



Shire of Morawa Freedom of Information Statement Revised December 2019

This information statement is published in accordance with section 96 of the *Freedom of Information Act 1992*.

An updated information statement will be published at least every twelve months. It is intended that the statement be included as part of the Annual Report and received each year as part of the Annual Electors meeting.

1. STRUCTURE AND FUNCTIONS OF COUNCIL

Establishment

The Shire of Morawa is established under the *Local Government Act 1995* which governs how the administration of the Shire is carried out. Other major legislation which creates a duty or an authority for Council to act, includes but is not limited to:

- *Health Act 2016*
- *Town Planning and Development Act 2005*
- *Bush Fires Act 1954*
- *Dog Act 1976*
- *Cemeteries Act 1986*
- *Building Act 2011*

Council

Council's affairs are managed by seven people elected from and by the community, who act in a voluntary capacity, and represent all electors. The Council acts as a community board, establishing policies and making decisions within the requirements of the *Local Government Act* on a wide range of issues affecting the community, and in keeping with the legislative requirements to:

- Determine policies to be applied by Council in exercising its discretionary powers.
- Determine the type, range and scope of projects to be undertaken by Council.
- Develop comprehensive management plans, budgets, financial controls and performance objectives and indicators for the operations of Council.

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 for residential and commercial development.



Shire of Morawa Freedom of Information Statement Revised December 2019

Meetings of Council are advertised at least once a year. Unless changed ordinary meetings of Council are held on the third Thursday of each month commencing at 5.30pm. All members of the public are welcome to attend.

Local public notice is given before any change of meeting date.

Personal Involvement

Elected members are involved with many organisations within the community and are also active in representing Morawa at a regional or state level. Council's nominations to other organisations include:

- Northern Zone of WALGA
- Mid West Regional Road Group
- Morawa Farm Improvement Group
- Morawa Roadwise Committee
- Morawa District Fire Brigade
- Audit Committee
- North Midlands Education and Industry Training Alliance

Standing Committees

At present there are two standing Committees of Council:

- Audit Committee
- Morawa Sinosteel Future Fund Committee

Occasional Committees

At present Council does not have any occasional committees, a committee established for a particular project or task.

Public Participation

Members of the public are welcome to attend meetings of Council and have a number of opportunities to put forward their views on particular issues before Council. These are:

- Public Question time at ordinary meetings of Council – A minimum period of 15 minutes at the commencement of a Council Meeting will be made available for question time for the public.
It should be noted that questions raised by the public should relate to matters affecting the local government.
- Deputations to Committees and Council – If a member of the public has a particular interest in an item being discussed, they may apply to state their case or explain an issue.



Shire of Morawa Freedom of Information Statement Revised December 2019

- Petitions – Written petitions can be addressed to Council on any issue within Council jurisdiction.
- Written Requests – A member of the public can write to Council on any Council policy, activity or service.
- Councillors – Members of the public can contact Councillors to discuss any issue relevant to Council.

Community Consultation

It is Council's practice to consult with the community as much as possible. At times the whole community may be asked to comment on a particular issue, while in other instances, only the people directly affected by some issue will be consulted. Comments from the community are welcome at any time on any issue under Council's direction.

The consultation will take many forms. Some of the more commonly used methods are:

- Public meetings
- Workshops
- Expressions of interest
- Advertisements in the local paper
- Leaflet drops
- Surveys
- Consultative Committees
- Displays

Agendas

To ensure that all items are included in the Agenda for Council meetings, it is requested that items for consideration be submitted to the Chief Executive Officer at least 14 days prior to Council meeting, as Agendas are prepared for members and are distributed one week prior to the meeting. This will permit your item to be researched if necessary and be presented to Council with a recommendation for decision, if appropriate.

Copies of the Agenda are available prior to the meeting in accordance with the *Local Government Act 1995*. Please note that all Minutes are subject to confirmation by Council.

Delegated Authority

Under the *Local Government Act 1995*, Council is able to delegate many powers to either Committees or to the Chief Executive Officer. A Committee or the CEO may then further delegate the duty or responsibility to perform a task. Delegations are recorded in a Register and are reviewed by Council annually.



**Shire of Morawa
Freedom of Information Statement
Revised December 2019**

2. SERVICES TO THE COMMUNITY

Council provides an extensive variety of services for the community under a wide range of legislation. Services provided include:

Building control	Library services	Recycling
Bush fire control	Litter bins	Roads, footpaths & kerbs
Cemeteries	Media releases	Rubbish collection
Citizenship ceremonies	Parks & reserves	Storm water drainage
Crossovers	Planning controls	Street lighting
Dog control	Playground equipment	Street sweeping
Drainage	Public buildings for hire	Street tree planting
Environmental health	Public toilets	Swimming pool
Fire prevention	Recreation/sport facilities	Traffic control works

3. ACCESS TO COUNCIL DOCUMENTS

The following documents are available for inspection at the Council Offices free of charge. Copies of the documents can be made available, although some will incur a charge to cover the cost of photocopying. The *Local Government Act 1995* does stipulate minimum requirements for documents to be made available for public inspection, and these include:

- Minutes and Agendas of Council and committee meetings
- General Policy Manual
- Annual Budgets
- Annual Report
- Annual Financial Statements
- Monthly Financial Statements
- Council Local Laws
- Town Planning Scheme
- Electoral Rolls
- Financial Interest Register - Primary and Annual Returns and Declarations

Freedom of Information Requests

It is the aim of the Shire of Morawa 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 to enable the public to ensure that personal information in documents is accurate, complete, up to date and not misleading.



**Shire of Morawa
Freedom of Information Statement
Revised December 2019**

Freedom of Information Applications

Access applications must be:

- In writing;
- Give enough information so that the documents requested can be identified;
- Give an Australian address where notices can be sent; and
- Be lodged at the agency with any applicable fee payable.

Under the *Freedom of Information Act 1992*, an application fee and search fee must be submitted with the completed request form, unless the information is of a personal nature, or an exemption is granted. A copy of the request form is attached.

Freedom of Information Charges

A scale of fees and charges is set under FOI Act regulations. Apart from the application fee for non-personal information, all charges are discretionary. The charges are as follows:

\$30	Lodgement Fee (Minimum fee providing 2 hours research and 20 A4 copies. No fee is applicable for Personal Information about the applicant.
\$ Actual Cost	Additional Research Clerical (Per hour of staff time)
20c	Additional Document Copies (Per A4 page)

Contact

Please contact the Shire of Morawa Administration Centre at the following address if you have a query regarding any of the above Freedom of Information Statement or if you would simply like more information:

FOI Coordinator
Shire of Morawa Administration Centre
PO Box 14
Morawa WA 6623

Telephone: (08) 9971 1204
Email: admin@morawa.wa.gov.au

Some documents may also be accessed through the Shire of Morawa web site on www.morawa.wa.gov.au.

SHIRE OF MORAWA

FOI APPLICATION FOR ACCESS TO DOCUMENTS

(Under the Freedom of Information Act 1992, s12)

1. APPLICANT DETAILS

Title: Mr Mrs Ms Dr Other

Surname: Given name/s:

Organisation: (if applicable)

Postal address: (An address in Australia to which notices under the Act can be sent)

Postcode:

Phone No: () Mobile No: Email:

2. NAME OF CLIENT: (if applicable)

Note: *If the application is on behalf of an individual whose personal / commercial / business information may be contained in the documents, a signed authority identifying you as the applicant's agent is required before the application can be accepted and processed.*

3. TYPE OF REQUEST:

Personal Information * (documents of the agency that contain personal information about you, or were supplied by or to you.)

Non-Personal Information (documents of the agency that contain personal / commercial / business information about a third party, or were supplied by or to a third party who is not the applicant)

Note: *If the application is for access to or amendment of your personal information, you need to confirm your identity by providing documentary evidence e.g. driver's licence, valid passport or similar.*

4. FORM OF ACCESS REQUIRED:

Copy of the document/s Copying charges may apply (FOI Regulations Schedule 1)

Inspection of document/s

5. DESCRIPTION OF DOCUMENTS * (Give enough information to enable the requested document/s to be identified. Avoid asking questions of the agency, e.g. '...why has this happened/when will this happen', or making too broad an application e.g. 'I am requesting all documents in relation to...')

6. AGREEMENT TO REMOVE THIRD PARTY INFORMATION

The FOI Act allows a person to have access to personal information about themselves, subject to specified limitations. However, it protects the personal and professional privacy of individuals other than the applicant by providing an exemption to releasing documents containing personal information about a third party (someone other than the access applicant). The Act requires an agency to consult with any such third party if the agency is considering disclosing their personal information to the FOI applicant.

Please advise if you agree to delete from the scope of the application, any personal information related to third parties. This removes the necessity to consult with the third parties and reduces the amount of time required to deal with the application.

I do not require access to any “personal information” of third parties and understand that such information will be deleted from any documents released.

Note: Consultation with third parties may still be necessary in relation to any commercial / business information contained in documents.

7. FEES AND CHARGES

Application Fee

The *Freedom of Information Regulations 1993* includes a schedule of fees and charges payable under the FOI Act. An application fee of \$30 is payable when lodging an application for access to documents containing non-personal information. The application may be posted, along with a cheque, money order or credit card details to cover the \$30 fee. Cheques or money orders should be made payable to the 'Department of Commerce'. Cash can be used if paying in person.

Note: No application fee is payable for access to personal information supplied by or about the applicant.

Charges

There may be processing charges in respect of your application. If the amount is likely to be more than \$25, you will be provided with an estimate of charges and given 30 days to advise if you wish to continue with the application.

Processing Charges Reduction

The FOI Regulations allow for a 25% reduction in processing costs if the applicant holds any of the following cards.

- a valid Commonwealth-issued pensioner card; or
- another type of government-issued concession card (e.g. WA Seniors Card); or
- a student card (e.g. WA Student Card).

Processing Charges Waiver

The FOI Act allows for waiving of processing charges if an applicant is financially disadvantaged. The form to use when applying for a reduction or waiver of charges is available on the Commerce website.

Note: The legislation has made no provision for reduction or waiver of the application fee

Applicant's signature:

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Date: / /

8. LODGEMENT OF APPLICATIONS

By Post:

Shire of Morawa
PO Box 14
MORAWA WA 6623

In Person:

26 Winfield Street
MORAWA WA 6623

Phone: 08 99 711 204

By Email (credit payment details required)
admin@morawa.wa.gov.au

9. CREDIT CARD PAYMENT

Card
Number: _____ **Expiry**
Date: /

Card
Type: (Please tick) **Master Card** **Visa** **Amount**

Cardholder's
Name: (Please print)

Signature:

Note: The credit card number will be removed when the payment has been receipted

Office Use Only

Received: ---- / ---- / ---- *Validated (Fee Paid):* ---- / ---- / ---- *Receipt/Tax Invoice No:* ---- ---- ----

Proof of Identify: (Access to or amendment of personal information only) *Sighted by* _____