



Freedom of Information

Information Statement

Freedom of Information Act 1992

Adopted by the Council in November 2019

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Preliminary

Information statements are an important part of FOI legislation. They assist members of the public to exercise their rights under the FOI Act, by describing the information and records available, together with a summary of the responsibilities and functions carried out by each agency. The provisions in the FOI Act concerning information statements require that republishing of the information statement occurs at intervals of not more than 12 months. The Shire of Dundas reviews its policies on an annual basis.

General details

The Shire of Dundas is the local government authority that covers an area of 92,725 km² and includes the town of Norseman and the locality of Eucla. Norseman is located 724km from Perth and the nearest regional centres are located at Kalgoorlie 190km to the north and Esperance 210km to the south. The Shire is approximately 900km in length with the major population centres of Norseman and Eucla at each end of the Shire. The Shire is located in the south eastern corner of Western Australia and is bounded by the South Australian border, the Shires of Esperance, Ravensthorpe, Kondinin and Coolgardie and the City of Kalgoorlie - Boulder.

Mission Statement

Our Vision

“That the local Community has collectively become financially, socially and environmentally sustainable in a safe and cooperative society.”

Contact Details

Address The Shire of Dundas administration building and the Council chambers are located at:

88-92 Prinsep Street Norseman WA 6443.

Postal Address The postal address for the Shire of Dundas is:

PO Box 163
Norseman WA 6443

Office Hours Office hours are 8:00am to 4:00pm Monday to Friday

Email: Members of the public are encouraged to make enquiries by email. The email address is shire@dundas.wa.gov.au

Phone: Telephone enquiries can be made by calling the Shire's administration building on (08) 9039 1205 during office hours

Facsimile: (08) 9039 1359

In Person: Generally an officer will be available to assist with enquiries, however, members of the public are encouraged to make an appointment to avoid any undue delays if specific staff members are not available.

Website: A variety of information is available on the Shire's website www.dundas.wa.gov.au

Legislation & regulations administered by the Shire

The Shire of Dundas is wholly or partly responsible for administering the following legislation and regulations within the Shire. Though it may not be an exhaustive list it is a good guideline of what is used.

- Agriculture and Related Resources Protection Act 1976
- Building Act 2011
- Building Regulations 2012
- Bush Fires Act 1954
- Bush Fires Regulations 1954
- Caravan Parks and Camping Grounds Act 1995
- Caravan Parks and Camping Grounds Regulations 1997
- Cat Act 2011
- Disability Services Act 1993
- Dog Act 1976
- Dog Regulations 1976
- Emergency Management Act 2005
- Environmental Protection (Noise) Regulations 1997
- Environmental Protection (Unauthorised Discharges) Regulations 2004
- Environmental Protection Act 1986
- Food Act 2008
- Food Regulations 2009
- Freedom of Information Act 1992
- Freedom of Information Regulations 1993
- Hairdressing Establishment Regulations 1972
- Health (Air Handling and Water Systems) Regulations 1994
- Health (Aquatic Facilities) Regulations 2007
- Health (Asbestos) Regulations 1992
- Health (Cloth Materials) Regulations 1985
- Health (Garden Soil) Regulations 1998
- Health (Pesticides) Regulations 1956
- Health (Poultry Manure) Regulations 2001
- Health (Public Buildings) Regulations 1992
- Health (Skin Penetration Procedure) Regulations 1998
- Health (Temporary Sanitary Conveniences) Regulations 1997
- Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974
- Health Act (Carbon Monoxide) Regulations 1975
- Health Act (Laundries and Bathrooms) Regulations
- Health Act 1911
- Heritage of Western Australia Act 1990
- Land Administration Act 1997
- Liquor Control Act 1988
- Liquor Control Regulations 1989
- Litter Act 1979
- Local Government (Miscellaneous Provisions) Act 1960
- Local Government Act 1995
- Local Government (Administration) Regulation 1996
- Local Government (Financial Management) Regulation 1996
- Local Government (Audit) Regulations 1996
- Local Government Legislation Amendment Act 2019
- Local Government Grants Act 1978
- Local Government Regulations
- Main Roads Act 1930

- Parks and Reserves Act 1895
- Planning and Development Act 2005
- Planning and Development Regulations 2009
- Radiation Safety Act 1975
- Radiation Safety Regulations
- Rates and Charges (Rebates and Deferments) Act 1992
- Residential Design Codes of WA 2002
- Road Traffic Act 1974
- Strata Titles Act 1985
- Telecommunications (Low Impact Facilities) Determination 1997
- Telecommunications Act 1997
- Transfer of Land Act 1893
- Valuation of Land Act 1978

For current legislation please refer to the State Law Publisher for authorised versions or access Western Australian legislation and regulations at www.slp.wa.gov.au

The Shire of Dundas is wholly responsible for administering the following Shire of Dundas Local Laws within the Shire:

- Dogs Local Law
- Health Local Law
- Cemeteries Local Law
- Local Government Property Local Law
- Standing Orders Local Law
- Activities on Thoroughfares and Public Places and Trading Local Law

Other legislation affecting the Shire of Dundas

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

- Builders Registration Act 1939
- Criminal Code Act 1913
- Control of Vehicles (Off-road Areas) Act 1978
- Corruption and Crime Commission Act 2003
- Electronic Transactions Act 2003
- Environmental Protection (Clearing of Native Vegetation) Regulations 2004
- Environmental Protection Regulations 1987
- Environment Protection and Biodiversity Conservation Act 1999
- Equal Opportunity Act 1984
- Evidence Act
- Forests Act 1919
- Industrial Awards
- Industrial Relations Acts (State and Federal)
- Interpretation Act 1918
- Library Board of Western Australia Act 1951
- Limitation Act 1935
- Occupational Safety and Health Act 1984
- Occupational Safety & Health Regulations 1996
- Parliamentary Commissioner Act 1971
- Rights in Water and Irrigation Act 1914
- State Records Act 2000
- State Records (Consequential provisions) Act 2000

- State Records Commission Principles & Standards 2002
- Workers Compensation and Assistance Act 1981
- Valuation of Land Act 1978

Standards & codes of practice affecting the Shire of Dundas

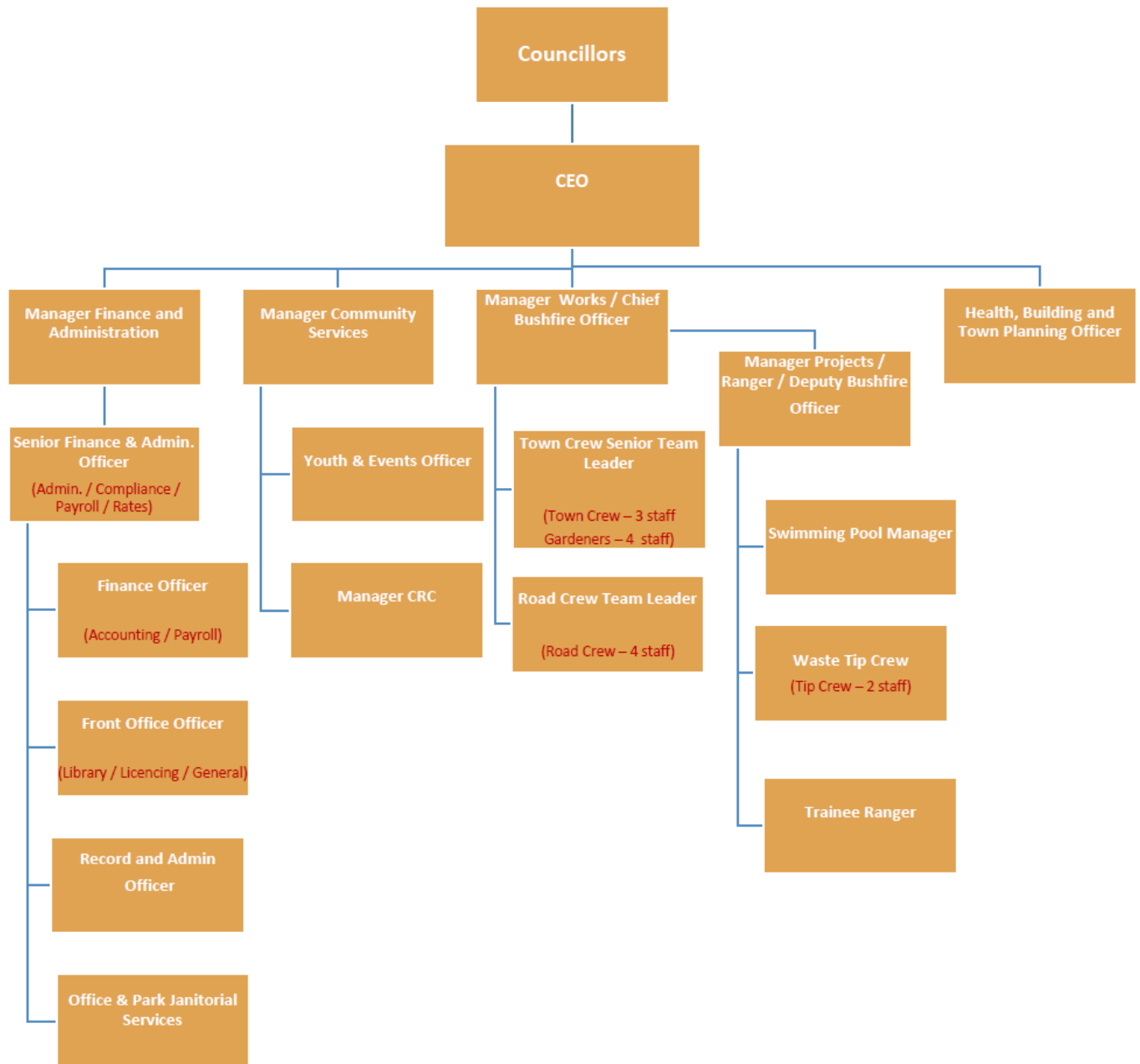
The following government and industry standards and codes of practice have been imposed upon or adopted by the Shire of Dundas:

- Australian Accounting Standards
- Australian Records Management Standard ISO/AS 15489-2002 Parts 1 & 2
- General Disposal Authority for Local Government Records RD 99004
- National Competition Policy
- Environmental Code of Practice
- Telecommunications Code of Practice
- Skin Penetration Code of Practice
- Timber Plantation Code of Practice
- Building Code of Australia

Structure & functions of the Shire

Current Organisational Structure

There are four main services streams within the Shire of Dundas as illustrated in the organisational chart below.



Operational areas

Finance and Administration

The finance and administration staff undertake the following key operational areas:

- Elected Members of Council
- Governance

- Human Services
- Strategic Planning
- Corporate Reporting
- Library
- Shire Buildings
- Community Resource Centre
- Audit and Grant Management
- Asset Management
- Long Term Financial Planning
- Communications
- Information Technology
- Records Management
- Statutory Reporting
- Administration / Leasing
- Occupational Safety and Health

Community Services

The staff undertake the following key operational areas:

- Community Events
- Community Engagement
- Youth Services
- Education and Welfare
- Sport and Recreation Activities
- Tourism Promotion
- Economic Development
- Media and Communications
- Town Hall / Public Halls
- Community Resource Centre
- Community Development Funds

Works

The Works Department comprises the following key operational areas:

- Infrastructure and property services, local roads, bridges, footpaths, drainage
- Airport
- Waste Collection and Recycling
- Refuse Site
- Cemeteries
- Recreation Reserves and Playgrounds
- Environmental Services

Projects

- Major Projects
- Building & Asset Maintenance
- Law, Order and Public Safety (Rangers)
- Animal Control
- Emergency Services
- Health Services
- Building Services
- Planning and development approval

Community input opportunities

Meetings

Members of the public have a number of opportunities to participate in the formulation of the Shire's plans, policies and strategies as well as comment on the performance of the Shire's functions.

Ordinary Council meetings

The Council meets on the third Tuesday of every month in Norseman at the Shire of Dundas Council Chambers located at 88-92 Prinsep Street Norseman, with the exception of March where the meeting is held in Eucla at the community centre on the following Saturday. Any changes to meeting dates, times and places will be advertised pursuant to the Local Government Act 1995

The Council agenda is available on the website: www.dundas.wa.gov.au

Ordinary Council meetings are held in the Council Chambers, commencing at 6.00pm and are open to the public. At the commencement of the meeting there is an opportunity for questions to be raised during public question time, the public has the opportunity for questions or enquiries to be raised and answered by the Shire President.

Standing committees

There is one Audit Committee which meets as required.

Annual general meeting of electors

The Annual Meeting of Electors is generally held in November.

Written requests

A member of the public can write to the Shire on any Council matter, policy, activity, function or service at any time.

Elected Members

Members of the public can contact the elected members of the Council of the Shire of Dundas to discuss any issue relevant to the Shire.

Councillor contact details are available on the Shire's website www.dundas.wa.gov.au.

Access to Shire documents

Documents that are available under S5.94 of the Local Government Act. Examples of Documents available outside the FOI Act 1992

The following documents are available for public inspection at the Shire Administrative Office.

Please note the limitations that apply to some documents (as per the table next page).

- Annual Budget
- Annual Report/Annual Financial Statements
- Building Permit document
- Code of Conduct
- Development Applications
- Development Forms and Information Sheets

- Documents released for public comment
- Freedom of Information Statement
- Gift Register
- Local Laws
- Local Planning Scheme Amendments
- Minutes of Committee Meetings and Council Meetings (including agendas, reports etc. that relate to the meeting)
- Minutes of Elector's Meetings
- Policy Manual
- Rates record
- Register of Debentures
- Register of Delegations
- Register of Financial Interests
- Register of Owners & Occupiers of land
- Register of Tenders
- Road Closures
- Schedule of Fees & Charges
- Shire of Dundas Local Planning Schemes/Strategies
- Statutory Notices
- Strategic Plan
- Town Planning Policies

Some of the above documents are available from the Shire website: www.dundas.wa.gov.au.

The website is continually updated with documents relating to the local government.

Fees may apply for printed copies.

Some of the documents have limitations of access as set by legislation

DOCUMENT	LIMITATIONS
Building Licence document	<p>Only the owner or mortgagee of a building, or their authorised representative, may inspect any plan or other document relating to that building.</p> <p>A non-owner may inspect or obtain a copy SUBJECT to written approval by the Owner</p>
Development Applications	<p>Information relating to an approval (or refusal) for development approval under the Shire of Dundas Town Planning Scheme is available without the requirement to access documents under the <i>FOI Act 1992</i>.</p> <p>This applies to decisions made by the Council or any officer acting under Delegated Authority.</p>
Documents released for public comment	<p>These can generally be accessed at the Shire Administration Office or Library</p>

Minutes of Committee Meetings and Council Meetings (including Agendas, Reports etc. that relate to the meeting)

A person's right to inspect information does not extend to the inspection of information where a meeting of Council or Committee, or a part of such a meeting, to which the information refers, is likely to be closed to members of the public

A person's right to inspect information does not extend where it relates to any debt owed to the Shire

Statutory Notices

Statutory notices are placed on Public Notice Boards located at Shire Administration Office and Public Library

Documents available under FOI Act 1992

Access to documents other than those listed above, not available from the website at www.dundas.wa.gov.au or the Shire library must be via a Freedom of Information Application

Freedom of information procedures & access arrangements

Access to information

It is the aim of the Shire of Dundas to make commonly available information, easily accessible, to do so promptly and at the least possible cost. Where 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 Shire.

Freedom of information applications

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 with any application fee payable.

Applications and enquiries should be addressed to the Chief Executive Officer:

By post addressed to:

Chief Executive Officer
Shire of Dundas
PO Box 163
Norseman WA 6443

In person at the front counter:

Shire of Dundas
88-92 Prinsep Street
Norseman WA 6443

See Attachment 1 for a copy of an FOI Application Form.

Please note that the use of this form is optional but recommended.

Applications will be acknowledged in writing and you will be notified of the decision within 45 days.

Access arrangements

Access to documents can be granted 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, shorthand or encoded document from which words can be reproduced.

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 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
- information on the right to review and the procedures to be followed to exercise those rights

Refusal of access

Applicants who are dissatisfied with a decision of the Shire of Dundas 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.

You will be notified of the outcome of the review within 15 days.

If you disagree with the result you then can apply to the Information Commissioner for an **external review**, and details would be advised to applicants when the internal review decision is issued.

External review rights

If you are not satisfied with the internal review decision, you have the right to lodge a complaint with the Information Commissioner seeking external review of that decision. You are required to lodge your complaint with the Information Commissioner's office within 60 days of receiving this notice.

A complaint to the Information Commissioner must –

- be in writing;
- have attached to it a copy of this decision; and
- give an address in Australia.

There is no charge for lodging a complaint with the Information Commissioner's office.

The address of the Information Commissioner is:

Office of the Information Commissioner
Albert Facey House 469 Wellington Street
PERTH WA 6000

Email: info@foi.wa.gov.au

Phone (08) 6551 7888 or

Free call (WA country landline callers only) 1800 621 244

Fax (08) 6551 7889

Website: www.oic.wa.gov.au

Should you have any further queries or require any further information about your review rights at this stage, you may contact the Office of the Information Commissioner on **(08) 6551 7888**.

Freedom of information charges

A scale of fees and charges set under the FOI Act Regulations. Apart from the application fee for non-personal information all charges are discretionary.

The charges are as follows.

• Personal information about the applicant	No fee
• Application fee (for non-personal information)	\$30.00
• 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 photocopy	\$ 0.20
• Transcribing from tape, film or computer (per hour, or pro rata)	\$30.00
• Duplicating a tape, film or computer information	Actual Cost
• Delivery, packaging and postage	Actual Cost

Deposits

- Advance deposit may be required of the estimated charges 25%
- Further advance deposit may be required to meet the charges for dealing with the application. 75%

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

Attachment 1

Freedom of Information Act 1992
APPLICATION FOR ACCESS TO DOCUMENTS

Detail of Applicant

Surname
Given Name
Postal Address
Telephone Number
Email

I am applying for access to document(s) concerning matters which are:
Personal Non-Personal (circle whichever is appropriate)

These document(s) are:

FORM OF ACCESS (circle whichever is appropriate)

I wish to inspect the document Yes No
I require a copy of the document(s) Yes No
I require access in another form Yes No
Specify form required:

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.

NOTE: In certain cases a reduction in charges may apply. If you consider that you are entitled to a reduction, submit a request with copies of supporting documents with this form.

I am requesting a reduction in charges Yes No

APPLICANT'S SIGNATURE DATE

(Office Use only)

FOI Reference Number Deadline for response
Received on
Acknowledgment sent on

Proof of Identity (if applicable)

Type Signed

NOTES

FOI Applications

- Please provide sufficient information to enable the correct document(s) to be identified.
- The Shire of Dundas may request proof of your identity.
- If you are seeking access to a document(s) on behalf of another person, the Shire of Dundas will require authorisation in writing.
- Your application will be dealt with as soon as practicable (and, in any case, within 45 days) after it is received.
- Further information can be obtained from the Chief Executive Officer

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.

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

Fees and charges

- \$30.00 application fee (non-personal information ONLY)
- An applicant who is the holder of a currently valid concession card issued on behalf of the Commonwealth Government under the *Rates and Charges (Rebates and Deferments) Act 1992* may be eligible for a reduction of 25% in the charges associated with the application.
- No reduction is applicable to the application fee.

Lodgement of applications

Applications may be lodged:

By post addressed to:
Chief Executive Officer
Shire of Dundas
PO Box 163
Norseman WA 6443

In person at:
Shire of Dundas
Front Counter
88-92 Prinsep Street
Norseman WA 6443