



SHIRE OF GOOMALLING

Freedom of Information Statement

1.0 INDEX

ITEM NUMBER		PAGE NO
2.0	MISSION STATEMENT	2
3.0	DETAILS OF LEGISLATION ADMINISTERED	2
4.0	COUNCIL STRUCTURE	2
	4.1 Council Structure	2
	4.2 Wards	2
	4.3 Committees	3
5.0	DECISION MAKING FUNCTIONS	3
	5.1 Procedure for Making Local Laws	3
6.0	PUBLIC PARTICIPATION IN THE FORMULATION OF POLICY AND PERFORMANCE OF COUNCIL FUNCTIONS	4
	6.1 Committees or bodies which involve public representation	4
	6.2 Committees that don't involve direct public representation but may open to the public	4
	6.3 Participation in committees	5
7.0	DOCUMENTS HELD	5
	7.1 Available for inspection	5
	7.2 Available – for which fee may be charged	6
	7.3 Available under Freedom of Information Act	6
	7.4 Limits on right to inspect	6
	7.5 Format in which information is held	7
8.0	OPERATION OF FREEDOM ON INFORMATION IN THE SHIRE GOOMALLING	7
	8.1 How and to whom initial enquiries should be made	7
	8.2 Freedom on Information charges	8
	8.3 Notice of decision	9
	8.4 Person responsible for decision regarding access of amendment of personal information	9

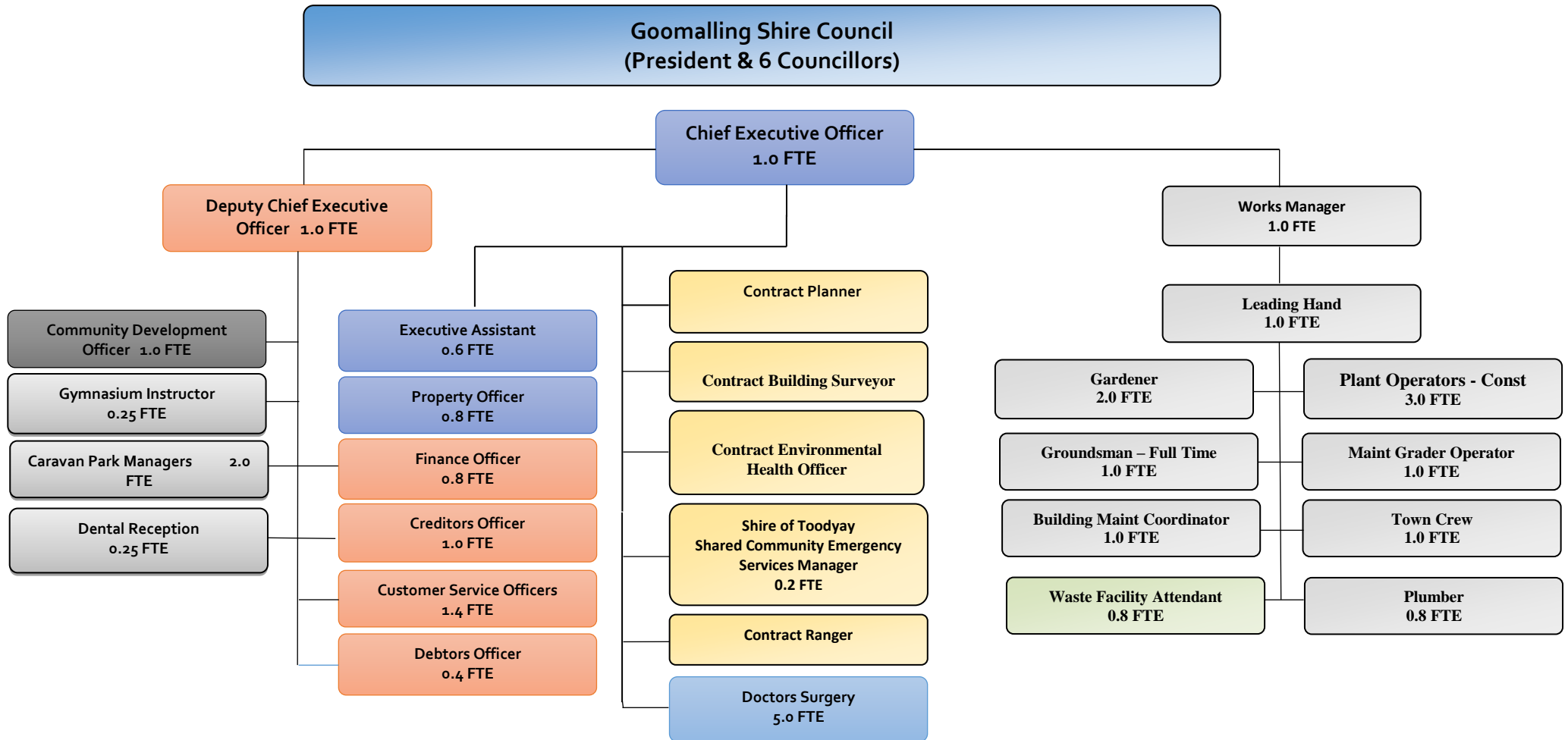
2.0 MISSION STATEMENT

Provide best possible service at the lowest cost for the betterment and benefit of all residents of the district.

3.0 DETAILS OF LEGISLATION ADMINISTERED

Local Government Act 1995
Bushfires Board
Dog Act
Town Planning Development Act
Health Act
Dividing Fences Act
Cemeteries Act
Litter Act
Land Act
Limitation Act
Noise Abatement Act
Parks & Reserves Act
Pensioners Act (Rates, Rebate & Refer)

ORGANISATIONAL STRUCTURE



4.1 Council Structure

The Council comprises the Shire President and six (6) Councillors. The President and Councillors are representative for the one (1) District in the Shire.

4.2 Wards

One District
7 Councillors

4.3 Committees

To enable Council to efficiently administer its business, committees are appointed to oversee various aspects of its operations.

Decisions made by these committees are brought back to full Council for consideration and approval before being acted upon.

Delegates are appointed to the following organisations:

Committees of Council:

Finance & Audit Committee	Works & Cemetery Committee	Reserves Advisory Committee
Cr Barry Haywood	Cr Barry Haywood	Cr Barry Haywood
Cr Roly Van Gelderen	Cr Roly Van Gelderen	Cr Roly Van Gelderen
Cr Julie Chester	Cr Julie Chester	Cr Julie Chester
Cr Chrissie Barratt	Cr Chrissie Barratt	Cr Chrissie Barratt
Cr Casey Butt	Cr Casey Butt	Cr Casey Butt
Cr Rod Sheen	Cr Rod Sheen	Cr Rod Sheen
Cr Brendon Wilkes	Cr Brendon Wilkes	Cr Brendon Wilkes

DrumMuster Committee	Jennacubbine Hall & Recreation Ground Committee	Konnongoring Hall & Recreation Ground Committee
Cr Chrissie Barratt	Cr Rod Sheen	Cr Barry Haywood
Cr Julie Chester	Cr Julie Chester	Cr Roly Van Gelderen
		Cr Brendon Wilkes

WA Local Government Association Zone Representatives	Municipal Museum Committee	Rural Water Council
Cr Barry Haywood - Member	Cr Brendon Wilkes	Cr Rod Sheen
Cr Roly Van Gelderen - Member	Cr Julie Chester	Mr PA Clark
Cr Julie Chester - Proxy	Cr Chrissie Barratt - Proxy	Cr Julie Chester – Deputy Member
Cr Rod Sheen - Proxy		

School Bus Committee	Avon Community Development Foundation	Community Opshop Committee
Cr Barry Haywood - Member	Cr Rod Sheen	Cr Julie Chester
Cr Brendon Wilkes	Cr Julie Chester - Proxy	

Health, Sewerage & Swimming Pool Committee	Buildings, Building Control & Planning Committee	Friends of the Cemetery Committee
Cr Barry Haywood	Cr Barry Haywood	Cr Barry Haywood
Cr Roly Van Gelderen	Cr Roly Van Gelderen	Cr Roly Van Gelderen
Cr Julie Chester	Cr Julie Chester	Cr Julie Chester
Cr Chrissie Barratt	Cr Chrissie Barratt	Cr Chrissie Barratt
Cr Casey Butt	Cr Casey Butt	Cr Casey Butt
Cr Rod Sheen	Cr Rod Sheen	Cr Rod Sheen
Cr Brendon Wilkes	Cr Brendon Wilkes	Cr Brendon Wilkes

Avon Regional Organisation of Councils	Regional Road Group (Avon Sub Group)	Development Assessment Panel Members
Cr Barry Haywood	Cr Barry Haywood	Cr Barry Haywood - Member
Mr Peter Bentley - CEO	Cr Roly Van Gelderen	Cr Julie Chester - Member
Cr Roly Van Gelderen – Deputy Member	Mr Peter Bentley – CEO (Advisory)	Cr Roly Van Gelderen - Proxy
	Mr David Long – Works Manager (Advisory)	Cr Chrissie Barratt - Proxy
	Cr Chrissie Barratt (Proxy)	
	Cr Julie Chester (Proxy)	

Medical Surgery Advisory Committee	Tidy Towns Committee	Youth Group Advisory Committee
Cr Barry Haywood	Cr Barry Haywood	Cr Barry Haywood
Cr Julie Chester	Cr Roly Van Gelderen	Cr Roly Van Gelderen
Cr Roly Van Gelderen – Deputy Member	Cr Julie Chester	Cr Julie Chester
Cr Chrissie Barratt – Deputy Member	Cr Chrissie Barratt	Cr Chrissie Barratt
	Cr Brendon Wilkes	Cr Brendon Wilkes
	Cr Rod Sheen	Cr Rod Sheen
	Cr Casey Butt	Cr Casey Butt

Mortlock Sports Council	Chief Bushfire Control Officer	Deputy Chief Bushfire Control Officer
Cr Julie Chester	Mr Lindsay White	Mr Kevin Ryan
Cr Casey Butt		
	Town Brigade Captain	Jennacubbine Brigade
	Brady Anderson	Cr Rod Sheen
	Cunjardine Brigade	
	Kristian Forward	

5.0

DETAILS OF DECISION MAKING FUNCTIONS

Local Laws and policies applying to this Council's district only, are made by Council under the Local Government Act 1995 (s3.11 to 3.17).

Council may provide that contravention of a provision of the Local Law is an offence, and may provide for penalties to be imposed (s3.10).

5.1 Procedure for making Local Laws

With the exception of the Health Act (State Government Approval required for Local Laws made under the Health Act).

Summary of the purpose and effect of the proposed Local Law is read aloud at the Council Meeting by the President.

Statewide public notice given on at least two days by the placement of advertisements in the *West Australian Newspaper* stating:

- * the intention to make a Local Law, the purpose and effect of which is summarised in the notice;
- * a copy of the proposed Local Law may be inspected or obtained at any place specified in the notice; and
- * submissions about the proposed Local Law may be made to Council by a day specified in the notice, being a day that is not less than 6 weeks after the notice is first given;

As soon as the notice is given, copies of the proposed Local Law and notice are given to the appropriate Ministers; and

A copy of the proposed Local Law is provided to any person requesting it.

After the last day for submissions, Council considers any submissions made and may pass the Local Law by a special majority vote (i.e. if more than 11 members of Council 75% majority or less than 11 members by absolute majority).

After making the Local Law, it is published in the *Gazette* and a copy of it given to the appropriate Ministers.

Statewide public notice is then given:

- * stating the title of the Local Law;
- * summarising the purpose and effect;
- * stating the day it comes into effect;
- * advising that copies may be inspected or obtained from the Shire Office.

6.0 PUBLIC PARTICIPATION IN THE FORMULATION OF POLICY AND PERFORMANCE OF COUNCIL FUNCTIONS

6.1 Committees or bodies which involve public representation

No committees or bodies which involve public representation exist within Council at this time. Various Councillors are involved in local committees such as Railway Station Society, Historical Society, Development Group, Environmental Advisory Committee, Tidy Towns Committee and Cemetery Advisory Committee.

6.2 Committees that don't involve direct public representation but may be open to the public

As of 2nd May 1997, committees meeting with delegated authority, i.e. more than half the members of Council on the committee, will have the authority to make decisions at the Committee Meeting, without the need for these decisions to go back to Council for ratification. These Meetings will be open to the public.

Council has no committee in existence at this time holding such delegated authority.

6.3 Participation in Committees

Council members are elected to committees by the following process:

- i) members identify which committees they have an interest in sitting on;
- ii) members vote to appoint committee members from the list of members who have indicated their interest in being on a particular committee.

7.0 DOCUMENTS HELD

7.1 Any person can attend the office during office hours and inspect free of charge, subject to limitations any of the following in relation to Council, in the form in which it is normally held

- a) Annual Report to Electors
- b) Annual Budget
- c) Annual Financial Report
- d) Various brochures available at the counter
- e) Equal Opportunity Policy Statement
- f) Confirmed Minutes of Council, Committee and Electors Meetings
- g) Register of Financial Interests
- h) Schedule of Fees and Charges
- i) Schedule of loan repayments
- j) Loans Register
- k) Proposed Local Law of which Statewide public notice has been given
- l) Local Laws made by Council
- m) Any written law that Council has the duty or power to enforce
- n) Rates Record
- o) Prepared Business Plan

- p) Register of owners and occupiers and electoral rolls
- q) Notice papers and agenda relating to any Council or Committee Meeting and reports of other documents that have been:
 - i) tabled at a Council or Committee, or
 - ii) produced by Council or a Committee and presented at a Council or Committee Meeting
- r) Register of Delegations to committees
- s) Long Term Financial Plan
- t) Corporate Business Plan
- u) Work Force Plan
- v) Asset Management Plan

7.2 Documents available to the public ~ for which a fee may be charged

- a) maps of the Shire of Goomalling
- b) the Annual Financial Report
- c) the Annual Budget
- d) Municipal Inventory
- e) Town Planning documents
- f) Freedom of Information Statement
- g) Council Minutes

7.3 Other Documents held which may be available for inspection within the Freedom of Information Act

- a) Register of delegations to CEO and employees
- b) Unconfirmed Minutes of Council or Committee Meetings
- c) Notice papers and agenda relating to Council or Committee Meeting and reports and other documents which:
 - i) are to be tabled at the meeting, or
 - ii) have been produced by the Local Government or a Committee for presentation at the Meeting
 and which have been made available to members of Council or the Committee.
- d) The information contained in a Tenders Register
- e) Property ownership enquiries

7.4 Limits on right to inspect Local Government Information

A person's right to inspect information does not extend to the inspection of information:

- a) which is not current at the time of inspection; and
- b) which, in the CEO's opinion, would divert a substantial and unreasonable portion of resources away from other functions;
- c) in relation to any debt owed by a person other than the debt of the person making the enquiry;
- d) relating to Minutes of Meetings or notice papers and agenda and supporting reports and documents of a meeting which:
 - i) was closed to the public, or

- ii) in the CEO's opinion, could have been closed to members of the public, but was not closed.
- e) in relation to contracts for the CEO and senior employees if:
 - i) the information relates to a matter other than the salary or the remuneration or benefits payable under the contract; and
 - ii) in the CEO's opinion, the information should not be available for inspection by members of the public because of the private nature of the information.

7.5 Format in which information is held

- a) Library old brochures, videos, cassettes and books, also a microfiche record of books available for borrowing through the library system
- b) Rates records are held on computer hard disk
- c) Minutes of Meetings are held in guard books
- d) Annual Report to electors, financial report and budget are held in booklet form
- e) Register of loans ~ hard copy
- f) Register of tenders ~ hard copy
- g) Register of delegations to committee ~ hard copy
- h) Maps ~ hard copy
- i) Principal Activities and Business Plans ~ hard copy
- j) Register of Financial Interests ~ hard copy
- k) Owners, occupiers and electoral rolls ~ hard disk
- l) Municipal Inventory ~ book
- m) Correspondence, both incoming and outgoing is in filing cabinets.
- n) Personal information ~ held in filing system and on computer hard disk

8.0

THE OPERATION OF FREEDOM OF INFORMATION IN THE SHIRE OF GOOMALLING

8.1 How and to whom initial enquiries should be made?

- i) In accordance with Section 12(i) initial enquiries should be made:
 - a) in writing;
 - b) given enough information so that the documents requested can be identified;
 - c) give an Australian address to which notices can be sent, and
 - d) be lodged at the agency with any application fee payable.

Applications and enquiries should be addressed to the Freedom of Information Co-ordinator:

Deputy CEO
 Shire of Goomalling
 PO Box 118
 GOOMALLING WA 6460

Telephone and Fax Numbers:

Phone: (08) 9629 1101
 Fax: (08) 9629 1017

- ii) Applications will be acknowledged in writing and you will be notified of the decision within 45 days.
- iii) It is the aim of the Shire of Goomalling to make information available promptly and at the least possible cost, and whenever possible, documents will be provided outside the Freedom of Information Process.
- iv) If information is not routinely available, the *Freedom of Information Act 1992* provides the right to apply for documents held by the agency and to enable the public to ensure that personal information in documents is accurate, complete, up to date and not misleading.

8.2 Freedom of Information Charges

A scale of fees and charges set under the Freedom of Information Act Regulations.

i)	Personal information about the applicant	no fee
ii)	Application fee (for non personal information)	\$30.00
iii)	Charge for time dealing with the application (per hour, or pro rata)	\$30.00
iv)	Access time supervised by staff (per hour, or pro rata)	\$30.00
v)	Photocopying staff time (per hour, or pro rata)	\$30.00
vi)	Per photocopy	0.20
vii)	Transcribing from tape, film or computer	\$30.00
viii)	Duplicating a tape, film or computer information	Actual Cost
ix)	Delivery, packaging and postage	Actual Cost
x)	Advance deposit may be required of the estimated Charges	25%
xi)	Further advance deposit may be required to meet the Charges for dealing with the application	75%
xii)	For financially disadvantaged applicants, those issued with prescribed pensioner concession cards, the charge payable may be reduced by 25%.	

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.

Notice of Decision

As soon as possible but in any case within 45 days the applicant 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
- if the document is an exempt document the reasons for classifying the matter exempt; or the fact that access is given to an edited document
- information on the right to review and the procedures to be followed to exercise those rights.

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.

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

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