

Shire of Christmas Island

Information Statement 2026/2027



Flying Fish Cove, Christmas Island

This information statement is published by the Shire of Christmas Island accordance with the requirements of the Freedom of Information Act 1992. An updated information statement will be published at least every twelve months. It is intended that the statement be included as part of the Annual Report and received each year as part of the Annual Electors meeting. This document is populated to satisfy the required under s.94 of the Freedom of Information Act 1994 (WA)(CI).

1. Vision and Mission

Vision – *Our Island, Our Responsibility*

The Shire of Christmas Island is the municipal government of the external territory of Christmas Island. It seeks to provide community leadership through its elected members and keeps faith with the community on the delivery of municipal services through the 10 Year Strategic Community Plan ‘*Our Island, Our Responsibility – 2023-2034*’ developed in consultation with the people of Christmas Island and its many stakeholders.

Mission

To achieve the vision, the Shire champions the six themes in its 10 Year Strategic Community Plan –

*Planning
Community Development
Economy and Employment
Infrastructure
Governance
Natural Environment and Climate Change*

2. Details of legislation administered

As a local government under the Local Government Act (1995)(WA)(CI) operating through the Commonwealth’s [Territories Law Reform Act \(1992\)\(Cth\)](#), the Shire of Christmas Island has the ordinary suite of administrative responsibilities of a local government in WA.

The Shire of Christmas Island’s functions, financial management, day to day operations and the conduct of its officers and elected members are therefore subject to the same range of legislation.

The primary legislation that the Shire of Christmas Island utilises daily is the [Local Government Act \(1995\)\(WA\)\(CI\)](#) and its Regulations.

- [Caravan Parks and Camping Grounds Act 1995](#)
- [Caravan Parks and Camping Grounds Regulations 1997](#)
- [Cat Act 2011](#)
- [Cat Regulations 2012](#)
- [Cemeteries Act 1986](#)
- [Control of Vehicles \(Off-road Areas\) Act 1978](#)
- [Dog Act 1976](#)
- [Dog Amendment \(Stop Puppy Farming\) Act 2021](#)
- [Dog Regulations 2013](#)
- [Local Government \(Administration\) Regulations 1996](#)
- [Local Government \(Financial Management\) Regulations 1996](#)
- [Local Government \(Miscellaneous Provisions\) Act 1960](#)
- [Local Government \(Rules of Conduct\) Regulations 2007](#)
- [Local Government Act 1995](#)
- [Local Government Grants Act 1978](#)
- [Local Government \(Model Code of Conduct\) Regulations 2021](#)
- [Local Government \(Audit\) Regulations](#)
- [Local Government Legislation Amendment Act 2019](#)
- [Local Government Regulations Amendment Regulations 2023](#)
- [Local Government Amendment Act 2023](#)

Below the overview of WA legislation that applies to local government in WA. The only caveat is that the Commonwealth from time to time excludes various WA legislative instruments from applying to the Indian Ocean Territories of Christmas Island and the Cocos (Keeling) Islands. These are documented with the Federal Register of Legislation at <https://www.legislation.gov.au/C1958A00041/latest/versions>

The latest version is the [Territories Legislation Amendment Act 2020](#)

Please see Appendix 1 for a list of Western Australian Legislation which local government and its officers are required to enforce and/or adhere to.

3.2 Local Laws

The Shire of Christmas Island also has a suite of local municipal laws. These are viewable at www.shire.gov.cx and are listed below –

- *SOCI Animals, Environment and Nuisance Local Law 2018*
- *SOCI Cats Local Law 2018*
- *SOCI Dogs Local Law 2018*
- *SOCI Health Local Law 2018*
- *SOCI Waste Local Law 2018*
- *SOCI Parking and Parking Facilities Local Law 2018*
- *SOCI Plastic Bag Reduction Local Law 2018*

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- *SOCI Repeal Local Law 2018*
- *SOCI Standing Orders Local Law 2019*
- *SOCI Cemeteries Local Law 2013*

4. Agency Structures and Functions – s.94(a) FOIA Act 1994 (WA)(CI)

The Shire of Christmas Island comprises of nine elected members. These Councillors provide the strategic direction for the CEO, officers and staff to operationally execute. The Councillors also create the local laws for the municipality (see above section 3).

The Shire has various Committees created through Sections 5.8, 5.9 and 5.10 of the Local Government Act (1995)(WA)(CI). This includes the Audit Committee, which comprises of the full Council membership.

Community Consultative Committee
Community Welfare Fund Management Committee
Audit, Risk and Innovation Committee
Transport, Land and Communications Committee
Seniors Citizens Centre Advisory Committee
Fisheries Management Committee.

Each of the Committees has a Terms of Reference reviewed and adopted each two years as committee membership spills following every council election. These are viewable through contacting the officer in charge of secretarial support for the committees the Director of Policy during office hours.

The Shire comprises of four operational sections, each headed by a Director. The Directors are managed by the Chief Executive Officer.

Director for Works and Services

Works and Services Teams
Waste Management Team
Planning, Building and Health Team

Director for Community Services,
Recreation and Training

Community Services Team

Director for Corporate Services and Finance

Finance and Administration Team

Director for Planning, Governance and Policy

Reports to CEO

CEO

All Directors report to CEO
Fisheries Management Officer

Each portfolio director is responsible for executing their annual work plans through the annual budget adopted by Council.

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5.1 Details of functions, including decision-making functions, affecting the public **- s.94(b) FOI Act 1994**

5.1.1 Council Meetings

Public participation in the affairs of local government is set out in the Local Government Act (1995)(WA)(CI) and members of the public are encouraged to attend Council meetings as this is where major decisions affecting the Council's affairs are made. The dates of Council meetings are advertised on the Council's website www.shire.gov.cx and published in *The Islander*.

5.1.2 Ordinary Council Meeting

Ordinary Council meetings are generally held on the fourth Tuesday of each month from February to December inclusive. Ordinary Council meetings are guided by the Local Government Act (1995)(WA)(CI) and the Council's Standing Orders Local Law 2018. In most instances the public may remain in attendance for the duration of an Ordinary Council meeting unless an Item is one to which section 5.23(2) of the Local Government Act (1995)(WA)(CI) may apply.

5.1.3 Special Council Meetings

The Council may hold a Special Council Meeting to consider items that require a Council decision before the scheduled Ordinary Council Meeting. Special Council Meetings are advertised in accordance with the Local Government Act 1995(1995)(WA)(CI).

5.2 Public Participation – s.94(c) FOI Act 1994

5.2.1 Electors' General Meeting

Each year, the Council holds an Electors' General Meeting to receive the Council's Annual Report, Financial Statements and the Auditor's Report.

5.2.2 Electors' Special Meeting

The Local Government Act 1995 and Local Government (Administration) Regulations 1996 provides that 100 electors of the district, or five per cent of the total number of electors of the district, can request Council to hold a special meeting on specific matters to be discussed.

5.2.3 Public Question Time

In accordance with the Local Government (Administration) Regulations 1996, at each Council meeting, a minimum of fifteen minutes is available for Public Question Time. During Public Question Time, members of the public are given the opportunity to ask questions

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about the ordinary business of the Shire of Christmas Island, the function of Council or the purpose of the Special Council Meeting as appropriate.

Any responses that cannot be provided at the meeting will be taken on notice and may be reported on in the next Ordinary Council Meeting.

All committees that have delegated authority shall have committee members open to the public as required under 5.23(1) of the *Local Government Act 1995 (WA)(CI)*.

6.0 Documents available for inspection under Local Government Act 1995 - s.94(d)(e) FOI Act 1994

Section 5.94(d) of the Local Government Act (WA)(CI)(1995) sets out the documents that are available for inspection at any local government office. The Council will make these documents available for inspection unless there is a limitation on their release arising out of section 5.95 of the Act which sets out some of these limitations generally relating to confidentiality. Please contact the Director of Policy during office hours at George Fam for access to a document listed below.

Documents generally available for inspection:

- any code of conduct;
- any register of complaints referred to in section 5.121;
- any register of financial interests;
- any register of gifts;
- any annual report;
- any annual budget;
- any list of fees and charges imposed under section 6.16;
- any plan for the future of the district made in accordance with section 5.56;
- any proposed local law of which the local government has given local public notice under Section 3.12(3);
- any local law made by the local government in accordance with section 3.12;
- any regulations made by the Governor under section 9.60 that operate as if they were local laws of the local government;

- any text that –

o is adopted (whether directly or indirectly) by a local law of the local government or by a regulation that is to operate as if it were a local law of the local government; or

o would be adopted by a proposed local law of which the local government has given local public notice under section 3.12(3);

- any subsidiary legislation made or adopted by the local government under any written law other than the Local Government Act 1995;

- any written law having a provision in respect of which the local government has a power or duty to enforce;

- any rate record;

- any confirmed minutes of council or committee meetings;

- any minutes of electors' meetings;

- any notice papers and agenda relating to any council or committee meeting and reports and other documents that have been –

- tabled at a council or committee meeting;
- produced by the local government or a committee for presentation at a council or committee meeting and which have been presented at the meeting;

- any report of a review of a local law prepared under section 3.16(3);

- any business plan prepared under section 3.59;

- any register of owners and occupiers under section 4.32(6) and electoral rolls;

- a report on a supplementary audit prepared under section 7.12AH(1);

- such other information relating to the local government –

- required by a provision of the Act to be available for public inspection; or

- as may be prescribed

Some of the above are available in hard copy for a fee as gazetted in the annual fees and charges. Otherwise copies will be provided for free electronically or without charge for minor volumes of printing. Some of this information is available at the George Fam Public Library open from noon to 4pm on weekdays.

7.0 How to access information?

- s.94(e)(f) FOI Act 1994 (WA)(CI)

Prior to making an FOI application to the FOI officer at Shire, the public is encouraged to check and ascertain if the information is readily available on the Shire website or publicly viewable at the George Fam Centre during office hours.

FOI applications must be in writing with the FOI request providing sufficient information to identify the requested documents and have an address to where notices can be sent electronically as a first option, and mail the second.

Post:

Director of Planning, Governance and Policy
Shire of Christmas Island
PO Box 863, Christmas Island WA 6798

Email:

Attn: Director of Planning, Governance and Policy
admin@shire.gov.cx

In person:

Director of Planning, Governance and Policy
Shire of Christmas Island
2 Murray Road, Christmas Island WA 6798

The gazetted fees for photocopying and other duplications, will be charged. In addition all postage costs will be billed. If significant resources are needed to progress with the FOI application, the Shire will contact the applicant to inform them of the hourly rate for the FOI officer as per gazetted to assist in their request. This may be for items like transcribing from tape, film or computer information and extended archival work.

7.1 Amendment of personal information

Under the FOI Act, a person can apply to the Shire for amendment of personal information if the person applying believes that the information is inaccurate, incomplete, out-of-date or misleading. An application must be lodged in writing, providing details, identification and, if necessary, documentation to support claims to amend personal information. There is no application fee or charge associated with an application for personal information about the applicant, or the amendment of personal records.

7.2 Notice of Decision

A Notice of Decision will be issued by the Shire as soon as possible, within the statutory 45 days of receipt of a valid application. The Notice of Decision will include details such as:

- the date the decision was made;
- the name and the designation of the officer who made the decision;
- the reasons for claiming the document is exempt if access is refused; and

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- information on the rights of review and the procedures to be followed to exercise those rights.

Refusal of access

While the FOI Act provides a general right of access to documents, it is subject to some limitations. Schedule 1 of the FOI Act recognises that some documents require a level of protection and are exempt. The most commonly claimed exemptions are:

- Personal Information (Information that would reveal personal information about an individual (i.e. name, contact details).
- Business and Commercial Information (Information that would reveal trade secrets, information that has a commercial value or reveal the financial affairs of a person).
- Deliberative Process (Information that would reveal a decision made during a deliberative process closed to the public).
- Legal Professional Privilege (Information that would reveal legal advice).
- Confidential Communications (Information that would reveal details of a confidential nature obtained in confidence and could be expected to prejudice the future supply of information).

Further information regarding the exemptions that apply to documents, can be found at the [Office of the Information Commissioner's website](#).

Internal review

Applicants who are dissatisfied with the Shires decision are entitled to request an internal review. The internal review application should be made in writing within 30 calendar days after being provided with the Shires Notice of Decision. The outcome of the review will be provided to the applicant within 15 calendar days.

External review

The applicant can apply to the Information Commissioner for an external review in the event that the applicant disagrees with the result of the internal review. The external review application should be made within 60 calendar days after being provided with the Shire's written Notice of the Internal Review Decision.

Applications requesting external review as a third party or following an application for amendment of personal information must be lodged within 30 calendar days after being provided with the written Notice of the Internal Review Decision.

Appeals to the Supreme Court

The Information Commissioner's decisions are final and binding on the Shire, subject to an appeal to the Supreme Court of a question of law arising out of the Commissioner's decision.

The timeframe and process for lodging an appeal is governed by the Rules of the Supreme Court 1971. An appeal must be lodged within 21 days after the date of the Commissioner's decision. The procedures relating to appeals to the Supreme Court are established by the court. Further information on lodging an appeal can be obtained by contacting the Supreme Court.

Further information Further information on FOI can be found on the Office of the Information Commissioner's website www.oic.wa.gov.au or by contacting the office:

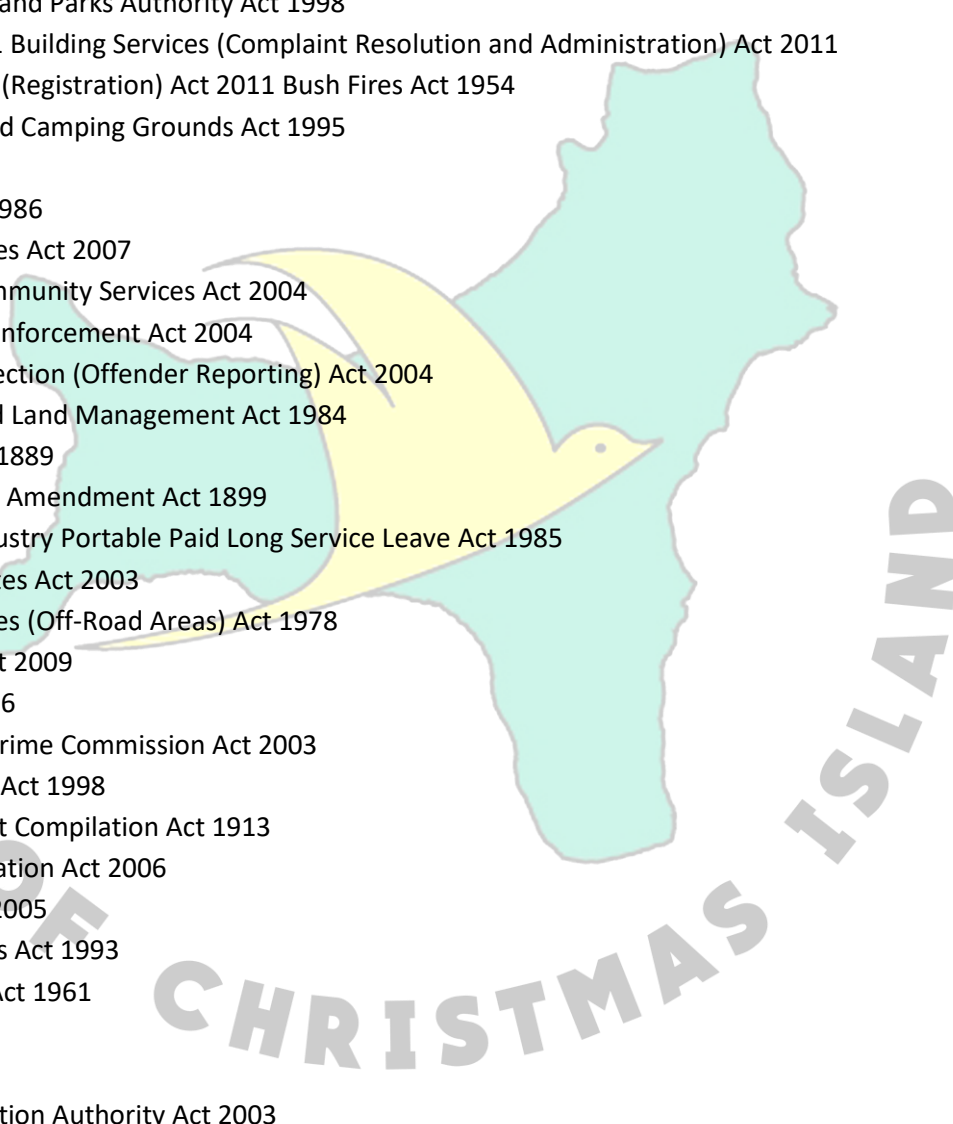
Office of the Information Commissioner
Albert Facey House
469 Wellington Street
Perth WA 6000 Tel: (08) 6551 7888 Email: info@oic.wa.gov.au



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Appendix

Item 1 – WA legislation which Local Governments have an administrative or regulatory role.

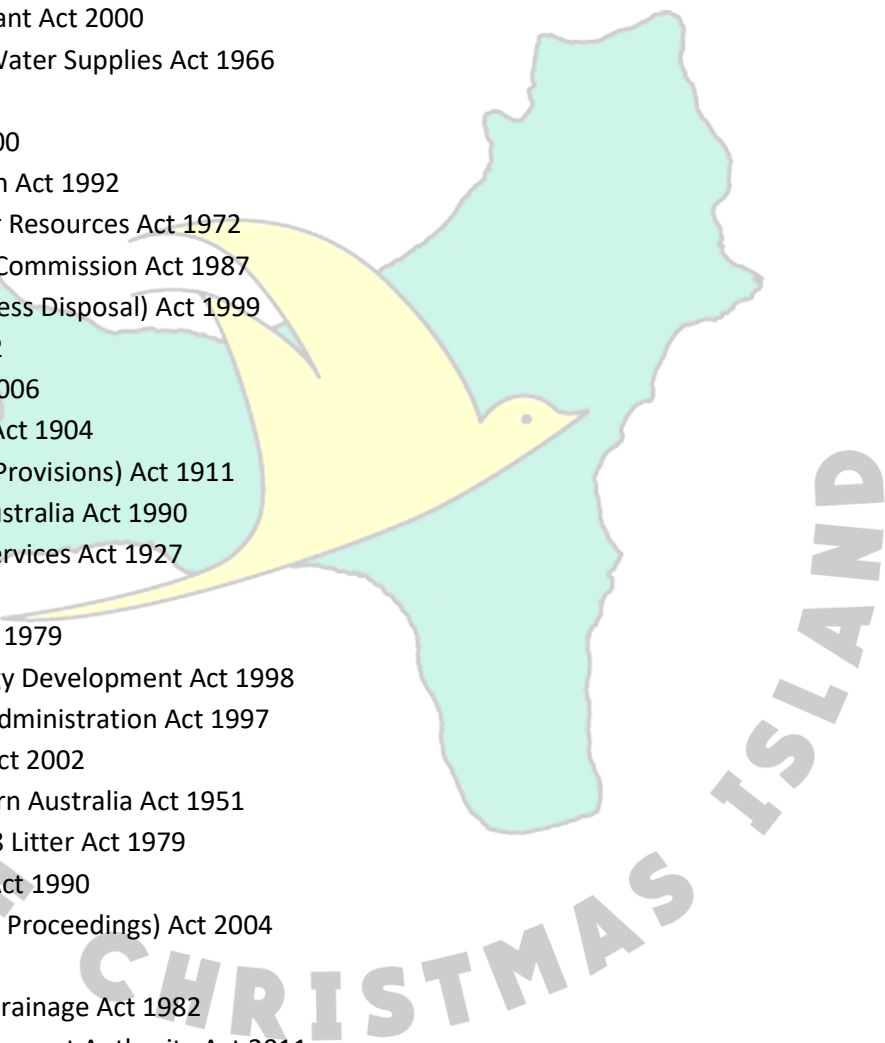


Agriculture and Related Resources Protection Act 1976
Animal Welfare Act 2002
Art Gallery Act 1959
Bail Act 1982
Biosecurity and Agriculture Management Act 2007
Botanic Gardens and Parks Authority Act 1998
Building Act 2011 Building Services (Complaint Resolution and Administration) Act 2011
Building Services (Registration) Act 2011 Bush Fires Act 1954
Caravan Parks and Camping Grounds Act 1995
Cat Act 2011
Cemeteries Act 1986
Child Care Services Act 2007
Children and Community Services Act 2004
Civil Judgments Enforcement Act 2004
Community Protection (Offender Reporting) Act 2004
Conservation and Land Management Act 1984
Constitution Act 1889
Constitution Acts Amendment Act 1899
Construction Industry Portable Paid Long Service Leave Act 1985
Contaminated Sites Act 2003
Control of Vehicles (Off-Road Areas) Act 1978
Co-operatives Act 2009
Coroners Act 1996
Corruption and Crime Commission Act 2003
Country Housing Act 1998
Criminal Code Act Compilation Act 1913
Criminal Investigation Act 2006
Defamation Act 2005
Disability Services Act 1993
Dividing Fences Act 1961
Dog Act 1976
Duties Act 2008
Economic Regulation Authority Act 2003
Electoral Act 1907
Electricity Act 1945
Electricity Corporations Act 2005
Electricity Industry Act 2004
Emergency Management Act 2005
Energy Coordination Act 1994

Energy Operators (Powers) Act 1979
Environmental Protection Act 1986

Equal Opportunity Act 1984
Evidence Act 1906
Exotic Diseases of Animals Act 1993
Fair Trading Act 1987
Fines, Penalties And Infringement Notices Enforcement Act 1994
Fire and Emergency Services Act 1998
Fire Brigades Act 1942
First Home Owner's Grant Act 2000
Fluoridation of Public Water Supplies Act 1966
Food Act 2008
Forest Products Act 2000
Freedom of Information Act 1992
Fuel, Energy and Power Resources Act 1972
Gaming and Wagering Commission Act 1987
Gas Corporation (Business Disposal) Act 1999
Gas Standards Act 1972
Gene Technology Act 2006
Government Railways Act 1904
Health (Miscellaneous Provisions) Act 1911
Heritage of Western Australia Act 1990
Hospitals and Health Services Act 1927
Housing Act 1980
Industrial Relations Act 1979
Industry and Technology Development Act 1998
Jetties Act 1926 Land Administration Act 1997
Land Tax Assessment Act 2002
Library Board of Western Australia Act 1951
Liquor Control Act 1988 Litter Act 1979
Lotteries Commission Act 1990
Magistrates Court (Civil Proceedings) Act 2004
Main Roads Act 1930
Metropolitan Arterial Drainage Act 1982
Metropolitan Redevelopment Authority Act 2011
Motor Vehicle (Third Party Insurance) Act 1943
Motor Vehicle Drivers Instructors Act 1963
Museum Act 1969
National Environment Protection Council (Western Australia) Act 1966
National Trust of Australia (WA) Act 1964
Occupational Safety and Health Act 1984
Official Prosecutions (Accused's Costs) Act 1973
Parliamentary Commissioner Act 1971

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Personal Property Securities (Commonwealth Laws) Act 2011

Planning and Development Act 2005

Presbyterian Church Act 1908

Professional Standards Act 1997

Property Law Act 1969

Public Interest Disclosure Act 2003

Public Health Act 2016

Public Works Act 1902

Public Sector Management Act 1994

Rates and Charges (Rebates and Deferments) Act 1992

Rail Freight System Act 2000

Residential Tenancies Act 1987

Regional Development Commissions Act 1993

Rights in Water and Irrigation Act 1914 Retail Trading Hours Act 1987

Royal Agricultural Society Act Amendment Act 1929

Road Safety Council Act 2002

Sale of Land Act 1970

Salaries and Allowances Act 1975

Stamp Act 1921

Soil and Land Conservation Act 1945

State Records Act 2000

Standard Surveys Marks Act 1924

Strata Titles Act 1985

Statistics Act 1907

Taxation Administration Act 2003

Swan and Canning Rivers Management Act 2006

Transfer of Land Act 1893 Tobacco Products Control Act 2006

Unclaimed Money Act 1990

Transport Co-ordination Act 1966

Volunteers and Food and Other Donors (Protection from Liability) Act 2002

Valuation of Land Act 1978

Waste Avoidance and Resource Recovery Act 2007

Water Corporations Act 1995 Water Services Act 2012

Waterways Conservation Act 1976 Western Australian Land Authority Act 1992

Western Australian Photo Card Act 2014

Western Australian Treasury Corporation Act 1986

Wildlife Conservation Act 1950 Workers' Compensation and Injury Management Act 1981

Zoological Parks Authority Act 2001

NB – Some of the above Acts may not apply to the Indian Ocean Territories of Christmas Island and the Cocos (Keeling) Islands through exemptions nominated by the Commonwealth of Australia from time to time. To confirm the applicability of a state Act of WA applying to the territory, refer to the latest schedule of laws on the Federal Register of Legislation for the Indian Ocean Territories.

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