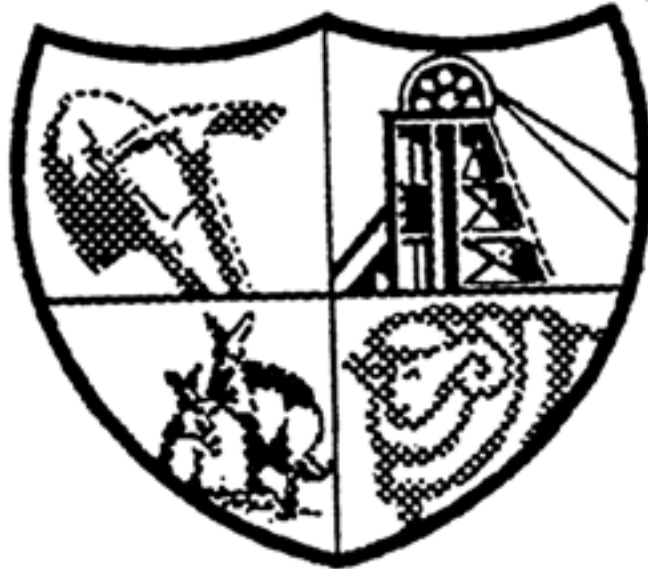


SHIRE OF LEONORA



FREEDOM OF INFORMATION STATEMENT

This information statement is published by the Shire of Leonora in accordance with the requirements of the Freedom of Information Act 1992.

An updated information statement will be published at least every twelve months (with the attachment "Fees and Charges" from the budget).

REVIEWED AND UPDATED 19TH JULY, 2011

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SHIRE OF LEONORA

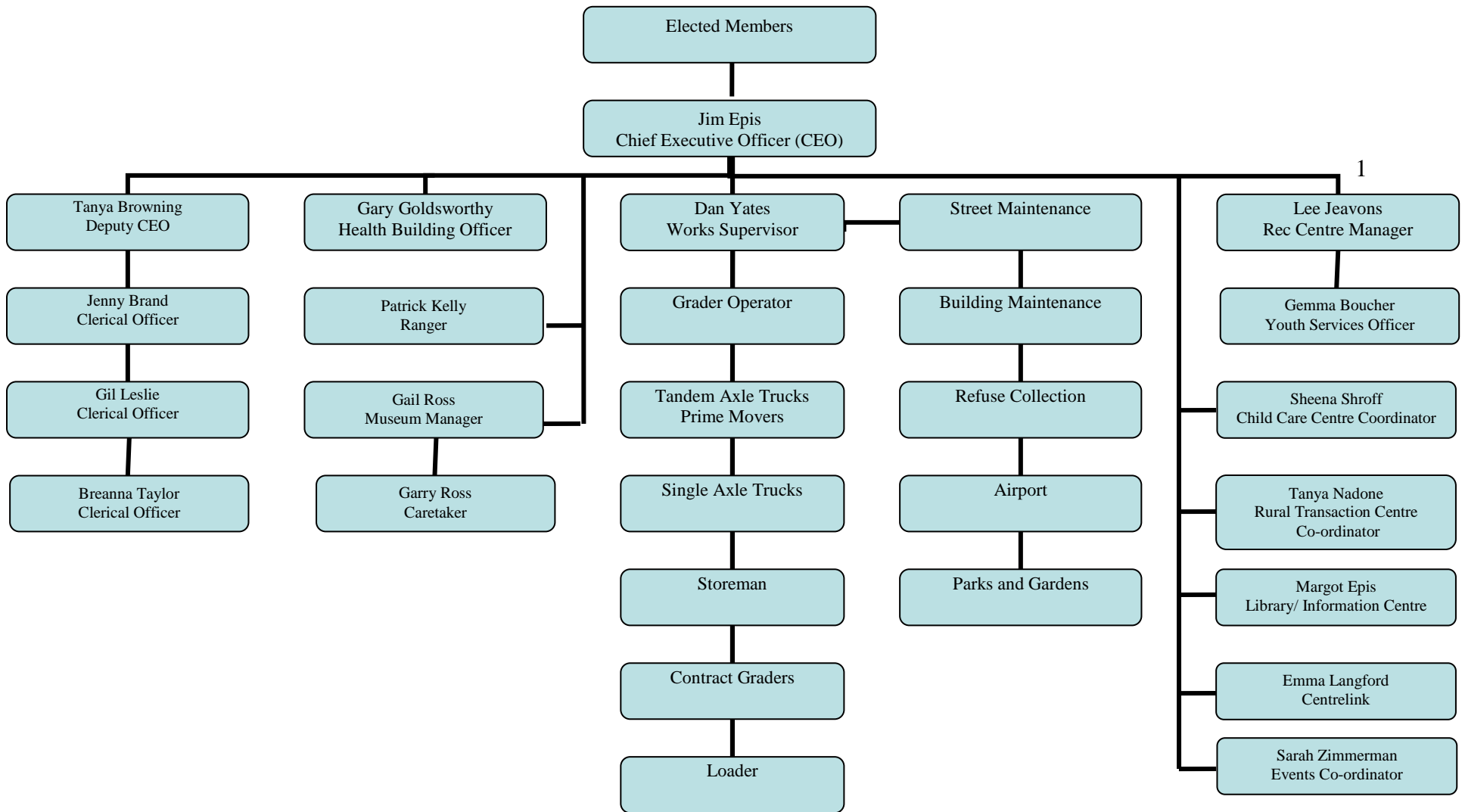


VISION STATEMENT

The Shire of Leonora will be a progressive Shire supporting its residents in an environment of development while maintaining quality of life values and retaining control over the future.

MISSION STATEMENT

Development through Leadership



FREEDOM OF INFORMATION STATEMENT

1. STRUCTURE AND FUNCTIONS OF COUNCIL

1.1 Council

The affairs are managed by 9 Councillors who are elected from the community and who act in a voluntary capacity. The Council acts as a community board, establishing policies and making decisions, within the rules of the Local Government Act and other legislation, on a wide range of issues affecting the community.

Ordinary meetings of Council are held on the third Tuesday of each month at 9.30am and members of the public are welcome to attend.

1.2 Committees

The Shire of Leonora does not operate on a committee system.

1.3 Agenda and Minutes

The agenda for all Council meetings is placed on public display at the library and Council offices at least three days prior to the scheduled meeting day.

The minutes for all Council meetings is placed on public display at the library and Council offices no more than ten days after the meeting day. These documents are also available from Council's website.

1.4 Sub-Committees and Consultative Groups

A number of sub-committees and working groups comprising elected members, staff and the public have been established to investigate particular issues and report back to Council. Currently these are:

- Golden Gift Working Group
- Leonora LEMAC

1.5 Delegated Authority

The Chief Executive Officer and other officers of Council have the delegated authority to make decisions on a number of specific administrative and policy matters. These delegations are listed and available for public inspection and are reviewed annually by Council.

In keeping with the legislative requirements, Council:

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

Decisions are also made to determine whether or not approval is to be granted for applications for residential and commercial development.

2. **SERVICES TO THE COMMUNITY**

Some of the services provided by Council include:

- Animal Control
- Building Control
- Citizenship Ceremonies
- Community Information Service
- Community Halls and Centre's for Hire
- Crossovers
- Cycleways
- Demolition Permits
- Environmental Health Matters
- Fire Prevention
- Litter Bins
- Media Releases
- Parking Bays/Road Closures
- Parking Control
- Parks & Reserves
- Pedestrian Crossings
- Pest Control
- Planning Controls
- Playground Equipment
- Public Library

- Public Toilets
- Recreational/Sporting Facilities
- Recycling and Waste Management
- Roads/Footpaths/Kerbing/Drainage
- Street Parade Permits
- Street Sweeping
- Street Tree Planting
- Street Lighting
- Tourism Promotion
- Traffic Control Devices
- Verge Maintenance
- Distribution of Information – Website – www.leonora.wa.gov.au

3. **PUBLIC PARTICIPATION**

3.1 **Public input to Council Meetings**

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

3.1.1 **Deputations**

A member of the public can personally, or on behalf of a resident, or group of residents address a Full Council at its meeting.

3.1.2 **Public Question Time**

Members of the public are permitted to ask questions at Council meetings on any matter affecting the Shire of Leonora

3.1.2 **Public Statement Time**

Members of the public are permitted to comment on any item listed in a meeting agenda during public statement time.

3.1.3 **Petitions**

Written petitions can be presented to Council through an elected member on any issue with the Council's jurisdiction.

3.1.4 **Written Requests**

A member of the public can write to Council on any Council policy, activity or service.

3.1.5 **Elected Members**

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

3.2 **Community Consultation**

Council consults with its residents on particular issues that affect their neighbourhood by way of advertising in the local papers, its website, calling public meetings and seeking responses to surveys and questionnaires.

4. **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 agency with any application fee payable.

Applications and enquires should be addressed to the

Freedom of Information Coordinator

Shire of Leonora

PO Box 56

Leonora WA 6438

Phone: 08 90376044

Applications will be acknowledged in writing and the applicant will be notified of the decision within 45 (calendar) days.

4.1 **How the Application is made**

Applications must be made in writing, give enough information to identify the requested documents, provide an address in Australia to which

correspondence can be directed and be accompanied by the application fee where applicable.

4.2 **Freedom of Information Responsibilities**

(1) **Principal Officer**

The Principal Officer is responsible for the internal review process. If the Principal Officer makes the initial decision to refuse access to documents there is no further right of internal appeal. The applicant may then make an external appeal to the Information Commissioner.

The Principal Officer shall appoint decision makers by formal direction, either by minutes or instrument.

(2) **FOI Coordinator**

This officer manages and coordinates all FOI activities, liaises with the Principal Officer and decision makers.

The FOI Coordinator shall:

- record all work flow and time management details
- calculate projected costs, final cost and time spent processing application
- give access
- give access to an edited copy
- refuse to deal with the application
- refuse access
- defer access; or give access to a suitably qualified person.

(3) **FOI Liaison Officer**

- Ensures that all applications are classified and registered.
- Provides support to decision makers in locating all necessary information.
- Collates and prepares for copying or viewing.

(4) **Decision Makers**

Decision makers need to be identified by name and designation in the Notice of Reasons and are accountable for these decisions. Officers cannot review their own decisions, or decisions to which they have been a party.

5. **FREEDOM OF INFORMATION MANAGEMENT STRUCTURE**

Principle Officer:	Chief Executive Officer
FOI Coordinator:	Deputy CEO
FOI Liaison Officers:	Records Officer, Customer Services Officers
Decision Makers:	Departmental Managers

6. **SHIRE OF LEONORA LOCAL LAWS**

The following is a list of Council's Local Laws:

Dog Control
General Provisions
Health
Leonora Airport
Leonora Cemetery
Parking Facilities
Standing Orders

7. **LEGISLATION AND REGULATIONS WHICH EMPOWER THE SHIRE OF LEONORA**

7.1 **Local Government (Miscellaneous Provisions) Act 1960 Local Government Act 1995 and Associated Regulations**

The Local Government Act 1995 and the Local Government (Miscellaneous Provisions) Act 1960 is the primary legislative acts under which the Shire of Leonora operates. The purpose of these Acts is to provide for the good rule and government, convenience, comfort and safety of persons in municipal districts.

7.2 **Building Regulations 1989**

The Regulations set out procedures for making building applications, classification of buildings and precautions to be followed during construction and demolition.

7.3 **Bush Fires Act 1954**

An Act to make better provision for diminishing the dangers resulting from bush fires, for the prevention, control and extinguishment of bush fires.

7.4 **Conservation and Land Management Act 1984**

An Act to make better provision for the use, protection and management of certain public lands and waters and the flora and fauna thereof, to establish authorities to be responsible therefore, and for incidental or connected purposes.

7.5 **Construction Safety Act 1972**

An Act to make provision for the Safety and Welfare of persons engaged in construction and other work and for incidental and other purposes.

7.6 **Control of Vehicles (Off Road Areas) Act 1978**

An Act to prohibit the use of vehicles in certain places, to make provision as to the use of vehicles otherwise than on a road, to provide for areas where the use of off-road vehicles shall be permitted, for the registration of off-road vehicles, and for related purposes.

7.7 **Disability Discrimination Act 1992**

An Act to protect the rights and responsibilities of persons with disabilities as fully participating members of society.

7.8 **Dividing Fence Act 1961-1969**

An Act relating to the construction and repair of dividing fences between certain lands and for incidental and other purposes.

7.9 **Dog Act & Regulations 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.

7.10 **Environmental Protection Act 1986**

An Act to provide for an Environmental Protection Authority, for the 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.

7.11 **Equal Opportunity Act**

An Act to provide for fair and equitable treatment in the workplace in relation to training and work conditions and to provide that appointments, promotions and advancement are based on an employee's merit and skills and extraneous factors such as sex, race, disability, marital status etc. are irrelevant to employment and should not be taken into consideration.

7.12 **Explosives and Dangerous Goods Act 1961-1967**

An Act to consolidate and amend the law relating to explosives, to regulate the storage of dangerous goods, and for other incidental purposes.

7.13 **Explosives and Dangerous Goods Act Amendment Act 1974**

An Act to amend the Explosives and Dangerous Goods Act 1961-1967.

7.14 **Freedom of Information (FOI) Act 1982**

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.

7.15 **Health Act 1911**

An Act to consolidate and amend the law relating to Public Health.

7.16 **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.

7.17 **Interpretations Act**

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.

7.18 **Justices Act 1902**

An Act to consolidate and amend the Laws relating to Justices of the Peace and their Powers and Authorities.

7.19 **Justices Amendment Act 1988**

An Act to amend the Justices Act 1902.

- 7.20 **Library Board of Western Australia Act 1951-1983**
An Act to provide for the Constitution and Functions of a Library Board and for other purposes.
- 7.21 **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.
- 7.22 **Litter Act 1979-1981**
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.
- 7.23 **Local Government Uniform General (Parking for Disabled Persons) By-laws 1988**
Provides a means of penalising persons unlawfully parking in a parking bay set aside for disabled persons.
- 7.24 **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.
- 7.25 **Occupational Safety & Health Act 1984**
An Act administered in part by Local Government to promote and improve standards for occupational health, safety and welfare and to co-ordinate the administration of the laws relating to occupational health, safety and welfare and for incidental and other purposes.
- 7.26 **Anti-Corruption Commission Act 1988**
An Act to enable reporting of official corruption without discrimination.
- 7.27 **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.

- 7.28 **Police Act 1892-1982**
An Act to consolidate and amend the law relating to the Police in Western Australia.
- 7.29 **Public Works Act 1902**
An Act to consolidate and amend the laws relating to public works.
- 7.30 **Residential Planning Codes of Western Australia 1991**
The Planning Codes form part of Council's Town Planning Scheme No 1 by reference and apply to different forms of residential development in those zones where residential development is permitted. The Codes are the means by which Council effects control of residential development.
- 7.31 **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 and other purposes.
- 7.32 **West Australian Planning Commission Act 1985**
An Act to establish a body with responsibility for urban, rural and regional land use planning and land development and related matters in the State, and to provide for a planning council for the metropolitan region and a planning council for the remainder of the State, and for connected purposes.
- 7.33 **State Transport Co-ordination Act 1966**
An Act to make better provision for the direction and coordination of Transport, to repeal certain Acts and for incidental and other purposes.
- 7.34 **Strata Titles Act 1985 & Amendments 1995**
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 Strata Titles Act 1966.
- 7.35 **Town Planning & Development Act 1928-1979**
An Act relating to the planning and development of land for urban, suburban, and rural purposes.

7.36 **Shire of Leonora Town Planning Scheme No 1.**

The intent of this scheme is to direct and control the development of the scheme area (hereinafter referred to as the District) in such a way as shall promote and safeguard the health, safety and convenience, economic and general welfare of its inhabitants and the amenities of every part of the district.

7.37 **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.

8. **DOCUMENTS HELD BY THE SHIRE OF LEONORA**

8.1 **Records Department**

The Records Department holds current files and inactive files generated by staff and correspondents.

All documents are contained within an alpha-numeric filing system. There are two file types:

- Property based
- Subject.

Documents can be accessed, by authorised staff, via a file index.

An extensive library of Council minutes are bound and held within the Records Department.

8.2 **Shire of Leonora Visitor Centre/Library**

The Visitor Centre/Library is open to the public (except Sundays and Public Holidays) 8.30am to 4.30pm Monday to Friday.

The Visitor Centre/Library is located on the corner of Tower Street and Trump St Leonora.

The Visitor Centre/Library endeavours to either acquire, or have access to, through the Library and Information Services of WA Network, any known available publications. Information is held in various formats, including CD Rom. The centre also provides Visitor/Tourist Information and brochures.

9. **ACCESS TO COUNCIL DOCUMENTS**

Documents Available for Inspection

The following documents are available for public inspection at the Council Office, free of charge:

- Council Agenda
- Minutes of Council Meetings
- Policy Manual
- Annual Budget
- Annual Report including Annual Financial Statements
- Local Laws
- Town Planning Scheme No1
- Strategic Plan
- Principal Activities Plan
- Disabilities Services Plan Equal Opportunity Statement
- Primary Returns - Staff and Elected Members
- Certain Staff Contracts and Duty Statements
- Contracted Service Agreements.

Members of the public may obtain copies of these documents. A list of all fees and charges under Council's jurisdiction is available under separate cover.

Access to information in alternative formats may be requested.

10. **COUNCIL POLICIES**

Council has adopted policies on the following subject matters:

- Administration and Policy Manual
- Advertising – Statutory and General
- Assets - Accounting
- Apprenticeship Training Assistance
- Budget Management – Capital Acquisition
- Building Control – Free Standing Garden Sheds, Patio's
- Building Licenses – Duration
- Buildings – Set out by licensed surveyor
- Building Control – Relocated Dwellings

Receptions – Approvals / Rejections
Complaints against senior employees
Complaints against third parties
Councillors Travel Expenses
Conditions for surface clearing & drilling activities within Leonora Townsite
Delegations to CEO – Limits
Elections – promotion
Environment – Council Recognition
Execution of documents
Equal Opportunity
Formal complaint handling procedure
- complaint report form (page 1)
- complaint report form (page 2)
Insurances
Policy Document
Library Charges
Library Books – deposit
Litter Control
Loans – Self Supporting
Meetings of Council – Agenda and Minutes Distribution
Meetings of Council – Guest Speakers
Payment to employees in addition to contract or award
Payroll deduction of Union subscription
Protection from sun for outdoor work
Productivity Incentive Scheme
Public Question Time Procedure (meetings)
Public Relations
Sales Tax
Salaries and Wages – payments made
Sexual Harassment & complaints (grievances)
Smoke Free
Staff and Senior Employees
Staff Training

Staff presentations on termination
Tender procedures
Traffic Management – Timing of roadworks
Unruly behavior
Use of Council Chambers
Vandalism – Reward for conviction
Vendor – Trading license
Well wishes from Council

Shire of Leonora
APPLICATION FOR ACCESS TO DOCUMENTS
(Under Freedom of Information Act 1992, S.12)

DETAILS OF APPLICANT

Surname: _____ Given Names: _____

Postal Address: _____

_____ Postcode: _____

Telephone Numbers: (W) _____ (H) _____

If application is on behalf of an organisation: _____
(Name of organisation)

DETAILS OF REQUEST: Personal Documents Non-Personal Documents

I am applying for access to documents(s) concerning _____

FORM OF ACCESS

I wish to inspect the documents(s)	<input type="checkbox"/>	YES	<input type="checkbox"/>	No
I require a copy of the documents(s)	<input type="checkbox"/>	YES	<input type="checkbox"/>	No
I require access in another form	<input type="checkbox"/>	YES	<input type="checkbox"/>	No

(Specify) _____

FEES AND CHARGES

Attached is a cheque/cash to the amount of \$.....to cover the application fee. I understand that before I obtain access to documents, I may be required to pay processing charges in respect of this application and that I will be supplied with a statement of charges if appropriate.

There is no fee applicable for Personal Information about the applicant.

_____ / ____ / ____

APPLICANT'S SIGNATURE

Date

FOI Reference Number _____ (Office Use Only)

Received on _____ Acknowledgment sent on _____

Proof of Identity (if applicable) _____ Type _____

Sighted _____

Freedom of Information Charges

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

1. **Type of Fee**
 - Personal information about applicant..... No fee
 - Application fee (for non-personal information)..... \$30.00

2. **Type of Charge**
 - 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..... .20cents
 - Transcribing from a 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

NB: For an applicant who is –

- a) impecunious, in the opinion of Council to whom the application is made; or
- b) the holder of a currently valid pensioner concession card issued on behalf of the Commonwealth to that person, or any other card which may be prescribed as being a pensioner concession card under the Rates and Charges (Rebates and Deferments) Act 1992

the charge payable under Regulation 5 of the Act is reduced by 25%

Deposits

- Advance deposit may be required of the estimated charges..... 25%
- Further advance deposits 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%.