



INFORMATION STATEMENT 2023-2024

As required under the Freedom of Information Act 1992

Sam Mastrolemba

Sam Mastrolemba
Chief Executive Officer

29/8/23

Date

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1. INTRODUCTION

The Shire of Broome operates in accordance with the *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 Vision and 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 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 of 30 June 2023.

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 9.00am to 4.00pm or by telephone (08) 9191 3456 or e-mail to 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, PURPOSE AND VALUES

The Shire of Broome has a Strategic Plan that sets out the vision for the Shire's future and captures the community's aspirations and values. The Plan outlines strategic objectives for each of the four key areas of community interest:

Social:	Our People
Environment:	Our Place
Economic:	Our Prosperity
Civic Leadership:	Our Organisation

VISION

"Broome - a future for everyone."

PURPOSE

" The Shire of Broome exists to provide, facilitate and advocate for services and facilities to improve quality of life for everyone in Broome."

CORE VALUES

P - Proactive - forward thinking, open-minded and innovative.

E - for Everyone - inclusive and welcoming of all people.

A - Accountable - transparent and ethical.

R - Respectful of everyone and everything.

L - Listening to people's needs and ideas; community focused.

S - Sustainable - aiming to meet present needs without compromising the ability for future generations to meet their needs.

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
- Community Engagement and Projects Marketing & Media communications

3.2 Director of Corporate Services

The Corporate Services Directorate includes the following Departments and services:

- Financial Services, including Rates and Payroll
- Governance, including Procurement and Customer Service
- Information Services, including Information Communication Technology and Records Services
- Community Services and Facilities, including Sport, Recreation and Aquatic Centre, the Civic Centre and the Library

3.3 Director of Development Services

The Development Services Directorate includes the following Departments and services:

- Economic Development
- Environment, Health, Emergency & Rangers
- Planning and Building Services

3.4 Director of Infrastructure Services

The Infrastructure Services Directorate includes the following Departments and services:

- Engineering
- Fleet Management/stores
- Parks and Gardens
- Property and Asset Management

Works & Maintenance

- Waste Management

4. SHIRE OF BROOME ELECTED MEMBERS

The Shire of Broome is served by a Shire President and eight other Councillor positions who make decisions in accordance with the Local Government Act 1995. For further information see our website.

[Your Council Shire of Broome](#)

5. ACCESS TO 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 and on the Shire website.

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 on request on the Friday preceding the meeting from the Customer Service area of the Administration Office and on the Shire website.

Unconfirmed Minutes of the meetings are published on the Shire website within 14 days after the date of the meeting.

6. PUBLIC PARTICIPATION

6.1 Community Consultation

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

6.2 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 and Special Meeting. During public question time, each member of the public is entitled to ask up to two questions about any issues before other members of the public will be invited to ask their questions – If time permits more than 2 questions may be asked. At a Special Meeting only questions related to the agenda are permitted.

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 provided 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.

6.3 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.

[Customer Service Charter Shire of Broome](#)

7. ACCESS TO COUNCIL STAFF

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

Enquiries, including payment information, should be made through the following ways:

- Email to shire@broome.wa.gov.au
- In person at the Shire Administration Building at 27 Weld Street, Broome
- By Telephone on 0891913456
- Visit our Shire Website – where many types of payments can now be made online.

8. 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 Freedom of Information (FOI) Act.

Requests for information may be made in writing to the Chief Executive Officer at shire@broome.wa.gov.au or by mail addressed to PO Box 44 Broome WA 6725. Requests for information will be considered in accordance with the FOI Act. Information regarding the FOI process, applicable fees and charges, and applications forms is available from the Shire's website.

<https://www.broome.wa.gov.au/>

Many documents are available to members of the public, free of charge, at the Council offices, and the following are some of those already available on the Shire of Broome website:

- Adopted annual budgets and financial reports.
- Annual Report
- Arts, Culture and Heritage Community Ref Group Terms of Reference
- Asset Management Plan 2022-2025
- Audit Committee Agendas and Minutes (can be found in Council Minutes)
- Broome Cemetery Master Plan 2020
- Broome Liquor Accord Terms of Reference
- Broome Local Commercial Strategy
- Broome Youth Precinct Master Plan Report
- Bush Fire Advisory Committee Terms of Reference
- Cable Beach Development Strategy
- Cable Beach Master Plan
- Coastal Hazard Risk Management and Adaptation Plan

- Community Development Framework 2021-25
- Community Safety Plan 2021-25
- Council Meetings and Minutes
- Council Policies
- Customer Service Charter
- Disability Access and Inclusion Plan 2018-2023
- Economic Development Strategy 2021-2026
- Fees and charges schedule
- Freedom of Information Process
- Information and Communication Technology ICT Strategy 2022
- Local Emergency Management Committee Terms of Reference
- Local Housing Strategy 2009
- Local Laws
- Noise Management Plan
- Ordinary Council Meeting Agendas and Minutes
- Planning Approvals made under Delegated Authority
- Planning Strategies and Development Plans
- Public Interest Disclosure Process and relevant registers
- Record Keeping Plan (as part of Corporate Business plan under Informing Strategies and Plans)
- Regional Waste Management Plan 2018-2023
- Schedule of Fees and Charges
- Shire of Broome Code of Conduct
- Sponsorship Programs
- Sport and Recreation Plan 2021-2031
- Strategic and Corporate Plans
- Tender Register
- Town / Local Planning Schemes.
- Waste Strategy 2021-2031
- Weed Management Strategy
- Yawuru Minyir Buru Conservation Park Joint Management Plan
- Youth Plan 2021-25

9. 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.
- Made or acquired by an art gallery, museum or library and preserved for public reference or exhibition purposes; or
- Personal Information.

9.1 Freedom of Information Applications

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

- Be in writing.
- Provide enough 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 way 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.

9.2 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 A4 | \$0.25 |
| A3 | \$0.50 |
| • 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

For full fees and charges see Shire Website:

[Fees and Charges Shire of Broome](#)

9.3 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%.

9.4 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.

9.5 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.

9.6 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.

All of the above information can be found on the Shire Website at this link:

[Freedom of Information Shire of Broome](#)

10 LEGISLATION

List of legislation, regulations, and local laws affecting the functions of the Shire or administered by the Shire of Broome:

- Aboriginal Heritage Act 1972
- Agriculture & Related Resources Protection Act 1976
- Building Act 2011 and Building regulations 2012
- Bush Fires Act (and Regulations) 1954
- Bush Fires (Infringements) Regulations 1978
- Caravan Parks and Camping Grounds Act 1995 and Regulations 1997
- Cat (Uniform Local Provisions) Regulations 2013
- Cat Act 2011 and Cat Regulations 2012
- Cemeteries Act 1986
- Commercial Tenancy (COVID-19 Response) Act 2020
- Commercial Tenancy (Retail shops) Agreements Act and Regulations 1985
- Conservation and Land Management Act 1984 and Regulations 2002
- Contaminated Sites Act 2003 and Regulations 2006
- Control of Vehicles (Off Road Areas) Act 1978
- Covid-19 Response and Economic Recovery Omnibus Act 2020
- Dangerous Goods Safety Act 2004
- Dividing Fences Act 1961
- Dog Act 1976 and Dog Regulations 2013
- Electronic Transactions Act 2011
- Emergency Management Act 2005 and Regulations 2006
- Environment Protection and Biodiversity Conservation Act 1999 (Cth)
- Environmental Protection Act 1986
- Environmental Protection (Controlled waste) Regulations 2004
- Environmental Protection (Noise) Regulations 1997
- Environmental Protection (Rural Landfill) Regulations 2002
- Equal Opportunity Act 1984 and Regulations 1986
- Food Act 2008 and Regulations 2009
- Freedom of Information (FOI) Act 1992
- Hairdressing establishment Regulations 1972
- Health (Miscellaneous Provisions) Act 1911
- Heritage Act 2018
- Industrial Relations Act 1979
- Interpretation Act 1984
- Jetties Act 1926 and Regulations 1940
- 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 and Liquor Licensing Act 1988
- Litter Act 1979
- Local Government (Administration) Amendment Regulations 2021
- Local Government (Administration) Regulations 1996
- Local Government (Audit) Regulations 1996
- Local Government Act 1995 and Miscellaneous Provisions Act 1960
- 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
- Planning and Development (Local Planning Schemes) Regulations 2015
- Police Act 1892
- Public Health Act 2016
- Public Works Act 1902
- Road Traffic Act 1974
- Sewerage Regulations 1971
- Shire of Broome Town Planning Scheme No. 6
- Soil and Land Conservation Act 1945
- 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

Local Laws
Cemeteries Local Law 2012
Cemeteries Joint standing committee on delegated legislation - undertakings
Parking and Parking facilities Local Laws 2012
Dogs Local Law 2012
Bush Fire Brigades Local Law 2003
Health Local Law 2006
Meeting Procedures Local Law 2020
Parking and Parking Facilities Local Law 2012
Property and Public Places Local Law 2016
Standing Orders Local Law 2003
Trading Outdoor dining and street entertainment Local Law 2016
Shire of Broome Town Planning Scheme No. 6 (this will be superseded by LPS7 which is due to be gazetted by end of September 2023)
Waste Local Law 2021