



## SHIRE OF GNOWANGERUP

### FOI INFORMATION STATEMENT

**2021/2022**

This statement is published by the Shire of Gnowangerup in compliance with the requirements of the Freedom of Information Act 1992.

**Bob Jarvis**  
Chief Executive Officer

Date 15 - 12 - 2021

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## 1. INTRODUCTION

The Shire of Gnowangerup is an agency within the meaning of the *Freedom of Information Act 1992*. Accordingly, the requirements of the Act apply to the Shire of Gnowangerup from the commencement date of that legislation, being 1 November 1993.

The intention of the 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 governments, prepare and publish an Information Statement that sets out the information stipulated in section 94:

- (a) a statement of the structure and functions of the agency;
- (b) a description of the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public;
- (c) a description of any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the performance of the agency's functions;
- (d) a description of the kinds of documents that are usually held by the agency including-
  - (i) which kinds of documents can be inspected at the agency under a written law other than this Act (whether or not inspection is subject to a fee or charge); and
  - (ii) which kinds of documents can be purchased; and
  - (iii) which kinds of documents can be obtained free of charge;
- (e) a description of the agency's arrangements for giving members of the public access to documents mentioned in paragraph (d)(i), (ii) or (iii) including details of library facilities of the agency that are available for use by members of the public;
- (f) a description of the agency's procedures for giving members of the public access to the documents of the agency under Part 2 including -
  - (i) the designation of the officer or officers to whom initial inquiries as to access to documents can be made; and
  - (ii) the address or addresses at which access applications can be lodged;

- (g) a description of the agency's procedures for amending personal information in the documents of the agency under Part 3 including -
  - (i) the designation of the officer or officers to whom initial inquiries as to amendment of personal information can be made; and
  - (ii) the address or addresses at which applications for amendment of personal information can be lodged.

This document has been prepared by the Shire of Gnowangerup in accordance with the requirements of the Act and is correct as at 30 June 2021. Copies of this document are available from the Shire of Gnowangerup Administration Office at 28 Yougenup Road, Gnowangerup and on the Shire's website [www.gnowangerup.wa.gov.au](http://www.gnowangerup.wa.gov.au)

Enquiries may be made at the office Monday to Friday 8.30am to 4.30pm, by telephone on (08) 9827 1007 or by email to [gnpshire@gnowangerup.wa.gov.au](mailto:gnpshire@gnowangerup.wa.gov.au)

A review of this document will be undertaken every twelve (12) months.

## 2. VISION AND MISSION STATEMENT

### VISION

"Gnowangerup - A progressive, inclusive and prosperous community built on opportunity."

### MISSION STATEMENT

"To demonstrate leadership in the provision of facilities, infrastructure and services that meet the needs of our community."

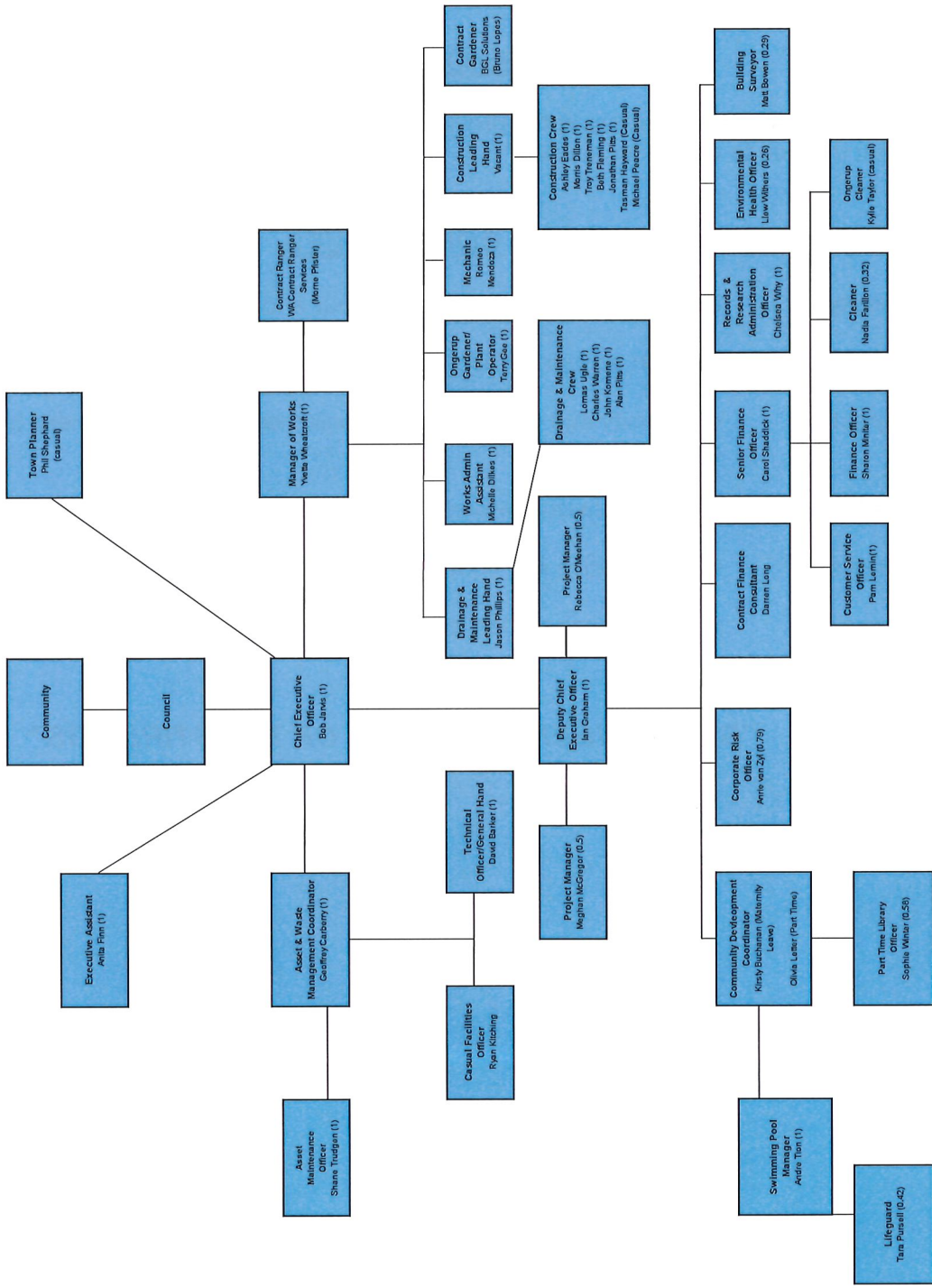
### CORE VALUES

<b>Honesty</b>	through integrity, ethical behaviour and trustworthiness.
<b>Responsibility</b>	through accountability, transparency and ownership.
<b>Respect</b>	of diversity and opinion, through politeness and inclusiveness of all community groups.
<b>Excellence</b>	through consistency and the pursuit of continual improvement.
<b>Fairness</b>	through justice and equality.
<b>Teamwork</b>	through collaboration, partnerships and a willingness to work together.

***"GNOWANGERUP - HEART OF THE STIRLINGS"***



### 3. ORGANISATIONAL STRUCTURE



## 4. ACCESS TO COUNCIL AND COMMITTEE MEETINGS

### **COUNCIL**

Ordinary meetings of Council are held on a monthly basis in the Council Chambers, and generally commence at 3.30pm. They are preceded at 2.00pm by an informal Council Briefing Session.

Meeting dates for Council are advertised annually in the three local newsletters that circulate within the Shire.

From time to time, special meetings of Council are held to deal with urgent or specific issues. Notice of these meetings is made available to the public as soon as practicable.

Council meetings are open to the public and members of the public may ask questions of Council during the allocated period for Public Question Time. 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 prior advice is not given, Council may decide to take the questions on notice.

Agendas for Council meetings are available for perusal on the Friday preceding the meeting from the Shire Administration Office or on the Shire website. Several copies are also available at the meetings.

Unconfirmed Minutes of the meetings are available within 10 working days.

### **COMMITTEES**

Committee meetings are only open to the public where the Committee has been delegated by Council the specific power to make the decision on a specific issue. As this is generally not the case, it is recommended that you contact the Chief Executive Officer prior to attending a Committee meeting.

Meeting dates for Committees that have delegated authority are advertised as soon as practicable on the Shire website.

## 5. ACCESS TO COUNCIL STAFF

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

Should you wish to speak with a Senior Officer, it is advisable to telephone beforehand to make an appointment as availability cannot always be guaranteed.

Enquiries of a general nature and payments accepted by the Shire may be made during normal office hours at the Shire Administration Office.



## 6. ACCESS TO SHIRE DOCUMENTS OUTSIDE THE FREEDOM OF INFORMATION ACT 1992

The following documents are among those available for public inspection at the Shire Administration Office, free of charge:

- Council Meeting Agendas
- Council Meeting Minutes
- Annual Budget
- Annual Report (including Annual Financial Report)
- Local Laws
- Town Planning Schemes
- Planning Approvals made under Delegated Authority
- Planning Strategies and Development Plans
- Registers as required under the *Local Government Act 1995*
- Shire Rates Book
- Schedule of Fees and Charges
- Code of Conduct
- Freedom of Information Statement
- Gift Register

Note that fees may apply for printed copies of these documents (refer to Shire's current Schedule of Fees and Charges) but that some are available on the Shire website<sup>7</sup>

## 7. LEGISLATION ADMINISTERED

The Shire's primary responsibilities are set out in the *Local Government Act 1995*, the *Local Government (Miscellaneous Provisions) Act 1960*, and the following regulations:

- Local Government (Administration) Regulations 1996
- Local Government (Financial Management) Regulations 1996
- Local Government (Constitution) Regulations 1998
- Local Government (Elections) Regulations 1997
- Local Government (Audit) Regulations 1996
- Local Government (Functions and General) Regulations 1996
- Local Government (Uniform Local Provisions) Regulations 1996
- Local Government (Rules of Conduct) Regulations 2007

The Shire also has obligations and responsibilities under other legislation as follows, but not limited to:

- Building Act 2011
- Building Services (Registration) Act 2011
- Building Regulations 2012
- Bush Fires Act 1954 and associated regulations
- Caravan Parks and Camping Grounds Act 1995 and associated regulations
- Cemeteries Act 1986
- Control of Vehicles (Off Road Areas) Act 1978 and associated regulations
- Dangerous Goods Safety Act 2004
- Dividing Fences Act 1961
- Dog Act 1976 and associated regulations
- Emergency Management Act 2005
- Environmental Protection Act 1986 and associated regulations
- Equal Opportunity Act 1984
- Freedom of Information Act 1992
- Health Act 1911 and associated regulations
- Heritage of Western Australia Act 1990
- Interpretation Act 1984
- Library Board of Western Australia Act 1951 and associated regulations
- Liquor Control Act 1988 and associated regulations
- Litter Act 1979 and associated regulations
- Main Roads Act 1930
- Occupational Safety and Health Act 1984 and associated regulations
- Parks & Reserves Act 1895
- Planning and Development Act 2005
- Public Works Act 1902
- Road Traffic Act 1974

- State Administrative Tribunal Act 2004
- State Records Act 2000
- Town Planning Regulations 1967
- Valuation of Land Act 1978
- Workers Compensation and Injury Management Act 1981

## 8. FREEDOM OF INFORMATION PROCEDURES AND ACCESS ARRANGEMENTS

The Shire of Gnowangerup aims to make information available promptly and at the lowest cost possible. 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 Gnowangerup 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; or
- 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 or another enactment;
- Available for inspection in the 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.

## **FREEDOM OF INFORMATION APPLICATIONS**

As specified in the Act, FOI applications lodged at the Shire must:

- Be in writing;
- Provide sufficient information to enable the requested documents to be identified;
- Provide an Australian address for correspondence; and
- Be accompanied by the prescribed application fee if the document requested is for non- personal information;
- Specify the preferred manner in which access is requested e.g. copy requested.

Applications and enquiries must be addressed to:

Freedom of Information Coordinator  
Shire of Gnowangerup  
28 Yougenup Rd  
Gnowangerup WA 6335

Applications will be acknowledged in writing and applicants will be notified of the decision within 45 days.

## **FREEDOM OF INFORMATION CHARGES**

A scale of fees and charges is set under the FOI Act Regulations. Apart from the application fee 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	\$0.20c
Transcribing from tape, film, or computer information	Actual cost
Delivery, packaging and postage	Actual cost

## **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%.

## **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 within 45 calendar days you will be provided with a notice of decision which will include details such as:

- The date on 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.

## **REFUSAL OF ACCESS**

Applicants who are dissatisfied with a decision of the Shire of Gnowangerup are entitled to ask for an internal review by the Shire. Applications for review 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.



ATTACHMENT 1



**SHIRE OF GNOWANGERUP**

**Freedom of Information Act 1992**

**APPLICATION FOR ACCESS TO DOCUMENTS**

**DETAILS OF APPLICANT**

Surname: \_\_\_\_\_ Given Names: \_\_\_\_\_  
Postal Address: \_\_\_\_\_ Telephone No \_\_\_\_\_  
: \_\_\_\_\_  
\_\_\_\_\_ Email: \_\_\_\_\_  
\_\_\_\_\_

Organisation Name (if application is on behalf of an organisation): \_\_\_\_\_

**DETAILS OF REQUEST**

I am applying for access to document(s) concerning matters which are:

Personal      Non-Personal      (please circle whichever is appropriate)

These document(s) are:

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**FORM OF ACCESS** (Circle whichever is appropriate)

I wish to inspect the document	Yes	No
I require a copy of the document(s)	Yes	No
I require access in another format	Yes	No

Specify format required: \_\_\_\_\_

**FEES AND CHARGES**

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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.

*NOTE: In certain cases, a reduction in charges may apply. If you consider that you are entitled to a reduction, submit a request with copies of supporting documents with this form.*

I am requesting a reduction in charges (please circle)      Yes      No

APPLICANT'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

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**(Office use only)**

FOI Reference Number \_\_\_\_\_ Deadline for response \_\_\_\_\_

Received (date) \_\_\_\_\_ Acknowledgement sent on (date) \_\_\_\_\_

**Proof of Identity (if applicable)**

Type \_\_\_\_\_ Signed \_\_\_\_\_

## **NOTES**

### **FOI Applications**

- Please provide sufficient information to enable the correct document(s) to be identified.
- The Shire of Gnowangerup may request proof of your identity.
- If you are seeking access to a document(s) on behalf of another person, the Shire of Gnowangerup will require authorisation in writing.
- 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 FOI Coordinator

### **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.

Where the Shire of Gnowangerup is unable to grant access in the form requested, access may be given in a different form.

### **Fees and Charges**

- \$30.00 application fee (non-personal information ONLY).
- An applicant who is the holder of a currently valid concession card issued on behalf of the Commonwealth Government under the Rates and Charges (Rebates and Deferments) Act 1992 may be eligible for a reduction of 25% in the charges associated with the application.
- No reduction is applicable to the application fee.

### **Lodgment of Applications**

Applications may be lodged by post addressed to:

The FOI Coordinator  
Shire of Gnowangerup  
28 Yougenup Road  
GNOWANGERUP WA 6335