

**FREEDOM OF INFORMATION STATEMENT**



**FREEDOM OF INFORMATION  
2016**

**This Information Statement is published by the Council in accordance with the requirements of Section 96 of the Freedom of Information Act 1992 (Western Australia).**

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

**An updated Information Statement will be published at least every 12 months.**

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## 1. MISSION STATEMENT

The Shire of Mingenew of Mingenew operates in a relatively stable environment in which the expectations and requirements of the community and government, as well as environmental and economic facts impact on its activities and overall performance. Council is committed to improve the quality of life of the residents of Mingenew through services based on the principles of quality, equity, value and responsiveness and to ensure operations of the Shire are conducted in a cost efficient and effective manner as not to unfairly impose upon its ratepayers and residents.

Its objectives are to:

- Provide high quality roads and other services to residents in the community at reasonable cost;
- Strengthen the financial viability of Council by improving efficiency and effectiveness; and
- By recognising the need to be responsible to the electorate in providing information on the activities of the Shire and to involve electors in everyday decision making, to increase the awareness of the Shire's objectives and policies for all those who live and work in the Shire, and to help the community understand the need to reconcile often conflicting factors in planning and providing services.

By these means, the community confidence in the Shire as an efficient provider of services and an effective manager of its resources will be gained.

## 2. DETAILS OF LEGISLATION ADMINISTERED

Including, but not limited to:

- Local Government Act 1995
- Freedom of Information Act 1992
- Dog Act 1976
- Cat Act 2011
- Planning and Development Act 2005
- Bush Fires Act 1954
- Caravan Parks and Camping Grounds Act 1995
- Disability Services Act 1993
- Food Act 2008
- Health Act 1911
- And all other legislation relevant to Local Government functions

### 3. COUNCIL STRUCTURE

The Shire of Mingenew consists of seven (7) Councillors including the Shire President. Councillors are elected for a four year term with four members retiring in one election and the balance (three) retiring at the next. An election is held in October of every second year. The President of the Council is elected by the Councillors at the first meeting following the ordinary election.

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.

The CEO reports to Council and the present Shire organisational structure is shown in Figure 1 (attached).

### 4. DETAIL OF DECISION MAKING PROCESS

Ordinary meetings of Full Council are generally held on the third Wednesday of every month (except the month of January when Council is in recess), and commence at 4.30pm. Members of the public are welcome to attend and Public Question Time is the first item of business.

The main business of the meeting is to consider reports and make resolutions.

Correspondence and applications on any matters to be considered by Council must be received at the Council office at least one week prior to the week of the Council meeting if they are to be guaranteed of being dealt with at this meeting.

#### 4.1 Minutes

Unconfirmed Minutes of Full Council are available at the Shire office and on its website within:

- 10 days after the Ordinary Council Meeting

Minutes will be confirmed at the next month's meeting. No Council decisions are final until the Minutes have been confirmed.

### 5. MINGENEW SHIRE COUNCILLORS

Councillor MA (Michelle) Bagley (President)	Term expires October 2019
Councillor HM (Helen) Newton (Deputy President)	Term expires October 2019
Councillor MP (Marguerite) Pearce	Term expires October 2017
Councillor GJ (Gary) Cosgrove	Term expires October 2019
Councillor C (Crispian) Lucken	Term expires October 2017
Councillor LM (Leah) Eardley	Term expires October 2019
Councillor KL (Karl) Criddle	Term expires October 2017

**COUNCIL REPRESENTATIVES FOR COMMITTEES 2016/2017**

<b>COMMITTEE</b>	<b>DELEGATE</b>	<b>DELEGATE</b>	<b>PROXY</b>	<b>PROXY</b>
<b>Northern Country Zone of WALGA</b>	MA Bagley	HM Newton	MP Pearce	
<b>Tourist &amp; Promotions Committee</b>	MP Pearce	CDO	LM Eardley	
<b>MRWA Regional Road Group</b>	GJ Cosgrove		MA Bagley	
<b>Silver Chain Branch Committee</b>	MP Pearce		HM Newton	
<b>CRC Management Committee</b>	KL Criddle		HM Newton	
<b>LEMCA Committee</b>	GJ Cosgrove		CEO	
<b>Audit Committee</b>	<b>ALL OF COUNCIL</b>			
<b>Executive Management Committee</b>	MA Bagley	HM Newton	Delegate GJ Cosgrove	
<b>Development Assessment Panels</b>	MA Bagley	GJ Cosgrove		
<b>Wildflower Country Inc</b>	MP Pearce		MA Bagley	CEO
<b>Independent Living Unit Working Group</b>	MA Bagley	HM Newton	Delegate GJ Cosgrove	Delegate CEO

## 6. DELEGATIONS

The CEO 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 Delegation Register and are reviewed by Council annually. The CEO has the power under the Local Government Act 1995 to sub-delegate a number of these Authorities.

In keeping with the legislative requirements:

- 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
- 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.

## 7. SERVICES FOR THE COMMUNITY

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

These services currently include:

Roads/Footpaths/Kerbing	Stormwater Drainage
Traffic Control Devices	Street Lighting
Street Tree Planting	Refuse Collection & Tip Control
Public Toilets	Public Library
Parks and Reserves	Museum and Heritage Buildings
Animal Control	Drum Muster
Environmental Health Matters	Pest Control
Town Planning	Occupational Health and Safety
Community Information	Noxious Weed Controls
Building Control	Citizenship Ceremonies
Landcare	Support Volunteer Fire Brigades
Emergency Planning	Support dental and doctor services
Support day care for children	Police Licensing
Autumn Centre for Seniors	Youth and seniors projects
Housing – staff, seniors, community	Cemetery
Recreation Facilities	

## **8. PUBLIC PARTICIPATION**

### **8.1 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 Presiding Officer or the President, a member of the public can address a Committee or Council personally or on behalf of a group of residents for a period of time determined by the Committee and/or Council on any issue relevant to Council.
2. Presentation 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 petitions can be addressed to the Council on any issue within the Council's jurisdiction.
4. Written Requests – A member of the public can write to the Council on any Council policy, activity or service.
5. Elected Members – Member of the Public can contact their Elected Members of Council, to discuss any issue relevant to Council.

### **8.2 Community Consultation**

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

1. 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 Council Electoral Roll are eligible to vote.
2. Working Party/Sub-Committee – Local residents are invited to work with Members of Council and staff, to develop strategies to address various matters as they may arise.

**9. ACCESS TO DOCUMENTS**

**9.1 Documents Available for Inspection**

The following documents are available for public inspection at the Council Office free of charge. Members of the public may purchase copies of these documents and the charges are shown below:

Document	Fee
Council Agenda	\$7.50 per month \$55.00 per year
Council Minutes	\$7.50 per month \$55.00 per year
Policy Manual	)
Annual Budget	)
Annual Financial Statements	)
Council Local Laws	) At the set photocopying rate + binding
Planning/Building Application Register	) if required.
Annual Report	)
Strategic Community Plan	)
Corporate Business Plan	)
Delegation Register	)
Directional Maps	)
Building Plans	)
Council Town Planning Scheme No. 2	
Scheme Text	\$15 per Ward \$25.00 District Roll
Electoral rolls	
Freedom of Information Statement	

**10. OTHER INFORMATION REQUESTS**

**10.1 FOI Operations:**

It is the aim of the agency to make information available promptly and at the least possible cost, and whenever possible documents will be provided outside the FOI process.

If information is not routinely available, *the Freedom of Information Act 1992* provides members of the public with the right to apply for documents held by the agency and to enable the public to ensure that personal information in the document is accurate, complete, up to date and not misleading.

**10.2 Freedom of Information Applications:**

Access applications have to-

- be in writing,
- give enough information so that the documentation requested can be identified;
- give an Australian address to which notices can be sent; and
- be lodged at the agency with any application fee payable.

## Shire of Mingenew Freedom of Information Statement

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

**Postal Address:**

Shire of Mingenew  
PO Box 120  
MINGENEW WA 6522

**In Person:**

Mingenew Shire Office  
Victoria Street  
MINGENEW WA 6522

The application will be acknowledged in writing and the applicant will be notified of the decision within 45 (calendar) days.

### 10.3 Freedom of Information Charges

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

#### 1. Type of Fee

Personal information about the applicant	No fee
Application fee (for non-personal information)	\$30.00

#### 2. Type of Charge

• Charge for time dealing with 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	.20c
• 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

#### Deposits

• Advance deposit may be required	25%
• Further advance deposit may be required to meet the charge for dealing with the application	75%

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

**11. ACCESS ARRANGEMENTS**

Access to documents can be granted by way of inspection of a document, a copy of a computer disk or USB drive.

**12. 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 the decision was made;
- the name and 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. Applications 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 is issued.

**Martin Whitely**  
**Chief Executive Officer**

**21 December 2016**

**THIS INFORMATION STATEMENT ENDORSED BY COUNCIL ON: .....**

**ATTACHMENTS**

- Application for Access to Documents
- Figure 1 – Corporate Structure

**SHIRE OF MINGENEW**  
**APPLICATION FOR ACCESS TO DOCUMENTS**  
(Under the Freedom of Information Act 1992, Section 12)

**DETAILS OF APPLICANT:**

Surname: ..... Given Names .....

Australian Postal Address: .....

Post Code: ..... Telephone Number(s): .....

*If the application is on behalf of an organisation:*

Name of Organisation/Business: .....

**DETAILS OF REQUEST:** (please tick) Personal Documents  Non-Personal Documents

I am applying for access to document(s) concerning .....

(If space provided is not sufficient, please attach details on a separate sheet).

**FORM OF ACCESS:** (Please tick appropriate box)

I wish to inspect the document(s) YES  NO

I require a copy of the document(s) YES  NO

I require access in another form YES  NO

(Specify) .....

**FEES AND CHARGES:**

Attached is a cheque/cash to the amount of \$..... to cover the application fee. I understand that before I obtain access to 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 apply – see section on FEES AND CHARGES on the back of this form. If you consider you are entitled to a reduction, 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 am requesting a reduction in fees and charges: YES  NO  (Please tick appropriate box)

**APPLICANTS SIGNATURE:** ..... Date: .....

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**(OFFICE USE ONLY)**

FOI Reference Number: .....

Received on: ...../...../..... Deadline for response: ...../...../.....

Acknowledgment sent on: ...../...../.....

**Proof of Identity (If applicable)**

Type: ..... Sighted: ..... Number: .....

**PLEASE NOTE**

**FREEDOM OF INFORMATION APPLICATION**

- Provide sufficient information to enable the correct document(s) to be identified.
- The Shire of Mingenew may request proof of your identity.
- If you are seeking access to 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 Commission. The Freedom of Information Act is available for purchase from the State Government Bookshop, 815 Hay Street, Perth (Telephone: 9222 8216).

**SHIRE OF MINGENEW**

**ORGANISATIONAL STRUCTURE 2014/2015**

