



Information Statement

2018/2019

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SHIRE OF DOWERIN ADMINISTRATIVE INFORMATION

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Shire President:
Darrel Hudson (Retiring 2021)

Deputy Shire President:
Cr Adam Metcalf (Retiring 2019)

Councillors:

Cr Robert Trepp (Retiring 2019)
Cr Brenton Walsh (Retiring 2019)
Cr Beverley Ward (Retiring 2021)
Cr Lindsay Hagbroom (Retiring 2021)
Cr Julie Chatfield (Retiring 2019)
Cr Leonard Holberton (Retiring 2021)

Chief Executive Officer
Mrs Rebecca McCall

1.0 INTRODUCTION

This information statement contains an overview of the structure and functions of the Shire of Dowerin, including a summary of how these functions affect members of the public and also describes avenues available to the public to obtain information held by the Shire of Dowerin.

The Information Statement describes the types of documents that can be inspected, purchased or obtained with and without charge, and outlines the range of collated information reports available.

The Information Statement also provides an outline of the Freedom of Information (FOI) process including how to make an FOI application, and describes relevant information specific to the Shire of Dowerin.

The Shire of Dowerin is an agency within the meaning of the *Freedom of Information Act 1992*. Accordingly, the requirements of the Act apply to the Shire of Dowerin 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.

The Act also requires that agencies prepare and publish an Information Statement which conveys the maximum possible detail to the public about its operations and which makes available to the public documents such as internal manuals which have previously been unavailable.

This Information Statement is published by the Shire of Dowerin in accordance with the requirements of the Act as outlined above.

2.0 STRUCTURE AND FUNCTIONS OF SHIRE OF DOWERIN

2.1 Constitution and Enabling Legislation

The Shire of Dowerin is a municipality constituted under section 2.5 of the *Local Government Act 1995* to provide for the good governance of the Municipal District. A municipality is a body corporate having perpetual succession, a common seal, the legal capacity of a natural person, and the powers conferred and obligations imposed upon a municipality by law.

The first settlement for agriculture was in 1897 and the town was not established until 1906 when the railway line was extended from Goomalling. The town grew rapidly from that point, with the first store opening in 1906 and in a short time was able to cater for most of the settlers' needs.

The earliest public buildings were at Dowerin Lakes or Old Dowerin, as it had been the expectations of the settlers that this site, 8 km south was to be the townsite. These buildings were a school and a Methodist Church.

The first Road Board was formed in 1912. The area was previously administered by the Goomalling Road Board and the new Dowerin Road Board covered a vast area including Wyalkatchem and Koorda. The District of Dowerin comprises of the Town of Dowerin and a number of smaller localities including Amery, Booralaming, Dowerin Lakes (Daren), Doodarding, Ejanding, Hindmarsh, Koombekine, Manmanning, Minnivale, Moonijin, Namelcatchem, Nambling, Ucarty and Watercarrin, covering a combined area of approximately 1,867 sq km.

The district consists of mainly agricultural land used primarily for the purposes of grain growing and sheep production for meat and wool.

2.2 Major Functions and Powers

The Shire of Dowerin Council is elected to provide strategic direction and policy formation. Council policies and guidelines act as guides for the Shire's stance on various issues.

The Shire of Dowerin provides for the good governance of the community in its district, including legislative and executive functions. The services of the Shire of Dowerin are available to all customers, free from any form of discrimination. The functions and activities of the Shire of Dowerin (including those contracted out to other organisations) are broadly described as:

Function	Brief Description
Community Development	The function of arranging, promoting or encouraging programs and events in visual arts, craft, music, performing arts, sports and recreation, cultural activities and services, youth and community engagement.
Community Services	The function of providing, operating or contracting services to assist local residents and the community. Services include aged care, and child care facilities.
Corporate Management	The function of applying broad systematic planning to define the corporate mission and determine methods of the Shire of Dowerins' operation.
Council Properties	The function of acquiring, constructing, designing, developing, disposing and maintaining facilities and premises owned, leased or otherwise occupied by the Shire of Dowerin.
Customer Service	The function of planning, monitoring and evaluating services provided to customers by the council.
Development & Building Controls	The function of regulating and approving building and development applications for specific properties, buildings, fences, signs, etc. covered by the Building Code of Australia and the Environment Protection Authority (EPA).
Environmental Management	The function of managing, conserving and planning of air, soil and water qualities, and environmentally sensitive areas such as remnant bushland and threatened species.
Financial Management	The function of managing the Shire of Dowerins' financial resources.
Governance	The function of managing the election of Council representatives, the boundaries of the Shire of Dowerin, and the terms and conditions for Councillors. Includes the function of managing the relationship between the Council and other governments.
Grants & Subsidies	The function of managing financial payments to the Shire of Dowerin from the State and Federal Governments and other agencies for specific purposes. Related to the function of Financial Management.
Heritage	The function of identifying and managing the Shire's historical buildings to ensure that these assets are properly maintained for future generations.
Information Management	The function of managing the Shire of Dowerins' information resources. Includes storage, retrieval, archiving, processing and communication of all information in any format.
Information Technology	The function of acquiring and managing communications and information technology and databases to support the business operations of the Shire of Dowerin.
Land Use & Planning	The function of establishing a medium to long term policy framework for the management of the natural and built environments.
Laws & Enforcement	The function of regulating, notifying, prosecuting, and applying penalties in relation to the Shire's regulatory role.

Function	Brief Description
Parks & Reserves	The function of acquiring, managing, designing and constructing parks and reserves either owned or controlled and managed by Council.
Personnel	The function of managing the conditions of employment and administration of personnel at the Shire of Dowerin including consultants and volunteers.
Plant, Equipment & Stores	The function of managing the purchase, hire or leasing of all plant and vehicles, and other equipment. Does not include the acquisition of information technology and telecommunications.
Public Health	The function of managing, monitoring and regulating activities to protect and improve public health under the terms of the Health Act, health codes, standards and regulations.
Rates & Valuations	The function of managing, regulating, setting and collecting income through the valuation of rateable land and other charges.
Risk Management	The function of managing and reducing the risk of loss of Shire of Dowerins' properties and equipment and risks to personnel.
Roads	The provision of road construction and maintenance of rural roads and associated street services to property owners within the Shire of Dowerin area.
Sewerage & Drainage	The function of designing, constructing, maintaining and managing the liquid waste system, including drainage, sewerage collection and treatment, stormwater and flood mitigation works.
Stakeholder Relations	The function of establishing a rapport with the community and raising and advancing the Shire's public image and its relationships with outside bodies, including the media and the public.
Traffic & Transport	The function of planning for transport infrastructure and the efficient movement and parking of traffic. Encompasses all service/facilities above the road surface and includes all forms of public transport.
Waste Management	The function of providing services to ratepayers for the removal of solid waste, destruction and waste reduction.

3.0 LEGISLATION ADMINISTERED

Acts of Parliament and Regulations administered by the Shire of Dowerin are detailed in *Appendix 2*. Copies of Acts and Regulations are available from:-

State Law Publisher
10 William Street
PERTH 6000
Ph. 9321 7688
Fax 9321 7536

Or, electronically at the Australasian Legal Information Institute – www.austlii.edu.au/

Local Laws pursuant to the Local Government Act 1995 and the Health Act 1911 are promulgated by Council following a statutory public advertising period and referral to the Minister for Local Government. The Shire of Dowerins' Local Laws are also listed in *Appendix 2*.

4.0 STRUCTURE AND FUNCTION OF THE SHIRE OF DOWERIN

4.1 Council

The Council consists of eight (8) Councillors, including the Shire President and Deputy Shire President who are both elected by the Councillors. The Shire President and Councillors act in a voluntary capacity, receiving an allowance only. Each Councillor serves for a term of four (4) years. Elections for half the council are held every two (2) years. Council has adopted a Code of Conduct to enable efficient decision-making.

The role of Council is to:

- direct and control the Shire's affairs;
- be responsible for the performance of the Shire's function;
- oversee the allocation of the Shire's finances and resources;
- determine the Shire's policy; and
- provide strategic direction.

The role of the president is to:

- preside at Council meetings;
- provide leadership and guidance to the community;
- carry out civic and ceremonial duties on behalf of the Shire;
- speak on behalf of the Shire;
- perform such functions as specified in the Act or other written laws; and
- liaise with the CEO on the Shire's affairs and the performance of its functions.

The Deputy Shire President carries out these functions when the Shire President is unavailable.

Council establishes policies and guidelines for the management of the district and makes all decisions in this regard, unless authority has been delegated to a committee or officers of Council. Councillors are required under the *Local Government Act 1995* to work for the district as a whole.

Decisions of Council are made at Council Meetings. Ordinary Meetings are held on the fourth Tuesday of each month excluding August and December when a meeting is held on the third Tuesday of the month and January when no meetings are scheduled.

4.2 Council Administration

Council Administration undertakes the operational activities of Council related to Council decisions. All operations are carried out according to Council Policy and decisions made by Council Officers are in accordance with authority delegated by Council.

The Chief Executive Officer (CEO) of the Shire of Dowerin is appointed by the Council and is responsible for management of the administration functions of the Council and all staff appointments.

An Organisational Chart for the Shire of Dowerin is attached (*Appendix 3*).

4.3 Shire of Dowerin Resources

The Shire of Dowerin has an Operating Revenue budget for 2018/2019 of \$3.2 million. It receives approximately \$1.3 million from rate income and the balance from other sources.

The annual budget (available at www.dowerin.wa.gov.au) contains complete details of the Shire's financial information.

4.4 Shire of Dowerin Key Community Services and Facilities

- Community Resource Centre
- Dowerin Community Care (HACC program)
- Dowerin District Museum
- Lil Tigers Early Learning Centre

5.0 SHIRE OF DOWERIN STRATEGIC COMMUNITY PLAN

The Shire's Strategic Community Plan "Strategic Community Plan 2018-2028" sets out the strategic direction for management of the district.

5.1 The Community's Vision

Dowerin will be a thriving and growing rural community which offers lifestyle choice for all generations, is progressive in environmental management and is a preferred location for business development.

A thriving and growing rural community...

Dowerin will be progressive and successful community with a range of regular activities, events and opportunities available for residents, businesses and visitors to enjoy.

Shire facilities will be heavily utilised, well managed and successfully maintained and local residents will play an intricate role in the community through volunteerism and participation.

A lifestyle choice for all generations....

With high quality facilities and services that will cater for the needs of a range of demographics. Dowerin will be a prime location for singles, families and seniors to relocate from the hustle and bustle of the metropolitan area and will offer an affordable and desirable community in which to live, work and play. We will have employment choices, high quality education for all ages, health and emergency services. These attributes will combine to make Dowerin a safe and friendly place to reside.

A preferred location for business development....

Dowerin will be a prosperous and successful place to live and do business. Opportunities will be available for economic growth and business activity leading to a sustainable economy for the long term. Young people will stay in Dowerin to take advantage of traineeships and apprenticeships leading to a bright future. Residents and businesses will have access to 21st century telecommunications technology ensuring they are connected with the rest of the world.

Progressive environmental management....

Dowerin will be progressive in its environmental practises, minimising waste to landfill and maximising potential for recycling whilst utilising the Dowerin Recycling Centre. Residents will optimise opportunities to minimise energy use and utilise alternative green energy resources. Residents will actively volunteer to participate in the Tidy Towns program and conduct work at the recycling shed.

5.2 Key Focus Areas

To be successful, Council must achieve positive results in the following five broad Key Focus Areas (KFAs):

1. Our Lifestyle

This KFA contributes directly to a safe, friendly and engaged community with diverse education and employment opportunities and services that meet the needs for all generations.

2. Our Infrastructure

Our infrastructure will drive economic and population growth, be a key enabler of the digital economy and support reliable, efficient service delivery.

3. Our Economy

This KFA provides a strong and growing local economy supported by new industry development aligned to identified economic opportunity.

4. Our Natural Environment

This KFA contributes directly to enhanced, engaging community spaces, heritage protection and environmental protection. Dowerin's unique natural environment is conserved and enhanced through sustainable practices and responsible environmental management.

5. Our Leaders

This KFA underpins the Shire's activities in the other KFAs. A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs.

Each of these areas can influence the others. Achievement in all of the key focus areas is crucial to the success of the plan.

6.0 FUNCTIONS, INCLUDING DECISION-MAKING FUNCTIONS AFFECTING THE PUBLIC

6.1 Council

Meetings of Council are held to make all decisions concerning the municipal district, other than those delegated, as authorised by the *Local Government Act 1995* and other legislation as appropriate. Decisions are generally made after considering recommendations from committees unless a Special Meeting of Council has been called to consider a specific issue.

6.2 Council Committees and Delegations

Committees meet to consider issues which are under their area of control as identified in their Terms of Reference. These committees may comprise Councillors, and community representatives. Committees are constituted by council and have special responsibilities depending on their function. Council Administration provides reports and advice to the various Council committees in the agenda for each meeting and recommends an appropriate course of action. The committee may then either endorse the administration recommendation or recommend an alternative course of action. The committee is responsible for the recommendations to Council as recorded in the minutes of the committee meeting.

Council has the following committees:

These committees were established to enable greater community involvement in the management of these key issues.

- Audit Committee
- Finance Committee
- Dowerin Bush Fire Advisory Committee
- Dowerin Local Emergency Management Committee
- Australia Day Honours Committee
- Road Verge Management Committee

Council also has delegates on the following external committees:

- Avon Regional Organisation Councils (AROC)
- Great Eastern Zone – WALGA
- Goomalling Medical Centre
- Kellerberrin Regional Road Group
- Dowerin Events Management

Delegates to these committees represent the Shire of Dowerin and generally matters are not referred to Council for consideration unless there are specific issues requiring attention.

6.3 Chief Executive Officer (CEO)

The CEO's functions are to advise council in relation to the functions of the Shire of Dowerin under the *Local Government Act 1995* and other written laws and to ensure information is available so that informed decisions are made. The CEO is also responsible for all staff matters. The CEO is to liaise with the Shire President on local government affairs and the performance of the Shire of Dowerin as well as ensure records and documents are properly kept.

6.4 Delegated Authority

In addition to the legislated functions of the CEO and in order to ensure the efficient management of Council activities, authority has been delegated to the CEO and other officers to make decisions of an operational nature according to Council policies and specific matters by resolution of Council.

Delegated Authorities are listed in the Delegated Authority Register and are reviewed at least annually by Council.

7.0 PUBLIC PARTICIPATION IN THE FORMULATION OF POLICY AND PERFORMANCE

Electors, ratepayers and residents of the Shire of Dowerin have a number of opportunities to be involved in the decision-making processes of Council. Details of the various public participation opportunities are outlined below:

7.1 Public Address at Council / Committee Meetings

Members of the public are permitted, under Councils Local Law relating to Standing Orders, to address meetings of Council on any subject which is within the Council jurisdiction. However at Committee Meetings members of the public are permitted to only address topics listed on the agenda for that meeting. In order to make an address it is preferred that a person give written notice of their intention to do.

The rules governing the Public Address Session are outlined in the *Shire of Dowerin Local Law Relating to Standing Orders* available on the Shire's website or on request.

The public address is restricted to electors of the Shire unless the Council, by resolution, decides otherwise.

7.2 Petitions

Written petitions can be presented to Council on any subject within Council's jurisdiction. Council will receive each petition and may refer it to Administration for research and advice before making a decision.

7.3 Electors' Meetings

Electors have an opportunity to give their opinions on any issue at either the Annual Meeting of Electors or Special Meetings of Electors.

7.3.1 Annual Meeting of Electors

An Annual Meeting (AGM) of Electors is held at least once in each financial year, at a time appointed by Council for the following purposes:

- receiving the Annual Report;
- Special Business of which notice has been given; and
- General Business.

7.3.2 Special Meeting of Electors

Electors may initiate a Special Meeting of Electors under procedures prescribed in the *Local Government Act 1995*.

The Standing Orders specify that special meetings are called to consider special business which is notified when calling the meeting. No business shall be transacted at a special meeting other than that for which the special meeting was called.

7.4 Written Requests

Any member of the community may write to the Shire of Dowerin at any time on any matter. Any matter raised will be considered by Administration and/or Council and a decision and response provided.

Correspondence should be addressed to:

Chief Executive Officer
Shire of Dowerin
PO Box 111
DOWERIN WA 6461
Or by email to dowshire@dowerin.wa.gov.au

7.5 Councillors

Electors are able to vote every second year for Councillors in the Dowerin District Ward to represent them in the decision-making functions of Council. Councillors are elected for four (4) year terms. At any time during these terms electors may contact Councillors to discuss any issues relevant to Council.

7.6 Community Engagement

Council may consult residents on any issue that is currently under consideration. Other than direct consultation, or via its website, Council may notify residents of issues by advertising in local papers, calling public meetings, or surveys. Under each of these methods electors, ratepayers and residents are able to provide input and lodge objections and are provided with guidelines for doing so.

8.0 DOCUMENTS HELD BY THE SHIRE OF DOWERIN

Council maintains records regarding its operational activities according to legislative requirements. Many of these documents are available for public inspection free of charge. Public inspection may be at the Shire Office (13 Cottrell Street, Dowerin) and on the Shire's website www.dowerin.wa.gov.au.

The types of documents available are explained below. *Appendix 4* provides a chart detailing the level of access and availability of these documents.

Council and Committee Agendas and Minutes

Reports listed for discussion at Council and Committee Meetings and the resultant minutes of those meetings are available for viewing as soon as they are produced.

Public Registers

In accordance with the *Local Government Act 1995*, the following registers are available for inspection at Council:

- Delegations of Authority;
- Gift Register;
- Electoral Gift Register;
- Annual and Primary Financial Returns of Elected Members and staff granted delegated authority;
- Disclosure of Financial Interests Register;
- Register of Owners and Occupiers;
- Tenders Register;
- Complaints Register (Rules of Conduct Regulations); and
- Code of Conduct.

Local Laws

The laws that Council makes to enable it to fulfil its functions. Copies of the Shire's local laws are available electronically from the Shire's website, or in hard copy from the Shire's administration building.

Policy Manual and Delegated Authority Manual

Manuals adopted by Council on policies and areas where authority has been delegated. Copies of the manuals are available electronically from the Shire's website, or in hard copy from the Shire's administration building.

Strategic Community Plan

A community-based document which outlines the Shire's vision, mission, beliefs and key focus areas over ten years. The Shire's Corporate Business Plan is drawn from the Shire's Strategic Community Plan and is updated every year, planning for a four-year period.

Disability Access and Inclusion Plan

A plan developed by the Shire as required by the *Disability Services Act 1993* to ensure that people with disabilities have access to the Shire's functions, facilities and services.

Electoral Rolls and Street Directories

The Council is required to keep a continuing electoral roll of the municipality, consisting of a Residents roll and an Owners and Occupiers roll (*Sections 4(40) and 4(41) of the Local Government Act 1995*). The Electoral roll is available for viewing at the Shire's Administration building.

Schedule of Fees and Charges

A schedule of fees and charges for services and facilities provided by the Shire and approved by Council annually.

Annual Budget

Gives details of the budget approved by Council within a financial year. Available from the Shire's website www.dowerin.wa.gov.au

Annual Report

Produced by the Shire of Dowerin, detailing the Council activities for the year. Available from the Shire's website www.dowerin.wa.gov.au

Tender Register

Gives details and results of tenders called for works and services.

Contracts Register

Gives details of contracts awarded for all non-tender items (consultancies etc). Access is available provided it is demonstrated to be in the public interest and there is no conflict with commercial confidentiality.

Freedom of Information (FOI) Statement (This document)

A document required under the *Freedom of Information Act 1992* which provides detailed information on the Shire of Dowerin. The Statement is designed as a guide for the community on the structure and nature of the Council.

Local Government Retention and Disposal Schedule

A manual released by the State Records Office to ensure conformity and safekeeping of records within Local Government.

Record Keeping Plan

The State Records Act 2000 governs the creation and management of Government and State records, including Local Government records. This Act requires the development and implementation of a Record Keeping Plan based on the management of records addressing six fundamental Principles:

1. Proper and Adequate Records
2. Policies and Procedures
3. Language Control
4. Preservation
5. Retention and Disposal
6. Compliance

The Plan provides an accurate reflection of the record keeping program within the organization.

The Shire's current Record Keeping Plan RKP2008069, was reviewed by the State Records Commission on 1 August 2014, the State Records Commission approved the continuation of the Plan. In accordance with section 28 of the *State Records Act 2000*, the Plan is to be reviewed every 5 years. Therefore, a report of the review must be submitted to the State Records Office by 23 March 2019.

Building/Development Applications

As the authority responsible for granting planning approval for development and issuing building licences for land zoned under the Shire Planning Scheme, the Shire of Dowerin has a vast record of drawings and plans of buildings within the Shire area. The drawings and plans can include site plans, floor plans, elevations and in some cases perspective drawings.

Access to this information is available subject to the consent of the current owner of the property. Information about the year of construction, builder details and cost of construction can also be obtained. Charges apply for obtaining this information and the availability of plans in all instances cannot be assured.

Municipal Heritage Inventory

Under the *Heritage of Western Australia Act 1990* the Shire of Dowerin is required to prepare a Municipal Heritage Inventory. This is an inventory of all buildings within the boundary of the Shire of Dowerin that are or may become of cultural heritage significance to the community. Details in the inventory include, property address, ownership, description, historical information, architectural information, bibliography, listing status, and an electronic image of each building.

Functional files

The Shire of Dowerin manages a number of files relating to various functions of the Shire. All files are subject to disposal in accordance with the current *Local Government Records Retention and Disposal Schedule*.

FOI Applications to view these files will be considered on a case by case basis and information may be released in an edited form. Charges may apply to accessing these records as specified in the *Freedom of Information Act (Regulations) 1993* and listed in Section 9.6 of this document.

8.1 Inspection – Council Office

The following documents are available for inspection (*see Appendix 4*).

Available for a Fee

Charges may be applicable for copies of documents. Applicable charges are listed in Section 9.6 of this document.

Available via Freedom of Information Act

Freedom of Information legislation may be used to request access to information not available by any other means.

The Shire is to administer the Act in a way that:

- assists the public to obtain access to documents;
- allows access to documents to be obtained promptly and at the lowest reasonable costs; and
- assists the public to ensure that personal information contained in documents is accurate, complete, up to date and is not misleading.

While the Act provides for a general right of access to documents it also recognizes that some documents require protection - these exemptions are listed in *Schedule 1* of the Act and include:

- personal information;
- information concerning trade secrets;
- other commercially valuable information;
- legal advice; or
- any other information concerning the business, professional, commercial or financial affairs of a third party who is not the applicant.

For a full list of exemptions please contact the Shire's Freedom of Information Coordinator or view the Office of the Information Commissioner's (OIC) website at www.foi.wa.gov.au/dnn/home.aspx

Freedom of Information applications can be submitted to:

Freedom of Information Coordinator
Shire of Dowerin
13 Cottrell Street
DOWERIN WA 6461

P: 08 9631 1202
F: 08 9631 1193
E: dowshire@dowerin.wa.gov.au

9.0 THE OPERATION OF FREEDOM OF INFORMATION (FOI) IN THE SHIRE OF DOWERIN

The Shire of Dowerin aims to make information available promptly and at the least possible cost.

The Freedom of Information Act 1992 provides the right to apply for documents held by the Shire and enables the public to ensure that personal information in documents is accurate, complete, current 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 document.

Access can be requested by way of inspection, a copy of a document, a copy of an audio or video tape, 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 Dowerin is unable to grant access in the form requested, access may be given in a different form.

9.1 Making an FOI Application

As specified in the Freedom of Information Act, an application:

- must be in writing;
- give enough information to enable the requested document to be identified;
- give an Australian address for correspondence;
- be accompanied by the prescribed application fee;
- specify the manner in which access is requested, e.g. copy requested.

Applications should be addressed to:

Freedom of Information Coordinator
Shire of Dowerin
13 Cottrell Street
DOWERIN WA 6461

or

F: (08) 9631 1202
E: dowshire@dowerin.wa.gov.au

Applications will be acknowledged in writing.

9.2 Notice of Decision

The FOI Coordinator and the CEO of the Shire of Dowerin are authorised under the FOI Act to make decisions regarding FOI applications.

The FOI Coordinator, as soon as possible but in any case, within 45 days of receipt of a FOI request, must provide the applicants with a notice of decision which will include:

- 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; and
- Information on the right to review and the procedures to be followed to exercise those rights.

9.3 Refusal of Access

Applicants who are dissatisfied with a decision of the Shire are entitled to ask for an **internal review** by the Shire. Application should be made in writing within 30 days of receiving the notice of decision.

The internal review will be carried out by a person, not being the original decision-maker, from the start of the decision-making process.

If applicants disagree with the result of the internal review they can then apply to the Information Commissioner for an **external review**. Applicants will be advised of the procedure to request an external review when the internal review decision is issued.

9.4 Freedom of Information Appeals Process

If an applicant is dissatisfied or aggrieved by a decision regarding access to documents or amendments of personal information, the applicant has a right to an internal review of that decision. If, after an internal review has been completed, the applicant is still dissatisfied then an appeal may be made to the Information Commissioner for an external review.

9.5 Freedom of Information Procedures for the Amendment of Personal Information

The only records of a personal nature held by the Shire of Dowerin are staff records. Any person concerned that any records maintained by the Shire may contain personal information about themselves that may require amendment, can write or contact:

Freedom of Information Coordinator
Shire of Dowerin
13 Cottrell Street
DOWERIN WA 6461

P: 08 9631 1202
F: 08 9631 1193
E: dowshire@dowerin.wa.gov.au

9.6 Freedom of Information Charges

Details of fees and charges are listed below, and where required, the charge must be paid in full prior to access to non-exempt documents being permitted. Whilst the \$30.00 application fee is mandatory, the additional charges are applied at the Shire's discretion and will usually only be required if the application is large and requires extensive amounts of staff time. These charges are in accordance with the charges specified in the *Freedom of Information Act (Regulations) 1993*.

TYPE OF FOI REQUEST	CHARGE APPLICABLE
Personal Information	No Fee
Amending personal information	No Fee
Application fee for non-personal information	\$30
Access time supervised by staff (per hour or pro rata)	\$37 Per Hour
Dealing with applications (per hour or pro rata)	\$35 Per Hour
Photocopying (per copy)	85c
Duplicating a tape, film or computer information	Actual Cost
Delivery, packaging and postage	Actual Cost
Internal Review	Nil

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9.6.1 Estimate

If charges are to be applied, an estimate of charges will be sent to the applicant before any work is undertaken. Work on the application will only begin once the estimate has been accepted. If the applicant is not satisfied with the estimate they are welcome to discuss the scope of the application with the FOI Coordinator in an effort to reduce the charges. Alternatively, the applicant may contact the Office of the Information Commissioner to request a review.

9.6.2 Deposit

A deposit of 25% of the estimated charge may be requested. A further advance deposit of up to 75% of the fee may be required should it be considered necessary to meet the charges for dealing with the application. The imposition of this charge is entirely at the discretion of the Shire of Dowerin.

9.7 Freedom of Information Enquiries and Lodgement Details

Applications and General Enquiries:

Freedom of Information Coordinator
Shire of Dowerin
13 Cottrell Street
DOWERIN WA 6461

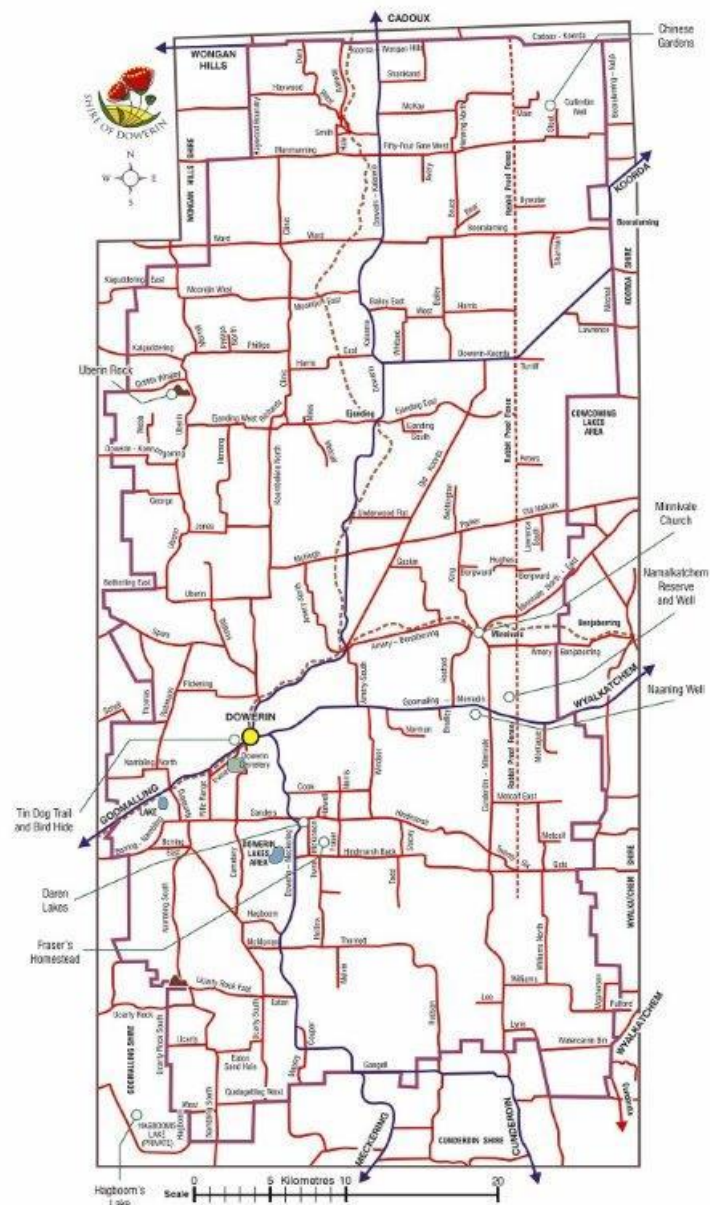
P: 08 9631 1202
F: 08 9631 1193
E: dowshire@dowerin.wa.gov.au

Rebecca McCall
CHIEF EXECUTIVE OFFICER

APPENDICES

APPENDIX 1	Shire of Dowerin Locality Map
APPENDIX 2	Legislation and Regulations Administered by the Shire of Dowerin
APPENDIX 3	Shire of Dowerin Organisational Chart
APPENDIX 4	Documents available for inspection

APPENDIX 1 SHIRE OF DOWERIN LOCALITY MAP



APPENDIX 2 LEGISLATION AND REGULATIONS ADMINISTERED BY THE SHIRE DOWERIN

The Shire of Dowerin is constituted as a district under Part 2 of the *Local Government Act 1995*. The general function of a local government under s. 3.1 of the Act is to provide for the good government of persons in its districts. The general function of a local government under the Act includes legislative and executive responsibilities.

Using its legislative powers under s. 3.5 of the Act, a local government may make local laws prescribing all matters that are required or permitted to be prescribed by a local law or are necessary or convenient to be so prescribed for it to perform any of its functions under the *Local Government Act 1995*.

The local government's executive powers under s. 3.18 of the Act, involves administering its local laws and doing other things that are necessary or convenient to be done for, or in connection with, performing its functions under the *Local Government Act 1995* including the provision of services and facilities.

The Shire of Dowerin is wholly or partly responsible for administering the following legislation and regulations:

LEGISLATION OR REGULATION	PURPOSE
Anti-Corruption Commission Act 1988	An Act to provide for an Anti-Corruption Commission to receive or initiate allegations of corruption, or of criminal or improper conduct of certain kinds, against police officers and other public officers and certain other people, to provide for the way in which such allegations are to be inquired into, investigated or otherwise dealt with, and for related purposes.
Building Act 2011	An Act to provide for the following — <ul style="list-style-type: none"> • permits for building work and demolition work; • standards for the construction and demolition of buildings and incidental structures; • the use and maintenance of, and requirements in relation to, existing buildings and incidental structures; • work affecting land other than land on which the work is done; • the amendment of the <i>Local Government (Miscellaneous Provisions) Act 1960</i> and various other Acts; • the repeal of the <i>Building Regulations 1989</i> and the <i>Local Government (Prohibition on Dealings in</i>

LEGISLATION OR REGULATION	PURPOSE
	<i>Land) Regulations 1973</i> ; • related matters.
Building Code of Australia 1996	
Bush Fires Act 1954	An Act to make better provision for diminishing the danger resulting from bush fires, for the prevention, control and extinguishment of bush fires, for the repeal of the <i>Bush Fires Act 1937-1950</i> and for other purposes.
Bush Fire Regulations	
Caravan Parks and Camping Grounds Act 1995	An Act to provide for the regulation of caravanning and camping, to control and license caravan parks and camping grounds, to provide for standards in respect of caravans, to amend certain Acts and for related purposes.
Caravan Parks and Camping Grounds Regulations 1997	
Cat Act 2011	An Act to control the ownership and keeping of cats, and the obligation and rights of persons in relation to the ownership and keeping of cats.
Disability Services Act 1993	An Act for the establishment of the Disability Services Commission and the Ministerial Advisory Council for Disability Services, for the furtherance of principles applicable to people with disabilities, for the funding and provision of services to such people that meet certain objectives, for the resolution of complaints by such people, and for related purposes.
Dog Act 1976	An Act to amend and consolidate the law relating to the control and registration of dogs, the ownership and keeping of dogs and the obligations and rights of persons in relation thereto, and for incidental and other purposes.
Dog Regulations 1976	
Dog (Restricted Breeds) Regulations 2002	
Environmental Protection Act 1986	An Act to provide an Environmental Protection Authority, for prevention, control and abatement of environmental pollution, for the conservation, preservation, protection enhancement and management of the environment and for matters incidental to, or connected with, the foregoing.

LEGISLATION OR REGULATION	PURPOSE
Environmental Protection (Noise) Regulations 1997	
Freedom of Information Act 1992	An Act to provide for public access to documents, and to enable the public to ensure that personal information in documents is accurate, complete, up to date and not misleading, and for related purposes.
Freedom of Information Regulations 1993	
Hairdressing Establishment Regulations 1972	
Health Act 1911	An Act to consolidate and amend the law relating to Public Health.
Health Act (Air Handling and Water Systems) Regulations 1994	
Health Act (Asbestos) Regulations 1992	
Health Act (ANZ Food standards Code adoption) Regulations 2001	
Health Act (Carbon Monoxide) Regulations 1975	
Health Act (Cloth Materials) Regulations 1985	
Health Act (Food Hygiene) Regulations 1993	
Health Act (Food Standards) Regulations 1987	
Health Act (Garden Soil) Regulations 1998	
Health Act (Laundries and Bathrooms) Regulations	
Health Act (Meat Hygiene) Regulations 2001	
Health Act (Pesticides) Regulations 1956	
Health Act (Pet Meat) Regulations 1990	
Health Act (Poultry Manure) Regulations 2001	
Health Act (Prescribing the Annual Report Form to be used by Local Authorities) Regulations	
Health Act (Public Buildings) Regulations 1992	
Health Act (Sewerage, Lighting, ventilation and Construction) Regulations 1971	

LEGISLATION OR REGULATION	PURPOSE
Health Act (Skin Penetration Procedure) Regulations 1998	
Health Act (Smoking in Enclosed Public Places) Regulations 1999	
Health Act (Swimming Pools) Regulations 1964	
Health Act (Temporary Sanitary Conveniences) Regulations 1997	
Health Act (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974	
Heritage of Western Australia Act 1990	An Act to provide for, and to encourage, the conservation of places which have significance to the cultural heritage in the State, to establish the Heritage Council of Western Australia, and for related purposes.
Justices Act 1902	An Act to consolidate and amend the laws relating to Justices of the Peace and their powers and authorities.
Land Administration Act 1997	An Act to consolidate and reform the law about Crown land and the compulsory acquisition of land generally, to repeal the <i>Land Act 1933</i> and to provide for related matters.
Land Valuation Tribunals Act 1978	An Act to provide for the establishment of Land Valuation Tribunals and to define the jurisdiction, powers and procedures of such Tribunals and for other purposes.
Litter Act 1979	An act to make provision for the abatement of litter, to establish, incorporate and confer powers upon the Keep Australia Beautiful Council (WA), and for incidental and other purposes.
Liquor Licensing Act 1988	An Act to regulate the sale, supply and consumption of liquor, the use of premises on which liquor is sold, and the services and facilities provided in conjunction with or ancillary to the sale of liquor, to repeal the Liquor Act 1970, and for related matters.
Local Government Act 1995	An Act to provide for a system of local government in Western Australia.
Local Government (Miscellaneous Provisions) Act 1960	An Act to deal with certain matters concerning Local Government.
Local Government Grants Act 1978	An Act to provide for the distribution to local governments in Western Australia of certain financial assistance provided

LEGISLATION OR REGULATION	PURPOSE
	by the Commonwealth and the establishment of a Western Australian Local Government Grants Commission and for incidental and other purposes.
Local Government Regulations	
Main Roads Act 1930	An Act to consolidate and amend the law relating to and making provision for the construction, maintenance and supervision of highways, main and secondary roads, and other roads, the control of access to roads and for other relative purposes.
Metropolitan Region Town Planning Scheme Act 1959	An Act to provide for and relating to the Planning and Development of land within the Metropolitan Region, and to regulate the assessment of a Metropolitan Improvement Tax and for incidental and other purposes.
Parks and Reserves Act 1895	An Act for the Management of Parks and Reserves vested in the Crown.
Planning and Development Act 2005	An Act to provide for a system of land use planning and development in the State and for related purposes.
Public Works Act 1902	An Act relating to public works.
Radiation Safety Act 1975	An Act to regulate the keeping and use of radioactive substances, irradiating apparatus and certain electronic products, and for matters incidental thereto.
Radiation Safety Regulations	
Rates and Charges (Rebates and Deferments) Act 1992	An Act to permit administrative authorities to allow rebates on, or the deferral of payment of, certain amounts payable by way of rates or charges by pensioners and other eligible persons, to repeal the <i>Pensioners (Rates Rebates and Deferments) Act 1966</i> and the <i>Seniors (Water Service Charges Rebates) Act 1990</i> , to make consequential amendments to the <i>Local Government Act 1960</i> and the <i>Soil and Land Conservation Act 1945</i> , and for related purposes.
Residential Design Codes of WA 2002	
Rights in Water and Irrigation Act 1914	An Act relating to rights in water resources, to make provision for the regulation, management, use and protection of water resources, to provide

LEGISLATION OR REGULATION	PURPOSE
	for irrigation schemes, and for related purposes.
Road Traffic Act 1974	An Act to consolidate and amend the law relating to road traffic, to repeal the Traffic Act 1919-1974 and for incidental purposes.
Strata Titles Act 1985	An Act to facilitate the subdivision of land into cubic spaces and the disposition of titles thereto, to provide for incidental and connected purposes and to repeal the <i>Strata Titles Act 1966</i> .
Telecommunications Act 1997	An Act about telecommunications, and for related purposes.
Transfer of Land Act 1893	An Act to consolidate the law relating to the simplification of the title to and the dealing with estates in land.
Valuation of Land Act 1978	An Act to provide for the Valuation of Land and for other purposes.
Waterways Conservation Act 1976	An Act to make provision for the conservation and management of certain waters and of the associated land and environment, for the establishment of a Rivers and Estuaries Council and certain Management Authorities, to repeal the <i>Swan River Conservation Act 1958</i> , and for incidental and other purposes.

The Shire of Dowerin is wholly responsible for administering the following Shire of Dowerin Local Laws pertaining to:

- Activities on Thoroughfares
- Dowerin and Minnivale Cemeteries
- Fencing
- Fire Break
- Health
- Refuse Disposal Facilities
- Standing Orders
- Swimming Pool

Other Legislation Affecting the Shire of Dowerin

The following legislation and regulations also affect the functions and operations of the Shire of Dowerin:

LEGISLATION OR REGULATION	PURPOSE
Aboriginal Heritage Act 1972	An Act to make provision for the preservation on behalf of the community of places and objects customarily used by or traditional to the original inhabitants of Australia or their descendants, or associated therewith, and for other purposes incidental thereto.
Builders Registration Act 1939	An Act relating to the qualifications and registration of builders; to constitute a board in relation thereto; to establish a tribunal with jurisdiction in respect of certain building disputes, and for other purposes connected therewith.
Equal Employment Opportunity Act 1984	An Act to promote equality of opportunity in Western Australia and to provide remedies in respect of discrimination on the grounds of sex, marital status, pregnancy, sexual orientation, family responsibility or family status, race, religious or political conviction, impairment, or age, or involving sexual or racial harassment or, in certain cases, on gender history grounds.
Evidence Act 1906	An Act to consolidate and amend the statute law of evidence.
Industrial Awards	
Industrial Relations Act 1979 (WA)	An Act to consolidate and amend the law relating to the prevention and resolution of conflict in respect of industrial matters, the mutual rights and duties of employers and employees, the rights and duties of organisations of employers and employees, and for related purposes.
Industrial Relations Act (Federal)	
Interpretation Act 1984	An Act to amend and consolidate the law relating to the construction, application, interpretation, and operation of written law; to provide for the exercise of statutory powers and duties; and to provide for connected or incidental purposes.
Library Board of Western Australia Act 1951	An Act to provide for the Constitution and Functions of a Library Board and for other purposes.

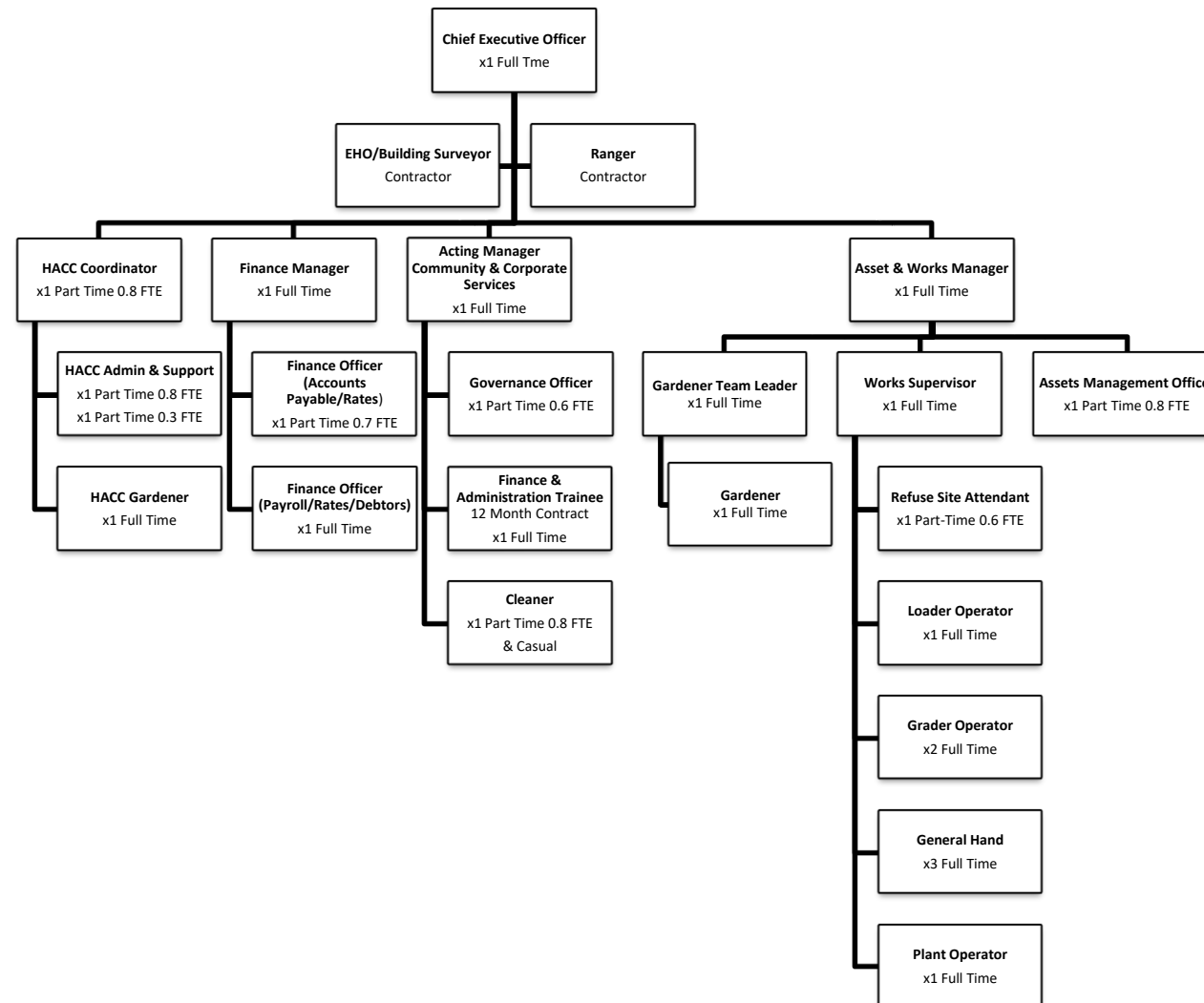
LEGISLATION OR REGULATION	PURPOSE
Limitation Act 1935	An Act to consolidate and amend the law relating to the limitation of time for commencing actions and suits.
Native Title Act 1993	An Act about native title in relation to land or waters, and for related purposes.
Occupational Safety and Health Act 1984	An Act to promote and improve standards for occupational safety and health, to establish the WorkSafe Western Australia Commission, to facilitate the co-ordination of the administration of the laws relating to occupational safety and health and for incidental and other purposes.
Occupational Safety & Health Regulations 1996	
Parliamentary Commissioner Act 1971	An Act to provide the appointment of a Parliamentary Commissioner for Administrative Investigations for the investigation of administrative action taken by or on behalf of certain government departments and other authorities and for incidental purposes.
State Records Act 2000	An Act to provide for the keeping of State records and for related purposes.
State Records Principles & Standards 2002	
Swan River Trust Act 1988	An Act to establish a body with planning, protection and management functions in respect of the Swan and Canning Rivers and certain adjoining lands, and for connected purposes.
Workers Compensation and Assistance Act 1981	An act to amend and consolidate the law relating to compensation for, and the rehabilitation of workers suffering disability by accident or disease in the course of their employment. Regulations, By-laws and local laws made under the foregoing.

Standards & Codes of Practice Affecting the Shire of Dowerin

The following government and industry standards and codes of practice have been imposed upon or adopted by the Shire of Dowerin:

- Australian Accounting Standards
- Australian Records Management Standard ISO/AS 15489-2002 Parts 1 & 2
- General Disposal Authority for Local Government Records RD 2010046
- Quality Management ISO 9000/2000
- National Competition Policy
- Risk Management AS/NZS ISO 31000:2009
- Environmental Management ISO14001-2004

APPENDIX 3 ORGANISATIONAL CHART



APPENDIX 4 DOCUMENTS AVAILABLE FOR INSPECTION

The Shire's website (www.dowerin.wa.gov.au) is updated on a regular basis and may contain information not listed at time of preparation of this document.

Document	FOI Application Required	Copies Can Be Made Available	Charge	Viewing Location	
				Administration	Website
Annual Budget	No	Yes	No	Yes	Yes (no charge)
Annual Report	No	Yes	No	Yes	Yes (no charge)
Code of Conduct	No	Yes	No	Yes	Yes (no charge)
Committee Meeting Agendas	No	Yes	No	Yes	Yes (no charge)
Committee Meeting Minutes	No	Yes	No	Yes	Yes (no charge)
Electors Meeting Minutes	No	Yes	No	Yes	Yes (no charge)
Electors Meeting Agenda	No	Yes	No	Yes	Yes (no charge)
Community Directory	No	No	N/A		Yes (no charge)
Council Meeting Agendas (includes Committee Minutes)	No	Yes	No	Yes	Yes (no charge)
Council Meeting Minutes	No	Yes	No	Yes	Yes (no charge)
Delegated Authority Manual	No	Yes	No	Yes	Yes (no charge)
Disability Access & Inclusion Plan	No	Yes	Yes	Yes	
Documents stored in electronic records system	Yes	N/A	N/A		
Electoral Roll/s	No	Yes	Yes	Yes	
Financial Interest Register	No	Yes	No	Yes	

Document	FOI Application Required	Copies Can Be Made Available	Charge	Viewing Location	
				Administration	Website
FOI Information Statement	No	Yes	No	Yes	Yes (no charge)
Governance Manual	No	Yes	No	Yes	Yes (no charge)
Information Brochures:	No	Yes	No	Yes	
Local Government Act 1995	No	No	N/A	Yes	
Local Government Directory	No	No	N/A	Yes	
Local Government Retention and Disposal Schedule	No	No	N/A	Yes	
Local Laws Manual	No	Yes	Yes	Yes	Yes (no charge)
Minutes of Electors Meetings	No	Yes	Yes	Yes	Yes (no charge)
Monthly Financial Statements	No	Yes	Yes	Yes	Yes (no charge)
Policy & Procedures Manual	No	Yes	Yes	Yes	
Recordkeeping Plan	No	Yes	Yes	Yes	
Schedule of Fees & Charges	No	Yes	Yes	Yes	Yes (no charge)
Strategic Plan	No	Yes	No	Yes	Yes (no charge)
Street Directories	No	Yes	Yes		
Tax Map (i.e. area maps showing lots)	No	Yes	Yes	Yes	Yes (no charge)
Town Planning Scheme – Maps	No	Yes	Yes	Yes	Yes (no charge)
Town Planning Scheme – Text/Policy	No	Yes	Yes	Yes	Yes (no charge)