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SHIRE OF BROOME

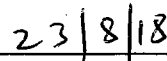
INFORMATION STATEMENT  
2017-2018

*As required under the Freedom of Information Act 1992*

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Sam Mastrolemba  
Chief Executive Officer



Date

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## 1. INTRODUCTION

The Shire of Broome operates in accordance with *Local Government Act 1995*; and is an agency within the meaning of the *Freedom of information Act 1992*.

The Intention of the Freedom of Information (FOI) Act is to:

- Confer upon persons a general right of access to information held by agencies;
- Confer upon individuals a right to apply to an agency for an amendment of personal information to ensure that it is accurate, complete, up to date and not misleading;
- Place an obligation on agencies to make publicly available certain information about their operations.

Section 96(1) of the Act requires that agencies, including local government, prepare and publish an Information Statement that sets out:

- The Agency's Mission Statement.
- Details of the legislation administered.
- Details of the Agency's Organisation Structure.
- Details of decision making functions.
- Opportunities for public participation in the formulation of policy and performance of agency functions.
- Documents held by the agency.
- The operation of Freedom of Information (FOI) in the agency.

This document has been prepared by the Shire of Broome in accordance with the requirement of the FOI Act and is correct as at 30 June 2018.

Copies of this document are available, on request, from the Shire of Broome Administration Office at 27 Weld Street Broome and on the Shire website <http://www.broome.wa.gov.au/>

Enquiries may be made to the office Monday to Friday 8.00am to 4.00pm or by telephone (08) 9191 3456 or e-mail to [shire@broome.wa.gov.au](mailto:shire@broome.wa.gov.au) .

Council is pleased to comply with the legislation and welcomes enquiries.

A review of this Information Statement will take place at least every twelve months.

## 2. VISION AND MISSION STATEMENT

### VISION STATEMENT

"A Sustainable Community that is inclusive, attractive, healthy and pleasant to live in, that uses our land so as to preserve our history and environment, respects the rights and equality of our citizens and manages our future growth wisely."

### MISSION STATEMENT

"We provide a quality range of affordable and sustainable services to our community with a strong commitment to customer focus so that our citizens and visitors enjoy a quality lifestyle"

### CORE VALUES

Communication	Actively consult, engage and communicate with and on behalf of the community.
Integrity	Be honest, equitable and ethical in all our dealings.
Respect	Recognise and respect the individual and unique requirements of all people, cultures and groups.
Innovation	Drive change through leadership and energy.
Transparency	Be open and accountable in all our activities.
Courtesy	Provide courteous service and helpful solutions.

*Our Place*

*Our People*

*Our Prosperity*

### **3. STRUCTURE AND FUNCTIONS**

The Council of the Shire of Broome is the overall decision-making body. The Council employs a Chief Executive Officer (CEO) who is charged with the responsibility of putting into effect the decisions of the Council.

#### **3.1 Chief Executive Officer**

The Office of the CEO is responsible for the overall management of the Shire of Broome at an operational and strategic level. This Directorate includes the following Departments and services:

- People & Culture, including OSH, Recruitment & Training
- Special Project Management

#### **3.2 Director of Corporate Services**

The Corporate Services Directorate includes the following Departments and services:

- Financial Services, including Procurement, Rates and Payroll
- Governance, including Customer Service
- Information Services, including Communication Technology and Records Services

#### **3.3 Director of Development and Community**

The Development and Community Directorate includes the following Departments and services:

- Community & Services Development
- Environment, Health, Emergency & Rangers
- Events & Economic Development
- Library Services
- Planning and Building Services
- Sport and Recreation Management

#### **3.4 Director of Infrastructure Services**

The Infrastructure Services Directorate includes the following Departments and services:

- Engineering
- Parks and Gardens
- Property and Asset Management
- Works & Maintenance
- Waste Management

## 4. ACCESS TO COUNCIL AND COMMITTEE MEETINGS

### 4.1 Council

Ordinary Council meetings are held monthly (approximately every 4 weeks) on Thursdays commencing at 5pm.

Council meetings are open to the public. Meeting dates for Council are advertised annually in the local paper.

From time to time, special meetings of Council are held to deal with urgent or specific issues. Information on these will be made available to the public as soon as practicable.

Agendas for Council meetings are available for perusal on the Friday preceding the meeting from the Customer Service area of the Administration Office, the Shire Library, the Shire Website, and several copies are available at the meetings.

Unconfirmed Minutes of the meetings are available within 10 working days.

### 4.2 Committees

Committee meetings are only open to the public where the Committee has been delegated by Council the specific power to make the decision on an issue. As this is generally not the case, it is recommended you contact Council offices prior to attending a Committee meeting.

Meeting dates for Committees that have delegated authority are advertised annually in the local paper and available for viewing on the Shire Website.

## 5. PUBLIC PARTICIPATION

### 5.1 Community Consultation

The community may be asked to comment (have their say) on a particular issue. The consultation process may take many forms, such as surveys, information sessions or workshops, expressions of interest or forums etc.

### 5.2 Public question time

In accordance with *Local Government (Administration) Regulations 1996* a minimum of 15 minutes is available for public question time at each Ordinary Meeting. During public question time, members of the public and Elected members are given an opportunity to ask up to two questions about any issues concerning the meeting at which it is asked.

Council may, on occasions, move a motion to allow questions of a proponent who is present in the public gallery upon arriving at that item in the agenda.

Prior advice to the Chief Executive Officer that you intend presenting questions during Public Question Time will assist in expediting the process and allowing a quick, accurate response. If an answer is unable to be provide at the meeting, the question will be taken on notice and a response provided to the person raising the question. The responses to questions taken on notice are also included in the next meeting's agenda.

### 5.3 Petitions and written requests

A petition is defined as a formal written request, signed by members of the public, appealing to an authority in respect to a particular cause. The cause or subject of the submission must be something that the Council has the authority to deal with or on which the Council has a decision-making role.

A member of the public can write to the Shire on any Council policy, activity or service of the Council. A response will be provided in accordance with the Shire's Customer Service Charter, which can be found on the Shire Website.

## 6. ACCESS TO COUNCIL STAFF

Council staff are available to advise you and answer your queries in relation to all matters pertaining to Council.

Should you wish to speak with a Director, it is advisable to telephone beforehand to make an appointment as availability is often limited.

Enquiries of a general nature and payments of any kind may be made during normal office hours at the Customer Service Area of the Administration Office.

## 7. ACCESS TO COUNCIL DOCUMENTS

There are two categories of documents held by the Shire of Broome. These can be broadly categorised as those available for inspection or purchase, and those which must be held confidentially because of their content, with public access considered only through the provisions of the FOI Act.

Requests for information of a general nature may be made in writing to the Chief Executive Officer. Requests for information other than the above will be considered in accordance with the Freedom of Information (FOI) Act. Information regarding the FOI process, applicable fees and charges, and applications forms is available from the Shire's website [www.broome.wa.gov.au](http://www.broome.wa.gov.au).

The following documents are available to members of the public, free of charge, at the Council offices; and many are already available on the Shire of Broome Website:

- Adopted annual budgets & Financial reports
- Annual Report
- Audit Committee Agendas & Minutes
- Coastal Park Management Committee Agenda & Minutes
- Customer Service Charter
- Disability Access and Inclusion Plan
- Freedom of Information Process
- Local Laws
- Ordinary Council Meeting Agendas and Minutes
- Planning Approvals made under Delegated Authority
- Planning Strategies and Development Plans
- Policy Manual

- Public Interest Disclosure Process and relevant registers
- Record Keeping Plan (as part of Corporate plan)
- Schedule of Fees and Charges (as part of the Annual Report)
- Strategic and Corporate Plans
- Tender Register
- Town Planning Schemes

## 8. FREEDOM OF INFORMATION PROCEDURES AND ACCESS

The Shire of Broome aims to make information available promptly and at the least possible cost. Documents will be provided outside of the FOI process wherever possible.

If information is not routinely available, the *Freedom of Information Act 1992* provides the right to apply for documents held by the Shire of Broome and to enable the public to ensure that personal information in documents is accurate, complete, up to date and not misleading. Under the provisions of the Act, applications may be made to:

- Gain access to a document
- Amend personal information
- Review a previous FOI decision regarding access to, or amendment of a document

The Act does not apply to information that is:

- Available for purchase or free distribution to the public
- Available for inspection under Part 5 (of the FOI Act) or another enactment
- Available for inspection in State Archives
- Publicly available library material held for reference purposes; or
- Made or acquired by an art gallery, museum or library and preserved for public reference or exhibition purposes
- Personal Information

### 8.1 Freedom of Information Applications

FOI application is to be made to the Shire. As specified in the Act, an application must:

- Be in writing
- Provide sufficient information to enable the requested documents to be identified
- Provide an Australian address for correspondence
- Be accompanied by the prescribed application fee if the document requested is for non-personal information
- Specify the preferred manner in which access is requested, e.g. copy requested

Applications and enquiries shall be addressed to:

Freedom of Information Coordinator  
Shire of Broome



PO Box 44  
BROOME WA 6725

OR by email to the shire@broome.wa.gov.au

Applications will be acknowledged in writing.

## 8.2 Fees and Charges

A scale of fees and charges is set under the FOI Act Regulations. Apart from the application of fees for non-personal information, all charges are discretionary. The charges are as follows:

• Personal information about the applicant	No Fee
• Application Fee (for non-personal information)	\$30.00
• Charge for time dealing with the application (per hour, or pro rata)	\$30.00
• Access time supervised by staff (per hour, or pro rata)	\$30.00
• Photocopying – staff time (per hour, or pro rata)	\$30.00
• Per Photocopy	0.20
• Transcribing from tape, film or computer (per hour, or pro rata)	\$30.00
• Duplicating a tape, film or computer information	Actual Cost
• Delivery, packaging and postage	Actual Cost

## 8.3 Deposits

• Advance deposit may be required of the estimated charges	25%
• Further advance deposit may be required to meet the Charges for dealing with the application	75%

For financially disadvantaged applicants, or those issued with prescribed pensioner concession cards, the charge payable is reduced by 25%.

## 8.4 Access Arrangements

Access to documents can be granted by way of inspection, a copy of a document, a copy of an audio or video tape, a computer disk, a transcript of a recorded, shorthand or encoded document from which words can be reproduced.

## 8.5 Notice of Decision

As soon as possible within 45 days you will be provided with a notice of decision which will include details such as:

- The date which the decision was made.
- The name and the designation of the officer who made the decision.
- The reasons for classifying a document or matter exempt or providing access to an edited document.
- Information on the right to review and the procedure to be followed to exercise those rights.

## 8.6 Refusal of Access

Applicants who are dissatisfied with a decision of the Shire of Broome are entitled to ask for an **internal review** by the Shire of Broome. Application should be made in writing within 30 days of receiving the notice of decision.

You will be notified of the outcome of the review within 15 days.

If you disagree with the result you can then apply to the information Commissioner for an **external review**. Details would be advised to applicants when the internal review decision is issued.

## 9. LEGISLATION ADMINISTERED

- Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth)
- Aboriginal Heritage Act 1972
- Building Act 2011
- Bush Fires Act 1954
- Caravan Parks and Camping Grounds Act 1995
- Cat Act 2011
- Cemeteries Act 1986
- Conservation and Land Management Act 1984
- Contaminated Sites Act 2003
- Control of Vehicles (Off Road Areas) Act 1978
- Dangerous Goods Safety Act 2004
- Dividing Fences Act 1961
- Dog Act 1976
- Electronic Transactions Act 2011
- Emergency Management Act 2005
- Environment Protection and Biodiversity Conservation Act 1999 (Cth)
- Environmental Protection Act 1986
- Equal Opportunity Act 1984
- Food Act 2008
- Freedom of Information (FOI) Act 1992
- Health Act 1911
- Heritage of Western Australia Act 1990
- Interpretation Act 1984
- Land Acquisition and Public Works Act 1902
- Land Administration Act 1997

- Library Board of Western Australia Act 1951 and public Libraries Regulations 1985
- Liquor Control Act 1988
- Litter Act 1979
- Local Government (Miscellaneous Provisions) Act 1960
- Local Government Act 1995
- Main Roads Act 1930
- Native Title (State Provisions) Act 1999
- Occupational Safety and Health Act 1984
- Parks & Reserves Act 1895
- Parliamentary Commissioner Act 1971
- Planning and Development Act 2005
- Police Act 1892
- Public Health Act 2016
- Public Works Act 1902
- Road Traffic Act 1974
- Shire of Broome Town Planning Scheme No. 6
- State Administrative Tribunal Act 2004
- State Records Act 2000
- Strata Titles Act 1985
- Valuation of Land Act 1978
- Water Avoidance & Resource Recovery Act 2007
- Workers Compensation and Injury Management Act 1981