



SHIRE OF GINGIN

FREEDOM OF INFORMATION

THE COUNCIL INFORMATION STATEMENT

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

The Shire of Gingin is pleased to comply with the Legislation and welcomes enquiries.

A review of this Information Statement will take place at least every twelve months.

August 2009

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STRUCTURE AND FUNCTIONS OF THE COUNCIL:

Overview

The Shire of Gingin operates in a constantly changing environment in which the expectations and requirements of the community and government, as well as environmental and economic factors impact on its activities and overall operation. Council is committed to improving the quality of life of the residents of the Shire of Gingin, through services based on the principles of quality, equity, value and responsiveness.

Its objectives are to:

- ◇ Provide good roads and other services to residents in the community at reasonable cost.
- ◇ Strengthen the financial viability of the Shire of Gingin by improving efficiency and effectiveness; and
- ◇ Recognise the need to be responsible to ratepayers in providing information on the activities of the Shire and to involve ratepayers in every day 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's confidence in the Shire as an efficient provider of services and an effective manager of its own resources will be gained.

Council

The Shire of Gingin's Council consists of ten (10) Councillors including the Shire President. Councillors are elected in accordance with the requirements of the *Local Government Act 1995*.

The President of the Council is elected by the Councillors at the first meeting following the Bi-Annual 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 first and third Tuesday of every month and commence at 4.00 pm. 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.

Meetings

Correspondence and applications on any matters to be considered by Council must be received at the Council Office by 4.00 pm on the Friday, two weeks prior to the Council meeting.

Agendas and Minutes

Agendas and Minutes of Council Meetings are available for inspection in the Administration Centre during normal office hours, as well as being available on the Shire's Web Site at <http://www.gingin.wa.gov.au>.

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.

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/Footpaths/Kerbing	Storm water Drainage
Street Lighting	Street Closures
Street Tree Planting	Litter Bins
Public Library	Public Toilets
Playground Equipment	Town Planning
Aged Care	Planning Controls
Environmental Health Matters	Citizenship Ceremonies
Recreation/Sporting facilities	Community Policing
Pest Control	Building Control
Occupational Health & Safety	Waste Management
Weed Control and Eradication	Animal Licensing/Control

PUBLIC PARTICIPATION

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.

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 Act. When an application is publicly notified, residents have the opportunity both to write to Council expressing their view of the application, and to subsequently 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 Owners and Occupiers Electoral Roll, are eligible to vote.
3. Councillors have meetings with Community and Progress Associations representing the various different areas of the Shire and undertake district inspections of roads and facilities.

ACCESS TO COUNCIL DOCUMENTS

Documents Available for Inspection

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

Council Minutes	\$8.00 over the counter	\$9.50 Posted
Policy Manual	30 cents per page	
Council Municipal Budget	Free of Charge	
Council Annual Report and Financial Statements	Free of Charge	
Council By-Laws	Free of Charge	
Owner & Occupier Roll	\$5.25 per Ward	
Shire of Gingin Town Planning Scheme	\$20.00 (Scheme Text Only)	
Shire of Gingin Town Planning Policies	\$20.00	
Local Rural Strategy	\$80.00 (Including colour map)	

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 above, which is for non-personal information, will be considered in accordance with the *Freedom of Information (WA) Act 1992*. Under this legislation, if non personal information is requested an application fee of \$30.00 is payable. The application must be made in writing. To assist applicants a form is available which is attached to this document (not mandatory).

Please note that 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*.

Freedom of Information Request Forms or letters of request should be addressed to:

The Freedom of Information Officer
Shire of Gingin
7 Brockman Street
GINGIN WA 6503

Forms are available at the Shire Administration Office, 7 Brockman Street Gingin.

Applications will be acknowledged on receipt and dealt with as soon as possible, within the statutory 45 days of the Shire of Gingin receiving the properly completed Freedom of Information Request Form, together with the application fee.

AMENDMENT OF SHIRE RECORDS

A member of the public may gain access to Shire of Gingin documents to seek amendments concerning their personal affairs by making a request under *Freedom of Information (WA) Act 1992*. A member of the public may then request a correction to any information about themselves that is incomplete, incorrect, misleading or out of date.

To gain access to these Shire of Gingin records, a member of the public must complete a Freedom of Information Request Form, as indicated above, outlining the records he/she wishes to inspect.

FEES AND CHARGES

Application fees and charges as well as advance deposits prescribed as payable and gazetted on 22 October 1993, 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
Column 1	Column 2
1. Fee type	
Personal information about the applicant	No Fee
Application fee under Section 12 (1) (e) of the Act	\$30.00
2. Type of Charge	
(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 the actual additional cost to the Shire of Gingin of any special arrangements (e.g. hire of facilities or equipment).	
(c) Charge for photocopying	
(i) per hour, or pro rata for part of an hour of staff time and	\$30.00
(ii) per copy	.20¢
(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, postage	Actual cost

3. Advance Deposits

- | | | |
|-----|---|-----|
| (a) | Advance deposit which may be required by the Shire of Gingin under Section 19 (1) of the Act, expressed as a percentage of the estimated charges which will be payable in excess of the application fee | 25% |
| (b) | Further advance deposit which may be required by the Shire of Gingin under Section 18 (4) of the Act, expressed as a percentage of the estimated charges which will be payable in excess of the application fee | 75% |

PLEASE NOTE:

FOI Applications

- Provide sufficient information to enable the correct document(s) to be identified.
- The Shire of Gingin 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* is available for purchase from the State Law Publisher, 10 William Street, Perth (Telephone: 9426 0000).

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 Gingin to provide supervision by staff. In this regard, please refer to the Fees and Charges Schedule, 2 (b).

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

Lodgement of Applications

Applications may be lodged

- * by post, addressed to
Freedom of Information Officer
Shire of Gingin
7 Brockman Street
GINGIN WA 6503

OR

- * In person at
The Shire of Gingin
Administration Office
7 Brockman Street
GINGIN WA 6503

NOTICE OF DECISION

Within 45 days, you 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.

You will be notified of the outcome of the review within fifteen (15) days.

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



APPLICATION FOR ACCESS TO DOCUMENTS
(Under *Freedom of Information Act* 1992, S/12)

DETAILS OF APPLICANT

Surname:.....

Given Names:.....

Australian Postal Address:.....

Postcode:..... Telephone Number(s):.....

If application is on behalf of an organisation: Name of Organisation/Business:.....

DETAILS OF REQUEST

Personal Documents Non-personal documents
(Please tick appropriate box)

I am applying for access to document(s) concerning

FORM OF ACCESS

I wish to inspect the document(s) Yes No *(Please tick appropriate box)*
 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)

APPLICANT'S SIGNATURE..... Date:/...../.....

(Office Use Only)

FOI Reference Number

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

Acknowledgement sent on/...../.....

Proof of Identity (If applicable)

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

NOTES

FOI Applications

Please refer to page 9 of this document.

Fees and Charges

Please refer to pages 8 and 9 of this document.

Forms Of Access

Please refer to page 9 of this document.

Lodgement of Applications

Applications may be lodged –

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In person at:

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