



*Freedom of Information Act 1992*

Information Statement

This Information Statement is published in accordance with the requirements of Section 94 of the *Freedom of Information Act 1992*

*P. Sheedy.*

**Paul Sheedy  
Acting Chief Executive Officer**

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## Additional Information

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### Structure and Function of Council

#### Council

The Council is the decision making body of the Shire of Carnamah. Council is comprised of seven elected members. After each election, the council members elect a President and Deputy President.

The council are guided in their decision making by a Strategic Community Plan, formed through input provided by ratepayers and residents.

Ordinary meetings of Council are held on the third Wednesday of each month commencing at 4pm in Carnamah and 3pm in Eneabba. Members of the public are welcome to attend the meeting.

#### Meeting dates 2022

23 February	21 September
16 March	19 October
20 April	16 November
18 May	27 October
20 July	21 December
17 August	

#### Current Elected Members

- |                                      |                   |
|--------------------------------------|-------------------|
| 1. Cr M Isbister, President          | Term expires 2023 |
| 2. Cr D Woollorton, Deputy President | Term expires 2025 |
| 3. Cr W Counsel                      | Term expires 2023 |
| 4. Cr I Bowman                       | Term Expires 2023 |
| 5. Cr C Kikeros                      | Term expires 2025 |
| 6. Cr B Chisholm                     | Term expires 2025 |
| 7. Cr L Risinger                     | Term expires 2023 |

#### Agendas and Minutes

Agendas of Council meetings are on public display at the Shire Office in Carnamah, and the shire's website from the Friday prior to the Council meeting.

Minutes of meetings are available within ten working days of the Council meeting and are also on display at the Shire Office and the shire's website.

#### Council Committees

Council members participate in one internal committee that support the operation of the council, being the Audit Committee.

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### Delegations and Policies

In keeping with legislative requirements, 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 toward works and services.

The Chief Executive Officer and other officers have delegated authority from Council to make decisions on specific administrative and policy matters. The authority behind these delegations is detailed in the Delegations Manual, which is reviewed annually by Council and is available on the website.

The Council's Policies enable such matters to be dealt with on a consistent basis. The Policies are available for viewing on the Shire's website.

### Community services

Council makes decisions on issues relating to services that are provided for members of the public. These services currently include:

- Animal control
- Building control
- Medical Services
- Cemeteries
- Parks and reserves
- Pest control
- Playground equipment
- Public seating & public toilets

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- Citizenship ceremonies
  - Coastal & beach management
  - Community development
  - Community halls and centres
  - Library & Information Service
  - Environmental health matters
  - Fire prevention
  - Parking bays/road closures
  - Youth
  - Recreational/sporting facilities
  - Refuse sites & waste management
  - Roads/footpaths/kerbing
  - Seniors
  - Street lighting
  - Stormwater drainage
  - Street sweeping
  - Street tree planting
  - Traffic control devices

### Community Consultation

#### Council meetings

Members of the public can put forward their views on issues before Council through:

- Deputations – with the permission of the President, members of the public can address Council personally or on behalf of a group of residents.
- Petitions – written petitions can be addressed to Council on any issue within Council's jurisdiction.
- Presentations – with the permission of the Chief Executive Officer, members of the public can address Council on any matter on the Council Meeting Agenda.
- Written Requests – a member of the public can write to Council on any Council policy, activity, or service.
- Elected Members – members of the public can contact Elected Members to discuss any issue relevant to Council.

#### Community consultation

- Residents are notified of some Development Applications requiring the approval of Council. When an application is publicly advertised, residents can write to Council expressing their view of the application.
- Annual Meeting of Electors
- Advertising in a local newspaper as required.
- Social media platforms

#### Documents available for inspection

Many documents are available for public inspection at the Shire Office in Carnamah, and some are also accessible via the Shires web site. Please note that there may be limits to inspection rights for certain documents under *s5.95 of the local Government Act 1995*. Some of these documents are;

Annual Budget

Annual Report

Code of Conduct

Registers (Complaints, Gifts, Financial Interests, Tenders, etc.)

Council, Committee and Electors Agendas and Minutes \* (excluding sections closed to the public)

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## Additional Information

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Council Local Laws and proposed Local Laws

Delegations Register

Freedom of Information Statement

Laws enforced by the Shire of Carnamah

Owners and Occupiers Roll

Strategic Community Plan and Corporate Business Plan

Policy Manual

Rate Record

Owners and Occupiers Register and Electoral Rolls

Schedule of Fees and Charges

### State Records Office

The State Records Office is the Official repository for all state archives, including information transferred by government agencies such as the Shire of Carnamah. Access to information held by The State Records Office is free.

The State Records Office is located on the Ground Floor of the Alexander Library Building, Perth Cultural Centre.

### Requests for Information

#### *Freedom of Information Act 1992*

Requests for other information not listed on the previous page may be considered under the *Freedom of Information Act 1992*.

The FOI Act gives you the right to access some documents held by State and local government agencies, subject to limitations. An FOI application may not be your best option when seeking information, at least as a first step. Here are some reasons:

- Access rights under the FOI Act do not apply to documents that are already publicly available.
- You will not be able to obtain personal information about other people.
- Certain business documents or documents covered by legal professional privilege may not be made available.

An application for access to documents under the *Freedom of Information Act 1992* does not automatically ensure you will obtain the documents you request. Access may be refused, or you may only receive heavily redacted copies of documents based on exemptions under the *Freedom of Information Act 1992*.

The Act is written to facilitate access to documents held by government bodies, and to ensure that your personal information in those documents is correct. It is not designed as a tool to assist in neighbourhood disputes or civil legal action.

The type of government documents or records that can be requested extends to all manner of information, however recorded, in the possession or under the control of an agency. Documents

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## Additional Information

include (but are not limited to) maps, plans, diagrams, graphs, drawings, photographs, videos, audiotapes, CCTV footage and electronic records including emails.

### Amendment of Council records

You may gain access to Council documents to seek amendments concerning your personal affairs by making a request under the *Freedom of Information Act 1992*. A member of the public may request a correction to any information about themselves that is incomplete, misleading, or out of date.

### Applications for access to documents

Under the FOI legislation, an application must be made in writing with:

- sufficient information to enable the identification of the relevant documents,
- an Australian address to which notices can be sent, and
- the payment for the application fee where applicable. (Application fees only apply when non personal information is requested.)

Refer to Appendix A - SHIRE OF CARNAMAH FREEDOM OF INFORMATION REQUEST FORM

You can access a Freedom of Information application form through the website.

Freedom of Information applications to the Shire of Carnamah can be submitted via email: [shire@carnamah.wa.gov.au](mailto:shire@carnamah.wa.gov.au) or in person at the Shire of Carnamah Office, Macpherson Street, Carnamah, or by post to

The Freedom of Information Coordinator, Shire of Carnamah, PO Box 80, Carnamah WA 6517.

### Fees and charges

A scale of fees and charges is set under the FOI Regulations.

Apart from the application fee of \$30 for non-personal information, all charges are discretionary. The charges are as follows:

<b>1. Fees</b>	
• Personal information about the applicant	No fee
• Application fee (for non-personal information)	\$30.00
<b>2. Charges</b>	
• 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 photocopied A4 page	20c
• Transcribing from tape, film or computer per hour, or pro rata)	\$30.00
• Duplicating a tape, film or computer information	At cost
• Delivery, postage and packaging	At cost
<b>3. Deposits</b>	
• 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%

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Fees for financially disadvantaged applicants or those issued with prescribed pensioner concession cards, (apart from the Application Fee) may be reduced by 25%.

Applicants will receive a response as soon as possible, and always within the statutory 45 days of Council receiving a valid application, together with the appropriate fee.

### Access Arrangements

Access to documents can be granted by way of visual inspection or supply of hard copies, email attachment copies (digital files), or placed on a USB.

### Decision makers

Council's Records Officer is the Freedom of Information Coordinator and is authorised to perform the required functions of the Act.

### Notice of Decision

As soon as possible but in any case, within 45 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.
- 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; and
- information on the right to review and the procedures to be followed to exercise those rights.

### Access refusal

Applicants who are refused access or are dissatisfied with a decision of the agency are entitled to ask for an internal review by the agency.

### Review

Application for a review should be made in writing within 30 days of receiving the notice of decision. Internal review will be undertaken by a senior officer from the Shire of Carnamah. Review applications should be addressed to: The Chief Executive Officer, PO Box 80, Carnamah WA 6517, [shire@carnamah.wa.gov.au](mailto:shire@carnamah.wa.gov.au)  
You will be notified of the outcome of the review within 15 days.

If the result of the internal review is not to the applicant's satisfaction, an external review may be requested by contacting the Office of the Information Commissioner.  
[info@foi.wa.gov.au](mailto:info@foi.wa.gov.au) (08) 6551 7889



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## Additional Information

Appendix A



## SHIRE OF CARNAMAH FREEDOM OF INFORMATION REQUEST FORM

Use this form for access to documents under the *Freedom of Information Act 1982*

Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="text"/> Insert any other identification titles text.
Surname	<input type="text"/> Enter surname.
Given name	<input type="text"/> Enter given/first name.
Company/Representative (if applicable)	<input type="text"/> Enter company/representative (if applicable).
Postal Address	<input type="text"/> Enter postal/mailing address.
Email and Telephone	<input type="text"/> Enter email address and telephone/contact details.
Applicant's signature	<input type="text"/> Add signature
Date	<input type="text"/> Enter date

### Documents requested

Access to the following documents is requested:

*Please describe the documents you want access to as clearly as possible.*

If there is any additional information that would assist the Shire to process your request, please attach it to this form.

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### Authorisation – access to documents on behalf of another person

If you are lodging a Freedom of Information (FOI) request on behalf of another person, you must provide proof of identity (for example; Australian driver's licence, passport, citizenship certificate or birth certificate) and a signed letter or copy of power of attorney documentation, to demonstrate that you are authorised to:

- make an FOI request on their behalf;
- communicate with the department in relation to the FOI request; and
- receive copies of documents that may be released by the department.

Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="text" value="Insert other identification title."/>
Surname	<input type="text" value="Enter surname."/>
Given name	<input type="text" value="Enter given/first name."/>
Company (if applicable)	<input type="text" value="Enter company (if applicable)."/>
Postal Address	<input type="text" value="Enter postal/mailling address."/>
Email and Telephone	<input type="text" value="Enter email address and telephone/contact details."/>
Authorisation and proof of identity attached	<input type="text" value="Choose Yes or No for client authorisation."/>
Signature	<input type="text" value="Add signature"/>
Date	<input type="text" value="Enter date"/>

### Preferred method of contact

The applicant's preferred means of accessing the documents identified above is:

- To receive a copy by post (please ensure a postal address is provided)
- To receive a copy by email (please ensure an email address is provided)
- To inspect the documents at the office at the Shire

### Consultation with third parties

If the documents identified relate to an individual/organisation (other than the applicant), it may be necessary for the Shire to consult that individual/ organisation in order to obtain their views about the potential release of documents.

Where consultation with a third party is necessary, the applicant consents to the disclosure of their identity for the purposes of third party consultation.

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### FOI charges

Charges relating to FOI requests are determined by the *Freedom of Information (Charges) Regulations 2019*. Where considered appropriate, an estimate of charges will be provided to you once documents within the scope of your request are identified.

There is no charge to access your own documents.

### Lodging an FOI request

Lodge your FOI request to the Carnamah Shire by:

Post	P.O BOX 80 CARNAMAH W.A 6517
In Person	33 -37 MACPHERSON STREET CARNAMAH W.A 6517
Email	shire@carnamah.wa.gov.au

### Further information

If you have any questions about making an FOI request to the Carnamah Shire, please contact the FOI Officer on (08) 9951 7000 or shire@carnamah.wa.gov.au

### Privacy statement

Personal information provided in this form will only be used for the purposes of processing the FOI request.

Received \_\_\_\_\_  
Signature Date