



## FREEDOM OF INFORMATION STATEMENT 2020

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.

Date of Adoption: 17<sup>th</sup> June 2020

## Table of Contents

1.	MISSION STATEMENT	3
2.	DETAILS OF LEGISLATION ADMINISTERED	3
3.	COUNCIL STRUCTURE	3
4.	DETAIL OF DECISION MAKING PROCESS	3
4.1	MINUTES	4
5.	SHIRE OF CUBALLING SHIRE COUNCILORS	4
6.	DELEGATIONS	4
7.	SERVICES FOR THE COMMUNITY	5
8.	PUBLIC PARTICIPATION	5
8.1	COUNCIL MEETINGS	5
8.2	COMMUNITY CONSULTATION	6
9.	ACCESS TO DOCUMENTS	6
9.1	DOCUMENTS AVAILABLE FOR INSPECTION	6
10.	OTHER INFORMATION REQUESTS	6
10.1	FOI OPERATIONS:	6
10.2	FREEDOM OF INFORMATION APPLICATIONS:	7
10.3	FREEDOM OF INFORMATION CHARGES	7
11.	ACCESS ARRANGEMENTS	7
12.	NOTICE OF DECISION	8
13.	REFUSAL OF ACCESS	8
14.	ATTACHMENTS	8
	ATTACHMENT 1 - APPLICATION FOR ACCESS TO DOCUMENTS	9
	FIGURE 1 – SHIRE OF CUBALLING ORGANISATIONAL STRUCTURE AT 31 <sup>st</sup> May 2020	11

## **1. MISSION STATEMENT**

The Shire of Cuballing operates in a relatively stable 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 performance.

Council is committed to improve the quality of life of the residents of the Shire of Cuballing 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.

The objectives of Council is to ensure that the Shire of Cuballing is a progressive, diverse and caring community, with access to modern services and infrastructure, in a unique part of the world.

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, yet not limited to:

- Local Government Act 1995;
- Freedom of Information Act 1992;
- Dog Act 1976;
- Planning and Development Act 2005; and
- all other legislation relevant to Local Government functions

## **3. COUNCIL STRUCTURE**

The Shire of Cuballing consists of seven (6) Councillors including the Shire President.

Local Government Elections are held in October of every second year. Councillors are elected for a four year term with three members retiring at each election. Extraordinary elections are held to fill any vacancies which may have occurred during the year.

The President of the Council is elected by the Councillors at the first meeting following each ordinary election.

Council is the decision making body of all policy matters. The Chief Executive Officer 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 Thursday of each month with exception that no meeting is held in January.

Council Meetings normally commence 3:00pm and the date and time of the meeting are advertised locally. Members of the public are welcome to attend and Public Question Time is an early item of business.

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

Correspondence and applications on any matters to be considered by Council must be received at the Council office at least two 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

Minutes of Full Council are placed on display in Council's Library and on the Shire of Cuballing website within 10 days after Ordinary Council Meeting.

### 5 SHIRE OF CUBALLING SHIRE COUNCILORS

Councillor M (Mark) Conley	President	Term expires October 2021
Councillor E (Eliza) Dowling	Deputy President	Term expires October 2021
Councillor S (Scott) Ballantyne		Term expires October 2021
Councillor D (Dawson) Bradford		Term expires October 2023
Councillor R (Rob) Harris		Term expires October 2023
Councillor D (Deb) Hopper		Term expires October 2023

Council has appointed the following as members of Committees of Council and as delegates of Council to the respective committee or organisation as included in the following table:

No	Committee/Service	Delegate	Proxy
1	Audit Committee	All Councillors	N/A
2	Cemeteries Advisory Committee	Cr Dowling	Cr Hopper
3	Bush Fire Advisory Committee	Cr Harris	Cr Bradford
4	Dryandra Regional Equestrian Park Management Committee	Cr Conley	Cr Ballantyne
5	Dryandra Voluntary Regional Organisation of Councils (DVROC)	Cr Conley	Cr Dowling CEO
6	Education (School Awards, etc)	Cr Hopper	Cr Bradford
7	Cuballing Wickopin Local Emergency Management Committee	Cr Conley	Cr Ballantyne
8	Popanyinning Progress Association	Cr Hopper	Cr Dowling
9	Wheatbelt South Regional Road Group	Cr Ballantyne	Cr Harris
10	Great Southern Regional Waste Alliance	Cr Conley	Cr Hopper
11	Dryandra Country Visitors Centre	Cr Bradford	Cr Ballantyne Deputy CEO
12	Central Country Zone of WALGA	Cr Conley Cr Dowling	Cr Hopper CEO
13	Development Assessment Panel	Cr Conley Cr Dowling	Cr Ballantyne Cr Bradford
14	Plant Management Review Group	Cr Bradford Cr Harris	
15	Wheatbelt South Aged Housing Alliance	Cr Dowling	Cr Conley
16	Cuballing Volunteer Action Group	Cr Ballantyne	Cr Harris

### 6 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 Delegation Register and are reviewed by Council annually. The Chief Executive Officer has the power under the Local Government Act 1995 to sub-delegate 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; 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.

## **7 SERVICES FOR THE COMMUNITY**

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

These services currently include, but are not limited to:

Roads/Footpaths/Kerbing	Stormwater Drainage
Traffic Control Devices	Street Lighting Waste Disposal
Street Tree Planting	Refuse Collection Control
Public Toilets	Public Library
Aged Persons Accommodation	Parks and Reserves
Dog /Cat Control	Planning Controls
Environmental Health Matters	Pest Controls
Town Planning	Occupational Health and Safety
Community Information	Noxious Weed Controls
Building Control	Citizenship Ceremonies

## **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 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; and
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 or on the Shire of Cuballing website free of charge.

Members of the public may purchase printed copies of these documents and the charges are shown below:

Document	Fee
Council Agenda	at the set photocopying rate
Council Minutes	at the set photocopying rate
Policy Manual	at the set photocopying rate
Council Budget	at the set photocopying rate
Council Annual Financial Statements	at the set photocopying rate
Council Local Laws	at the set photocopying rate
Community Strategic Plan	at the set photocopying rate
Corporate Business Plan	at the set photocopying rate
Long Term Financial Plan	at the set photocopying rate
Workforce Plan	at the set photocopying rate
Asset Management Plans	at the set photocopying rate
Rates Assessment Book	\$50
Delegation Register	at the set photocopying rate
Building Plans	at the set photocopying rate
Council Town Planning Scheme No. 2	\$33
Consolidated Roll	\$10
Owner & Occupier Roll	\$10

## 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 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.

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

### **Postal Address:**

Shire of Shire of Cuballing  
PO Box 13  
CUBALLING WA 6311

### **In Person:**

Shire of Cuballing Administration Building  
22 Campbell Street  
CUBALLING WA 6311

An 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 Freedom of Information Regulations 1993. Apart from the application fee for non – personal information all charges are discretionary. The charges are as follows:-

1.	<u>Type of Fee</u>	
	Personal information about the applicant	No Fee
	Application fee (for non-personal information)	\$30
2.	<u>Type of Charge</u>	
	Charge for time dealing with application (per hour, or pro rata)time supervised by staff (per hour, or pro rata)	\$30
	Photocopying staff time (per hour, or pro rata)	\$30
	Per photocopy (Black & White)	0.33
	Transcribing from tape, film or computer (per hour, or pro rata)	\$30
	Duplicating a tape, film or computer information	Actual Cost
	Delivery, packaging and postage	Actual Cost
3.	<u>Deposits</u>	
	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 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.

## **13 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.

## **14 ATTACHMENTS**

Attachment 1 - Application for Access to Documents

Figure 1 – Shire of Cuballing Organisational Structure at 31<sup>st</sup> May 2020



## SHIRE OF CUBALLING

PO Box 13 Cuballing WA 6311

Phone: 08 9883 6031

Email: enquiries@cuballing.wa.gov.au

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

#### Details of Applicant:

Given Names:

Australian Postal Address:

Postcode:

Phone:

Mobile:

If 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:

#### 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 to 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.

Applicants Signature:

Date

## NOTES

### Freedom of Information Applications

- Please provide sufficient information to enable the correct document(s) to be identified.
- The Shire of Cuballing may request proof of your identity.
- If you are seeking access to a document(s) on behalf of another person, the agency will require authorisation, usually 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 Office of the Information Commissioner. The Freedom of Information Act is available for purchase from the State Government Bookshop, 815 Hay Street, Perth (Telephone: 9222 8216)

### 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 works recorded in shorthand or encoded form, or a written document in the cost of a document from which words can be reproduced in written form.

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

### Lodgement of Applications

Applications may be lodged by post or in person at:-

Shire of Cuballing  
PO Box 13  
CUBALLING WA 6390

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### (Office Use Only)

FOI Reference Number:

Received on: \_\_\_\_\_ Deadline for response \_\_\_\_\_

Acknowledgement sent on: \_\_\_\_\_

Proof of Identity (if applicable)

Type \_\_\_\_\_ Sighted \_\_\_\_\_

Figure 1 – Shire of Cuballing Organisational Structure at 31<sup>st</sup> May 2020

### Organisation Structure

The Shire manages its responsibilities and services through the organisational structure illustrated below:

