to arrangements that an adequate level of services is provided to the JBT.

We heard you say: It would be good if the services were provided under the one government.

We said: Service delivery arrangements could be simplified through more coordinated delivery.

We heard you say: Does transferring services to NSW mean the police station or school will go?

We said: No decision has been made on this, however we know the community values the Australian Federal Police and the Jervis Bay School.

Options

We heard you ask: Can there be an option for WBACC to deliver services to JBT?

We said: Only states or self-governing territories have the laws and capacity to deliver services like health, education and courts. A community council cannot effectively be a state government. The JBT is also very small and might have similar difficulties to those faced by Norfolk Island, which only has 1,500 people, in delivering services.

WBACC is already funded by the Commonwealth to provide some local government type services on its land. Both governments and the community would need to consider how WBACC has responded to opportunities to deliver more services in the past.

We heard you ask: Can NSW deliver some services and ACT others?

We said: This would be costly and complex. Ordinances – for example, the *Jervis Bay Territory Rural Fires Ordinance 2014* – would be required to facilitate services and each separate ordinance can take around 12 months to put in place.

We heard you ask: Would WBACC stay the same under the options?

We said: WBACC would not be affected by any of the options.

We heard you ask: What are the measures of success if any of the options are applied?

We said: There would be a more sustainable, coordinated and simpler service environment which would be less time-consuming to deliver.

Costs of changes

We heard you say: Changes should be cost neutral to residents.

We said: Governments will work together to minimise costs to residents, should any changes occur.



Lack of trust of government

We heard you say: We have no trust in any decisions made without us.

We said: We are consulting with you and will include your views in the report to government.

We heard you say: There is still a lot of uncertainty for the community about what will happen to us in the future.

We said: Governments value letting their citizens know about decisions that affect them and consulting them in the process. The JBT is no different in this regard. We will continue to update residents as information on the process becomes available.

We heard you say: In the past, there were rumours that an ‘intervention’, like that in the Northern Territory, would occur in JBT.

We said: There is no intention for such an intervention.

Access to information

We heard you ask: Can we get a copy of the report to First Ministers?

We said: Publicly releasing the report will be the decision of the First Ministers. You can write to First Ministers (Prime Minister, NSW Premier, and the ACT Chief Minister) requesting the report be released.

We heard you ask: We want to see the JBT budget for last financial year and this financial year.

We said: The JBT has a budget figure in the Department of Infrastructure and Regional Development’s Portfolio Budget Statement which is available online. We will seek permission from the Assistant Minister for Infrastructure and Regional Development to provide a more detailed breakdown.

We heard you ask: Do you have statistics on the revenue the JBT contributes to the national economy; and how much it costs us to service the transient population?

We said: We don’t have ready access to the specific figures. Annually there are around 450,000 visitors to the Booderee National Park who pay to visit the Park.

Democratic Representation

We heard you ask: Could there be another layer of democratic administration like the National Capital Authority, as a regional authority representing the people of the JBT, or a local government we could vote for?

We said: We can look into that.

Legislation

We heard you ask: Will changing the legislation mean that JBT will be part of NSW?

We said: Unless JBT is reincorporated into NSW, the JBT will remain a Commonwealth territory.



Jervis Bay School / Education

We heard you ask: Will Jervis Bay School close or will cultural programmes be lost if the JBT was reincorporated into, or if JBT services were delivered by, NSW?

We said: We understand the importance of Jervis Bay School to JBT residents. If NSW were to take responsibility for school services, NSW would use the culture of the local community as an important part of its education provision.

We heard you say: Transition arrangements between Jervis Bay School and Vincentia High School would be adversely affected under a different arrangement.

We said: Vincentia High School has a good transition programme operating with all feeder primary schools in the area, including the Jervis Bay School.

We heard you say: Kids face difficulties transitioning from Jervis Bay School to Vincentia High School because the schools use different curricula.

We said: Thank you, we note your view.

We heard you say: Could the School become a community school, similar to those in the ACT?

We said: We will look into this.

We heard you say: There are great outcomes for Indigenous students at Vincentia High School. Many government programmes provide excellent support and there would be better outcomes if Jervis Bay School was integrated into the NSW system, even if the campus remained.

We said: Thank you, we note your view.

We heard you say: Jervis Bay School is a key stakeholder for the Review.

We said: The Commonwealth Government will be liaising with the School Board to discuss the Review.

Our kids

We heard you say: ACT services for kids who have special needs can be improved.

We said: Thank you, we note your view – one of the reasons we are looking at the delivery of government services under a more localised model is to see how they can be improved.

Police

We heard you ask: Would NSW Police provide policing in the JBT?

We said: No decision has been made with regard to future service delivery arrangements including who provides the police services. Along with other service delivery matters, the JBT community will be kept informed of proposed policing arrangements.



Housing

We heard you ask: Are the houses in the Wreck Bay Village going to be fixed up?

We said: Wreck Bay Village houses are owned by, and are the responsibility of, WBACC. The Department of Prime Minister and Cabinet have been speaking with WBACC regarding financial arrangements for housing, but there are guidelines that need to be met to get this funding.

The Commonwealth owns the Jervis Bay Village houses. Ownership of Jervis Bay Village houses would only change if the JBT was reincorporated into NSW.

Electricity and Water

We heard you ask: What do the HMAS Creswell people pay for electricity and water?

We said: If they live in a house at HMAS Creswell, they pay the same price as all other JBT residents.

We heard you say and ask: There is no consumer choice in utilities because there is only one provider, the Commonwealth. If NSW delivered services, what would happen to our utilities?

We said: Electricity and water infrastructure would stay with the Commonwealth unless JBT was reincorporated into NSW.

We heard you say: There should be an arrangement for the use of land for easements.

We said: When the JBT was created, there was no requirement to create easements as the Commonwealth owned the land. If reincorporation of the JBT to NSW occurred, easements would be negotiated with WBACC and/or utilities infrastructure would be relocated to existing easements, such as in the road verges.

Public Transport

We heard you ask: Will there ever be an effective public transport system?

We said: Public transport was trialled for three years, but was rarely used and was therefore considered unsustainable.

Pensioner concessions

We heard you ask: Will my pensioner concessions be affected by service delivery changes?

We said: Commonwealth Government pensioner concessions would still apply.



Process separate to the Review of Service Delivery Options

Land Claim

We heard you ask: What about our land claim?

We said: None of the service delivery review options would affect the land claim. This is a separate process.

We heard you ask: Does the Commonwealth plan to deal with the land claim?

We said: The Minister for Indigenous Affairs, Nigel Scullion, has given an assurance that he will consider the land claim.

We heard you ask: Does the Commonwealth Government intend to convert vacant Crown land into Defence land and in so doing extinguish the land claim?

We said: There is no intention to do this.

Land

We heard you ask: Will the Aboriginal Land Grant (Jervis Bay Territory) Act 1986 be issued under NSW legislation if NSW delivers services or JBT is reincorporated into NSW?

We said: The Act would not be affected by any of the options we have proposed.

We heard you ask: Is Jervis Bay School on Defence land?

We said: Jervis Bay School is on recognised Defence land – it is on a different land block to the HMAS Creswell.

Booderee National Park

We heard you ask: Will this review affect Booderee National Park?

We said: None of the service delivery options being considered would affect Booderee National Park.

Leases

We heard you ask: Why aren't our leases like the 99 year leases in the ACT?

We said: We note your question and the Commonwealth Government will look into it.



Next steps

The public consultation period closed 31 July 2014. No further public meetings are proposed until after First Ministers have considered the report. Please also provide any further comments through the details below.

Feedback and further information

Residents can provide their comments to the JBT Review Team in the Department of Infrastructure and Regional Development via:

Email: Feedback.JervisBayTerritory@infrastructure.gov.au

Free call: 1800 080 090

Mail: GPO Box 594, CANBERRA ACT 2601

Fax: (02) 6274 8205

Further details are available at www.regional.gov.au/territories/jervis_bay/index.aspx.



Public Submissions

Two public submissions were received via the dedicated feedback email address provided to Jervis Bay Territory residents.

Public Submission 1

JBTSDR Team,

Thank you for the opportunity to give the team feedback and to be included as part of the decision making process of Government.

In time this review will ultimately affect the lives of all of the people who call the Jervis Bay Territory home.

In my opinion the second series of meetings were far better than the first meeting. I guess that this is a natural outcome given the original forum was a new experience for many.

Both meetings were open, free flowing and respectful forums whereby each and every person present was given numerous opportunities at the time to express themselves, ask questions, answer questions, state facts and freely voice their individual and community views on a number of areas relating to the administration and good governance of the Jervis Bay Territory.

To me, the accuracy in documenting the community voice raised in the second series of the draft feedback report is an improvement on the first draft. The second draft more accurately relates the community views expressed at the meetings.

I would like to take this opportunity to thank in writing, the Australian and State Officers of the Commonwealth, NSW and ACT Governments whom have devoted time and energy to ensure the views of the Jervis Bay Territory people voiced through the review process will be accurately and effectively communicated to the Heads of State involved in the JBT SDR Review.

My only suggestion having read the draft is for the JBTSDR draft and report to include on the first page, the suggestion of a new democratic administrative layer similar to the National Capital Authority as a regional authority representing the people of the Jervis Bay Territory.

This new Jervis Bay Territory Regional Authority will be the voice of the people of the Territory and provide a unifying forum for community consultation and good governance outcomes to be shared between the two villages, the lease areas and the defence community.

Efficient administration services will be provided in partnership with the Commonwealth, ACT and NSW Governments. The aim of the new Jervis Bay Territory Regional Authority will be to set the standard for good governance within all outlying and culturally diverse Commonwealth Territories.

The beneficiaries will be the residents, APS, defence personnel, service providers, guests and visitors being those who live work and experience the unique contemporary Australian lifestyle that the Jervis Bay Territory has to offer on a daily basis.

Beneficiaries also include both domestic and international tourists who bring with them export dollars into the national economy. These international guests seek a nature based Australian experience within a living, culturally sensitive, socio-ecological system.



Public Submission 2

To JBT Review Team,

I received your summary notes from the public meeting held 3 July 2014 today.

I didn't get a chance to raise my concern about policing in the JBT should this service be delivered by NSW. Firstly, there will be a significant delay in response time as I imagine the local JBT police station would most likely close and services would be delivered from the Huskisson police station, some 15–20+ minutes away. I understand that the Huskisson station is not manned 24 hours a day which also does not meet our needs or those of residents in neighbouring NSW. It struggles to meet current demand. Can you please advise the population that this station currently services?

I hope that the JBT Police station would remain open. It would also be a waste considering the amount of money that went into building it. Was it built with Royal Commission into Aboriginal Deaths in Custody funds?

Booderee National Park is 6,000+ hectares + 403 hectares of Wreck Bay freehold land. We get 450,000+ visitors per year and growing. The park works closely with local law enforcement to help manage the park and visitors and to enforce its Act and Regulations, particularly during peak periods and bushfire season. There is a good relationship between the AFP and JBT residents. They also live locally and have gotten to know the locals, strengthening relationships.

Providing police services from NSW may save the government money but would not result in better service delivery to JBT residents.

Another point I would like to raise is that it was not clear at the last meeting whether re-incorporation into NSW was still on the table. Can you please advise if it is still being considered? I personally do not want to go to NSW.

Further, if JBT were incorporated into NSW I feel that there would be a big land grab. We live in a beautiful part of the world which is prime real estate and any government would sell it off to balance their budget. Before any re-incorporation the outstanding land claim needs to be resolved.

In conclusion, JBT residents want better service delivery. We live in a black hole without representation (Federal Member not too interested) and where we get caught up in bureaucracy and cross-border jurisdictional nonsense. Why can't some services be established between ACT and NSW through MoU's or critical services be delivered by WBACC or be out posted here? Our situation has similarities to Canberra and Queanbeyan and even Jerrabomberra as well as other towns bordering State/Territory boundaries. Both ACT and NSW governments have failed us at times. Governments just need to do better. It is not clear if we are able to trial service delivery by NSW before completely being serviced by them. I don't understand the urgency to move us over to NSW. Perhaps a 2–3 year trial could be considered for certain services.



