



**Shire of Tammin**

# **FREEDOM OF INFORMATION STATEMENT**

2010

## **FREEDOM OF INFORMATION**

This Information Statement is published by the Shire of Tammin 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 on a needs basis to account for any amendments that may arise.

## **1. STRUCTURE AND FUNCTIONS OF THE COUNCIL**

### **1.1 OVERVIEW**

The Shire of Tammin 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 Tammin 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;
- 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; and
- promote and be leaders in the landcare movement by providing high standards of education on all landcare issues.

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.

### **1.2 COUNCIL**

The Shire of Tammin consists of six Councillors including the President. Councillors are elected for a four year term and retire on a rotation basis. Elections are held in October every second year. The President of the Council is elected by the Councillors at the first meeting following the annual elections. Extraordinary elections are held to fill any vacancies which may have occur between the ordinary elections.

Council is the decision making body on all policy matters. The Chief Executive Officer recommends to Council.

The organisation structure of the Shire of Tammin is as shown in Figure 1 attached.

Ordinary meetings of Council are generally held on the third Thursday of each month (except the month January when Council is in recess and on public holidays), and commence at 2.00pm. Members of the public are welcome to attend.

The main business of the meeting is to consider and make resolutions on the recommendations of the Chief Executive Officer.

### **1.3 STANDING COMMITTEES**

From time to time, Council appoints Standing Committees to address on-going issues. Currently, the only Standing Committee is the Audit Committee, which meets on an as-needs basis.

Matters dealt with at standing committee level form part of the deliberative process and are a recommendation to Full Council. These meetings are not open to the public.

The Agenda for meetings is closed eight days prior to the meeting. Council will only consider matters on the Agenda. Correspondence and applications on any matters to be considered by Council must be received at the Shire Office at least eight days prior to the Council meeting to be placed on the Agenda.

#### **1.4 MINUTES**

Unconfirmed minutes of Full Council are available for viewing and are displayed on the Shire of Tammin's WEB site within 10 business days of the meeting and within 5 days for Committee meetings.

#### **1.5 SUB-COMMITTEES AND CONSULTATIVE GROUPS**

A number of sub-committees comprising elected members, and advisory committees and consultative groups (that may also include staff and the public), are established from time to time to investigate particular issues, and report to Council. They meet as required.

#### **1.6 DELEGATIONS**

The Chief Executive Officer and other officers have delegated authority from Council to make decisions on a number of specified administrative and policy matters. These delegations are listed in Council's Delegations Manual and are reviewed by Council annually or more often as required.

In keeping with the legislative requirement to:

- determine policies to be applied by the Council in exercising its discretionary powers;
- determine the type, range and scope of projects to be undertaken by the Council; and
- develop comprehensive management plans, budgets, financial control and performance objectives and indicators for the operations of the Council,

the Council makes decisions which direct and/or determines 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.

## 2. 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	Stormwater Drainage
Traffic Control	Street Lighting
Devices Street/Road Tree Planting	Garbage Collection
Public Toilets	Public Library
Parks and Reserves Planning Controls	Dog Control
Pest Control	Environmental Health
Occupational Health & Safety	Town Planning
Noxious Weed Controls	Community Information
Citizenship Ceremonies	Building Control
Recreation Facilities	Landcare Education

### **3. PUBLIC PARTICIPATING**

#### **3.1 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 Committee Chairman 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 the Chief Executive Officer, a member of the public can address Council on any issue relevant to Council.
3. Petitions – Written petition 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.

#### **3.2 COMMUNITY CONSULTATION**

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

1. Elector Meetings – Electors are invited to attend the annual general meeting of electors to review the previous year's operations and discuss specific issues over a large range of topics. All residents may attend, but only electors on the Council voting 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.

## 4. ACCESS TO DOCUMENTS AND INFORMATION

### 4.1 ACCESS ARRANGEMENTS

It is the aim of the Shire of Tammin to make information available promptly and at the least possible cost. Whenever possible, documents will be provided outside the Freedom of Information process. If information is not routinely available, the *Freedom of Information Act* provides the right to apply for documents held by the Shire of Tammin and to enable the public to ensure that personal information in documents is accurate, complete, up to date and not misleading.

It should be noted that some documents are for viewing only and documents cannot be copied which would breach the *Copyright Act*.

Access to documents can be granted by way of inspection, a copy of the 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.

### 4.2 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:-

<u>Document</u>	<u>Fee</u>
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 By-Laws	at the set photocopying rate
Building Application Register	at the set photocopying rate
Assessment Book	at the set photocopying rate
Directional Maps	\$6.00 per map
Consolidated Roll	\$5.00 complete roll
Owner & Occupier Roll	\$5.00 complete roll
Building Plans	\$5.00 per sheet subject to the approval of the owner of building/plans

### 4.3 OTHER INFORMATION REQUESTS

Access applications have to:

- be in writing;
- give enough information so that the documents requested can be identified;
- give an Australian address to which notices can be sent; and
- be lodged at the Shire of Tammin with any application fees payable.

Application Forms, whilst not essential, have been prepared to assist applicants and are available at the Shire Office, 1 Donnan Street, Tammin. Freedom of Information requests should be addressed to:-

Chief Executive Officer  
Shire of Tammin  
PO Box 53  
TAMMIN WA 6409

Applications will be acknowledged in writing and be notified of the decision as soon as possible within 45 days.

#### **4.4 NOTICE OF DECISION**

As soon as possible but in any case with 45 days you will be provided with a notice of decision which will include details such as:

- the date 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 procedure to be followed to exercise those rights.

#### **4.5 REFUSAL OF ACCESS**

Applicants who are dissatisfied with a decision of the Shire of Tammin are entitled to apply to the Information Commissioner for an external review and details will be advised to applicants when on request. Applicant should be made in writing within 30 days of receiving the notice of the decision.

#### **5. AMENDMENT OF COUNCIL RECORDS**

A member of the public may gain access to Council documents to seek amendments concerning their personal affairs by making a request under the *Freedom of Information Act*. 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 Council records, a member of the public must outline in writing the records that he/she wishes to inspect.

Whilst not essential, Freedom Of Information Request Forms have been completed to assist in requests. Forms are available from the Shire Office, 1 Donnan Street, Tammin.



**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 application is on behalf of an organisation Name of Organisation/Business : \_\_\_\_\_

DETAILS OF REQUEST:     Personal Documents                       Non-Personal Documents  
(Please tick )

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:

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

APPLICANT'S SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
(Office Use only)

FOE Reference Number: \_\_\_\_\_

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

Acknowledgment sent on: \_\_\_\_/\_\_\_\_/\_\_\_\_

Proof of Identity (If applicable)

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

## FEES AND CHARGES

Application fees and charges as well as advance deposits prescribed as payable 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

(Regulation 4,5, and 6)

COLUMN 1	SCHEDULE	COLUMN 2
1. Type of fee		
(a) Personal information about the applicant		No Fee
(b) Application fee under Section 12(1)(e) of the Act (for non-personal information)		\$30
2. Type of Charge		
(a) Charge of time taken by staff dealing with the application (per hour, or pro rata)		\$30
(b) Access time supervised by staff (per hour or pro rata)		\$30
(c) Photocopying staff time (per hour, or pro rata)		\$30
(d) Photocopy		\$0.20
(d) Transcribing from tape, film or computer (per hour, or pro rata)		\$30
(e) Duplicating a tape, film or computer information		Actual Cost
(f) Delivery, packaging and postage		Actual Cost
3. Advance Deposits		
(a) Advance deposit which may be required of the estimated charges		25%
(b) Further advance deposit which may be required to meet the charges for dealing with the application		75%

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

## PLEASE NOTE

### **FOI Application**

- Provide sufficient information to enable the correct document(s) to be identified.
- The Shire of Tammin 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 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 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 Tammin to provide supervision by staff. In this regard, please also refer to the Fees and Charges Schedule, 2(b).

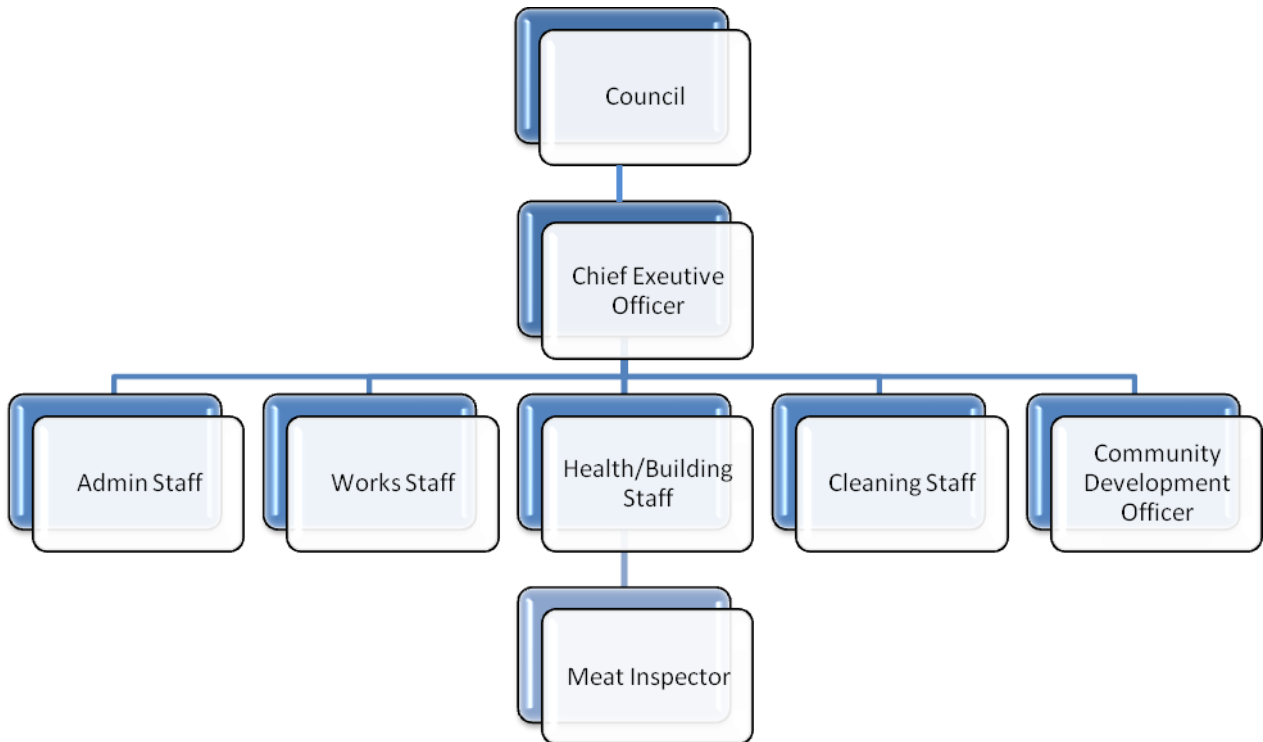
Where the Shire of Tammin is unable to grant access in the form requested, access may be given in a different form.

### **Lodgement of Applications**

Applications may be lodged:

- by post, addressed to: Chief Executive Officer  
Shire of Tammin  
PO Box 53  
TAMMIN WA 6409
- in person at: Shire of Tammin  
1 Donnan Street  
TAMMIN WA 6409

FIGURE 1



Adopted by Council 1994  
Reviewed and Adopted by Council – 27 July 2006  
Reviewed by Council – 16 August 2007  
Reviewed by Council – 16 July 2008  
Reviewed by Council – 15 December 2010