

# Shire of Cocos (Keeling) Islands



## **INFORMATION STATEMENT** September 2024





This Information Statement is published by the Shire of Cocos (Keeling) Islands in accordance with the requirements of section 96 of the *Freedom of Information Act 1992* (Western Australia).

The Shire of Cocos (Keeling) Islands is pleased to comply with the legislation and welcomes enquiries. A review of this Information Statement will take place at least every twelve months.



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# 1 Structure & Functions of the Council

## 1.1 OVERVIEW

The Shire of Cocos (Keeling) Islands serves as the local government body, similar to other shires in Australia, but with responsibilities uniquely suited to a small, remote island community. Its structure and functions are influenced by geographic isolation, the dual cultural composition of Cocos Malays and expatriate Australians, and the specific requirements of managing an Australian external territory. The Shire provides essential services, oversees daily operations, manages infrastructure, fosters community development, protects the environment, and engages in strategic planning. These functions are vital to supporting a diverse community while preserving the islands' unique environment and cultural heritage.

Its objectives are to:

- Providing essential services like waste management and road maintenance.
- Supporting community well-being through social and cultural programs.
- Protecting the environment with sustainable practices.
- Encouraging economic growth by supporting local businesses and tourism.
- Ensuring good governance with transparent decision-making.
- Planning for future infrastructure and environmental needs.
- Preparing for emergencies to protect the community.
- Preserving and celebrating the islands' unique cultural heritage.

## 1.2 COUNCIL

The Shire of Cocos (Keeling) Islands Council consists of seven (7) Councillors including the Shire President. Councillors are elected in accordance with the requirements of the *Local Government Act 1995 (WA)(CKI)*.

The President of the Council is elected by the Councillors at the first meeting following the biennial elections. Extraordinary elections are held to fill any vacancies which may have occurred during the year.

Council is the decision-making body of all policy matters.

Ordinary meetings of Council are held on the fourth Wednesday of every month and commence at 4.00pm. Members of the public are welcome to attend as observers in the Gallery.

The main business of these meetings is to consider and make decisions/resolutions on the recommendations on all matters presented to Council.

## 1.3 AGENDAS AND MINUTES

Agendas and Minutes of Council Meetings are available for inspection in the Administration Office during normal office hours, as well as being available on the Shire's website at [WWW.COCOS.CC](http://WWW.COCOS.CC)

## 1.4 DELEGATIONS

The Chief Executive Officer has the delegated authority from Council to make decisions on a number of specified administrative and policy matters. These delegations are listed in Council's Policy Manual and are reviewed by Council as required but at least annually.

In keeping with the legislative requirement:

- To determine policies to be applied by the Council in exercising its discretionary powers;
- To determine the type, range and scope of projects to be undertaken by the Council; and



- To develop comprehensive management plans, budgets, financial controls and performance objectives and indicators for the operations of the Council.

The Council makes decisions which direct and/or determine its activities and functions. Such decisions include the approval of works and services to be undertaken and the allocation of resources to works and services.

Decisions are also made to determine whether or not approvals are to be granted for applications from residents for various forms of development.

## 2 Services for the Community

Council makes decisions on policy issues relating to services that are provided for members of the public.

These services currently include:

Roads//Public Spaces	Community facilities
Tree Planting	Litter Bins
Public Library	Public Toilets
Playground Equipment	Planning Controls
Citizenship Ceremonies	Environmental Health Matters
Recreation/Sporting Facilities	Building Control
Pest Control	Waste Management
Occupational Health & Safety	Animal Licensing/Control
Weed Control and Eradication	Town Planning



## 3 Public Participation

### 3.1 COUNCIL MEETINGS

Members of the public have a number of opportunities to put forward their views on particular issues before Council.

These are:

1. Deputations - with the permission of the Shire President, a member of the public can address Council personally or on behalf of a group of residents for a period of time determined by Council on any issue relevant to Council.
2. Presentations to Council - with prior notification, approval and arrangement with Council, a member of the public can address Council on any issue relevant to Council.
3. Petitions - written petition may be addressed to the Council on any issue within Council's jurisdiction.
4. Written Requests - a member of the public may write to the Council on any Council policy, activity or service.
5. Elected Members - members of the Public can contact their Elected Members of Council to discuss any issue relevant to Council.
6. Public Question Time - a period of fifteen minutes is set aside in Ordinary Council Meetings during which, members of the public may ask questions of Council without prior notice.

### 3.2 COMMUNITY CONSULTATION

The Council consults with local residents on particular issues that affect their neighbourhood as per the following examples:

1. Residents are notified of some Development Applications requiring the approval of Council. A number of applications are exempted from public notifications by the *Planning and Development Act 2005*. When an application is publicly notified, residents have the opportunity both to write to Council expressing their view of the application and to personally address the Council before a decision is made.
2. Electors are invited to attend the Annual General Meeting of Electors to discuss any specific issues over a large range of topics. All residents may attend but only electors on the Residents Roll or Owners and Occupiers Electoral Roll are eligible to vote.



## 4 Access to Council Documents

### 4.1 DOCUMENTS AVAILABLE FOR INSPECTION

The following documents are available for public inspection at the Shire Office, free of charge.

Council Minutes	Free of charge
Policy Manual	Free of charge
Council Municipal Budget	Free of charge
Annual Report and Financial Statements	Free of charge
Council By-Laws	Free of charge
Shire of Cocos Town Planning Scheme	Free of charge
Shire of Cocos Town Planning Policies	Free of charge
Town Planning Maps	Free of charge

## 5 Other Information Requests

There are no fees or charges associated with Freedom of Information applications for personal information about the applicant. **Fees and charges only apply for non-personal information.**

Requests for other information (not shown in Section 4) which is for non-personal information will be considered in accordance with the *Freedom of Information Act 1992*. Under this legislation if non personal information is requested then an application fee of \$30.00 is payable. The **application must be made in writing**. To assist with this process an **'Application for Access to Documents form'** is available at the end of this document.

When applying please be sure to identify, describe or outline the documents you are seeking access to. Your request ideally should provide sufficient information to enable Shire staff to easily identify and locate all relevant documents(s).

When writing your request be specific about which document(s) you are seeking and include as much information as possible. Think about:

- What the document(s) relate to, e.g. a complaint you made or a particular project;
- The date range in which the document(s) may have been created;
- Where the document(s) might be located, e.g. in a particular email account, with a specific person or held by a business or work unit; and
- The type of document(s) you are seeking, e.g. an email, report, etc.

Applications in writing must:

1. Include enough information so that the requested documents can be identified;
2. Give an address in Australia where notices can be sent; and
3. Be lodged at an office of the Shire of Cocos (Keeling) Islands with the \$30.00 application fee payable.





It should be noted that some documents are for viewing only and documents cannot be copied which would breach the *Copyright Act 1968*.

Freedom of Information Application for Access to Documents forms or letters of request should be addressed to:

The Freedom of Information Officer  
Shire of Cocos (Keeling) Islands  
PO Box 1094, Home Island  
Cocos (Keeling) Islands  
INDIAN OCEAN 6799

## 6 Amendment of Personal Information

The *Freedom of Information Act 1992* provides a right for persons to apply for the amendment of personal information which is inaccurate, incomplete, out of date or misleading. The information must be the personal information about the applicant.

An application for personal information must:

- Be in writing
- Give enough information to identify the documents
- Give reasons/details of amendment
- Give an address in Australia
- Be lodged at the Shire of Cocos (Keeling) Islands.





## 7 Fees and Charges

Application fees and charges as well as advance deposits prescribed are outlined in the Schedule below.

The charge payable under Regulation 5 is reduced by 25% for holders of a currently valid Pensioner Concession Card issued on behalf of the Commonwealth to that person or any other card which may be prescribed as being a Pensioner Concession Card under the *Rates and Charges (Rebates and Deferments) Act 1992*.

Schedule	Regulation 4, 5 & 6
<b>1. Fee Type</b>	
Personal information about the application	No fee
Application fee under Section 12 (1)(e) of the Act	\$30.00
<b>2. Type of Charge</b>	
(a) Charge of time taken by staff dealing with the application (per hour or pro-rata for part of an hour)	\$30.00
(b) Charge for access time supervised by staff (per hour or pro-rata for part of an hour)	\$30.00
Plus any additional cost to the Shire of Cocos for any special arrangements (eg, hire of facilities or equipment).	Actual cost
(c) Charge for photocopying	
(i) per hour or pro-rata for part of an hour of staff time, and	\$30.00
(ii) per copy	0.20c
(d) Charge for transcribing a tape, film or computer information (per hour or pro-rata)	\$30.00
(e) Charge for duplicating a tape, film or computer information	Actual cost
(f) Charge for delivery, packaging and/or postage	Actual cost
<b>3. Advance Deposits:</b>	
(a) Advance deposit which may be required by the Shire of Cocos (Keeling) Islands under Section 19 (1) of the Act expressed as a percentage of the estimated charges payable in excess of the application fee	25%
(b) Further advance deposit which may be required by the Shire of Cocos (Keeling) Islands under Section 18 (4) of the Act expressed as a percentage of the estimated charges payable in excess of the application fee.	75%



## 8 Important Information

### 8.1 FOI APPLICATIONS

The following should be noted when submitting a Freedom of Information application:

- Your application should provide sufficient information to enable the correct document(s) to be identified.
- The Shire of Cocos may request proof of your identity.
- If you are seeking access to a document(s) on behalf of another person, written authorisation is required.
- Your application will be dealt with as soon as practicable (and, in any case, within 45 days) after it is received.
- Further information can be obtained from the Office of the Information Commissioner. The *Freedom of Information Act 1992* is available to view online via the [State Law Publisher website](#). Hard copies of the Act can also be purchased via the website.

### 8.2 FORMS OF ACCESS

You can request access to documents 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 document or of words recorded in shorthand or encoded form, or a written document in the case of a document from which words can be reproduced in written form.

Please note that where access to documents by way of inspection is requested, it is the condition of the Shire of Cocos (Keeling) Islands in to provide supervision by staff. In this regard, please refer to the Fees and Charges Schedule 2(b).

Where the Shire (Keeling) Islands of Cocos is unable to grant access in the form requested, access may be given in different form.

### 8.3 LODGEMENT OF APPLICATIONS

Applications may be lodged:

By post, addressed to: Freedom of Information Officer  
Shire of Cocos (Keeling) Islands  
PO Box 1094, Home Island  
Cocos (Keeling) Islands, INDIAN OCEAN 6799

**OR**

In person at: Shire of Cocos (Keeling) Islands  
Administration Office  
Lot 256 Jalan Melati, Home Island  
Cocos (Keeling) Islands, INDIAN OCEAN 6799



## 9 Notice of Decision

Once the Shire has received a valid application we are required to provide a Notice of Decision within 45 days. The Notice of Decision will include the following:

- The date on which the decision was made;
- The name and the designation of the officer who made the decision;
- If a document is classified 'exempt' or 'edited' then the reason for classifying that document 'exempt' or 'edited' is supplied; and
- Information on the right to review and the procedures to be followed to exercise those rights.

### 9.1 REFUSAL OF ACCESS

Applicants who are dissatisfied with a decision of the agency are entitled to ask for an internal review by the agency. 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 fifteen (15) days.

If you disagree with the result you can then apply to the Information Commissioner for an external review, and details would be advised to applicants when the internal review decision is issued.



# Records – Freedom of Information APPLICATION FOR ACCESS TO DOCUMENTS

<b>Surname</b>		<b>Given Names</b>	
<b>Email Address</b>			
<b>Postal Address</b>			
<b>Postcode</b>		<b>Phone/Mobile</b>	

If the application is **on behalf** of an organisation or business then please provide the name of organisation/business here:

## Details of Request

For the following please tick the box which applies:  **Personal Documents**  **Non-personal documents**

I am applying for access to these document(s) which concern:

  


In terms of accessing these documents, please tick the applicable method you prefer/require as follows:

**In person Inspection**  **Yes**  **No** | **Electronic copy**  **Yes**  **No** | **Hardcopy**  **Yes**  **No**

If you would require a different form of access, please specify as follows:

## Payment & Signature

I understand that for non-personal documents, fees and charges will apply. **Attached** is a cheque/cash to the amount of **\$30.00** to cover the **application fee**. I understand that before I obtain access to any documents, I may be required to pay processing charges in respect of this application and that I will be supplied with a statement of charges if appropriate.

*In certain cases a reduction in fees and charges may be applied – refer to 'Notes' overleaf. If you believe you are entitled to a reduction then please submit a request with copies of documents which address the criteria on the back of this form and support your application for a fee reduction.*

**I would like to request a reduction in fees and charges**  **Yes**  **No**

<b>Applicant's Signature</b>		<b>Date</b>	
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## Office Use Only

<b>FOI Ref No.</b>		<b>Received on</b>	
<b>Deadline for Response</b>		<b>Acknowledgement sent</b>	

### Proof of Identity

*(if applicable)*

<b>Type</b>		<b>Sighted</b>	
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## Application Form Notes

When applying please be sure to identify, describe or outline the documents you are seeking access to. Your request ideally should provide sufficient information to enable Shire staff to easily identify and locate all relevant documents(s).

When writing your request be specific about which document(s) you are seeking and include as much information as possible. Think about:

- What the document(s) relate to, e.g. a complaint you made or a particular project;
- The date range in which the document(s) may have been created;
- Where the document(s) might be located, e.g. in a particular email account, with a specific person or held by a business or work unit; and
- The type of document(s) you are seeking, e.g. an email, report, CCTV footage, etc.

Applications in writing must:

1. Include enough information so that the requested documents can be identified;
2. Give an address in Australia where notices can be sent; and
3. Be lodged at an office of the Shire of Gingin with the \$30.00 application fee payable.

It should be noted that some documents are for viewing only and documents cannot be copied which would breach the *Copyright Act 1968*.

For more information please refer to the following sections in the **Information Statement** (the 'document') which can be viewed on the Shire of Cocos (Keeling) Island's website ([www.cocos.cc/freedom-of-information](http://www.cocos.cc/freedom-of-information)) or on previous pages of this document if you are viewing the form within the document.

### FOI APPLICATIONS

Refer to page 9 of the document.

### FEES AND CHARGES

Refer to page 8 of the document.

### FORMS OF ACCESS

Refer to page 9 of the document.

### LODGEMENT OF APPLICATIONS

Applications may be lodged:

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Administration Office Lot 256  
Jalan Melati, Home Island  
Cocos (Keeling) Islands, INDIAN OCEAN 6799