



FREEDOM OF INFORMATION STATEMENT

2024

Adopted 26 June 2024

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1. Introduction

This Information Statement is published by the Council in accordance with the requirements of Section 94 and 96 of the Freedom of Information Act 1992 (WA). A review of the FOI Statement will take place every 12 months. Council welcomes any enquiries.

2. Functions of the Agency

Council's role is to govern the local government's affairs, be responsible for the performance of the local government's functions, oversee the allocation of the local government's finances and resources and determine the local government's policies.

2.1 Shire Vision

A vibrant and progressive community which values its history in a welcoming and friendly place to live, work and visit. Beverley is the place to BE!

We Value:

- The contributions made by our community towards an inclusive, active, diverse and friendly community.
- Our natural resources and our place in the natural environment.
- Economic diversity and opportunistic growth.
- Forward thinking leadership and good governance.

2.2 Council Priorities

1. Our investments support or facilitate employment and local business growth.
2. Our people, the community and quality of life are important to our success.
3. Our relationships bring financial, social, health and environmental benefits to the organisation and residents.

2.3 Legislation Administered by Council

Includes but is not limited to:

- *Local Government Act 1995;*
- *Bush Fires Act 1954;*
- *Dog Act 1976;*
- *Cat Act 2011;*
- *Planning and Development Act 2005;*
- *Building Act 2011;*
- *State Records Act;*
- *Cemeteries Act 1986;*
- *Caravan Parks and Camping Grounds Act;*
- *Health Act 1911;*
- *Disability Services Act 1993;* and
- all other legislation relevant to Local Government functions.

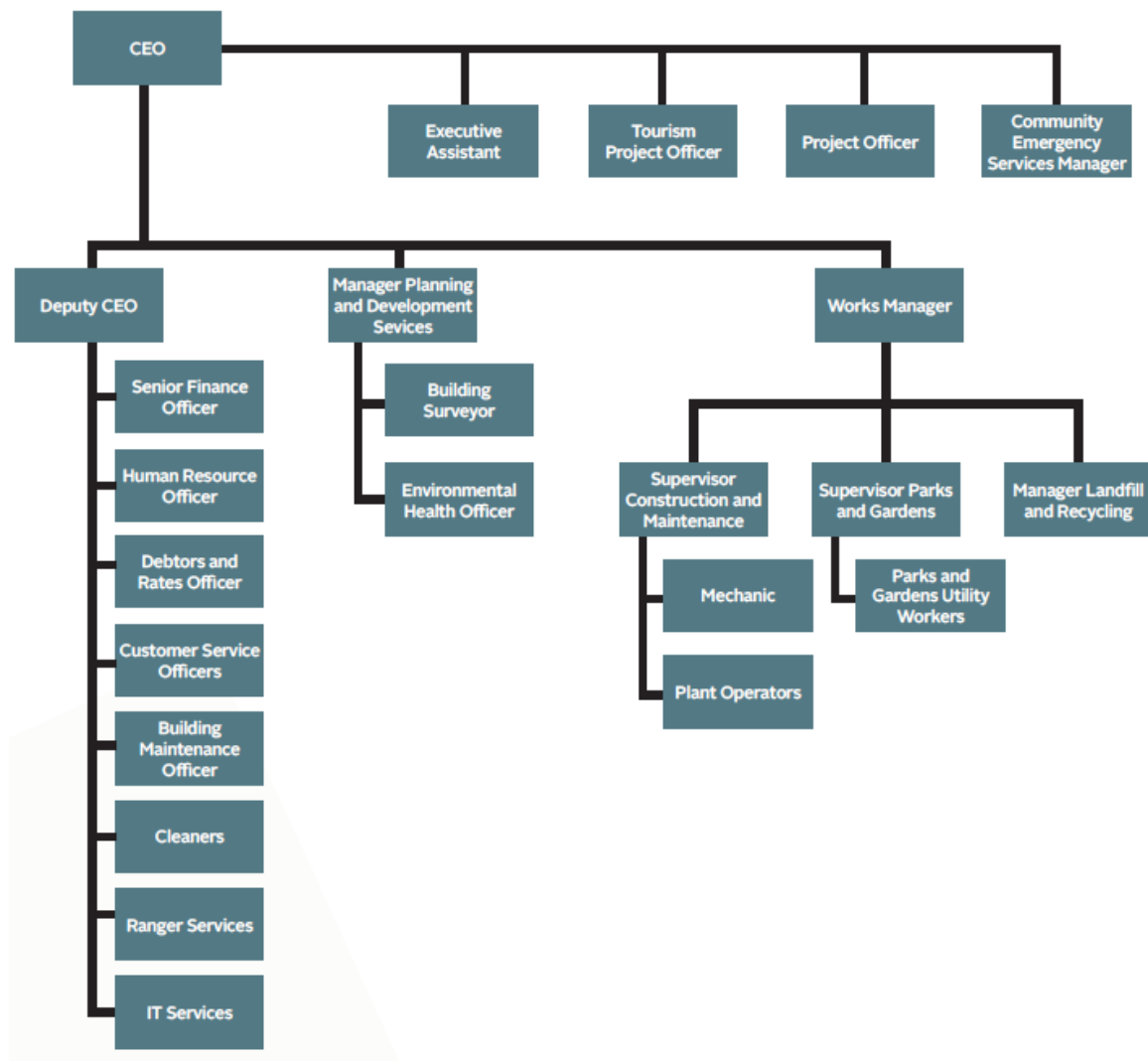
2.3 Council Structure

The Shire of Beverley Council is made up of eight (8) Councillors who are democratically elected by the community to represent the Shire as a whole, as there are no longer any wards in Beverley. Local Government Elections are held in October every second year. At the next election (2025) the Council will reduce to seven (7) Councillors.

The President and Deputy President of the Council are elected by the Councillors at a Special Meeting of Council, generally held within a week of the Election.

Council is the decision-making body of all policy matters. Elected members do not have the authority to act or make decisions as individuals. The Chief Executive Officer (CEO) reports to Council and is responsible for implementing Council decisions and policies; advising Council on current matters; and administering the day-to day operations including employment and budgeted works.

Current Shire of Beverley Organisational Structure:



3. Decision-making Functions that affect the public

3.1 Meetings

Ordinary Council Meetings (OCM) generally take place on the fourth Wednesday of the month at 3:00pm except for January when there is no meeting held. The meetings are open to the public. Public Question Time has a limit of three questions per person.

The meetings are electronically recorded for the purpose of minute taking, however the recordings will be placed on the website from January 2025. The main purpose of the meeting is to respectfully review, debate, question and generally approve the officer's recommendation being put to them.

The OCM is all Councillors and in 2024 is: Cr David White (President), Cr Dee Ridgway (Deputy President), Cr Darryl Brown, Cr Don Davis, Cr Chris Lawlor, Cr Susan Martin, Cr John Maxwell and Cr Alan Sattler.

Council has appointed a number of Committees to assist with the decision-making process. These Committees are assigned certain areas of responsibility and report to Council with their recommendations.

Committees of Council	Elected Members
Audit and Risk Committee	Cr Lawlor, Cr Maxwell, Cr Ridgway & Cr White
Corporate Strategy Committee	All Councillors
Works Committee (3-5 Councillors)	Cr Brown, Cr Davis, Cr Lawlor & Cr Sattler,
Cropping Committee (3-5 Councillors)	Cr Lawlor, Cr Martin, Cr Maxwell & Cr White
CEO Review Committee	All Councillors
Legislative Committees	
WALGA – Central Country Zone (CCZ) (President & Deputy President)	Pres: Cr White, Deputy: Cr Ridgway Proxy: Cr Lawlor
Fire Control Officer's (BFAC) Meeting (President + 1 councillor)	Pres: Cr White, Deputy: Cr Ridgway + Cr Brown
Local Emergency Management Committee (President + 1 councillor)	Pres: Cr White + Cr Davis
WALGA RoadWise (2 Councillors)	Cr Ridgway and Cr White
Council Working Groups	
Reconciliation Action Plan Working Group	Cr Brown, Cr Ridgway & Cr White
Long Term Financial Plan Working Group	Audit Committee
Community (Councillor rep requested)	
Early Child Years Network	Cr Martin
Avondale Museum Committee (min. 2)	Cr Brown, Cr Davis, Cr Maxwell, Cr Ridgway & Cr Sattler
Tourism Advisory Group	Cr Maxwell & Cr Ridgway
Hotham Dale Sub Group	Pres: Cr White, Proxy: Cr Davis
Local Health Advisory Group	Cr Brown and Cr Maxwell
Alex Miles Frail Aged Lodge Committee	Cr Brown

3.2 Policies and Delegations

The Council adopts policies on a variety of issues to act as a guide for Officers of the Shire and to provide the basis for decision making. All current policies are contained in the Shire of Beverley Policy Manual. Council also has a Delegations Register to assist with efficient administration. Both the Policy Manual and Delegations Register are available to view on the Shire's website.

4. Public Participation

Members of the public have a number of opportunities to put forward their views on particular issues.

4.1 Council Meetings

Members of the public are welcome to attend any open meeting of Council. The meeting date and time is advertised on the Shire website and Beverley Blarney. Members of the public are able to ask up to three questions on any matter affecting the Shire in the time set aside, known as 'Public Question Time'. Public Question Time is scheduled soon after the start of each Council Meeting.

With prior notification, approval and arrangement with Council, a member of the public or community group may address Council on any issue relevant to Council.

Written requests – a member of the public can write to the Council on any policy, activity or service. It will first be dealt with through the Council Briefing and then through an agenda if deemed necessary.

Elected Members - members of the public can contact an Elected member of Council to discuss any issue relevant to Council.

4.2 Annual General Meeting of Electors

Section 5.27 of the *Local Government Act 1995* has a requirement to hold an Annual General Meeting of Electors. Such meetings afford members of the public the opportunity to ask Councillors and staff questions about general Shire matters.

The Annual General Meeting of Electors is held once in every financial year and includes the presentation of the Annual Report and the Auditor's Report. Residents and ratepayers are encouraged to attend this meeting as it is an opportunity to ask questions and raise issues with local representatives.

4.3 Complaints and Feedback

The Shire has a robust complaints register which is monitored daily for the complaint status and time to complete. Complaints are accepted via phone, email, in-person and web form. Due to privacy, the complaints register is not available for public viewing. The Shire does not use Facebook as a method of complaint, it is simply a dissemination of information tool.

Positive feedback is shared to Councillors and Staff alike.

4.4 Community Consultation

The community is often invited via the Beverley Blarney, Shire website and Shire Facebook page to make submission or comment on varying activities such as, but not limited to: Local Law Review, Strategic Planning, Disability Access and Inclusion Planning; Planning applications involving road closures; Re-development of Shire owned Assets; and the establishment of working groups.

5. Documentation

Documents held by the Shire of Beverley are dealt with under the Shire's Record Keeping Plan 2019 – 2025 which complies with Section 28 of the *State Records Act 2000*.

Active files are maintained at the Shire of Beverley Administration Office. Closed files are either archived in suitable storage areas or destroyed as per the *General Retention and Disposal Authority for Local Government*.

Types of documents held:

Correspondence Files

Property Files

Council Minutes and Agendas Files

Rates Files

Building Files

Planning Files

Financial Files

Administration Files – not limited to: events, services, special projects, roads, tenders, parks and gardens, plant and equipment, emergency services and tourism.

Access to information held in the above listed files is subject to the provisions of the *Local Government Act 1995* and *Freedom of Information Act 1992*.

The Shire of Beverley endeavors to place as much information as possible on its website. Alternatively, documents can be made available by attending the Shire of Beverley Administration Office in person (appointment only), phoning 9646 1200 or emailing admin@beverley.wa.gov.au

The following publications are available either free of charge on the website (marked with an 'x'), by inspection and/or occur a fee.

Document Name	Inspection	Fee	Website
Annual Budgets			x
Annual Reports			x
Asset Management Plans	x		
Beverley Blarney Pre 2011	x		
Beverley Blarney 2011 onwards			x
Building Plans	x	x	
Business Continuity Plan	x		
Cemetery Records	x		x
Code of Conduct (Councillors & Employees)			x
Complaints Register (Minor Breach)			x

Document Name	Inspection	Fee	Website
Corporate Business Plan			X
Council Agendas Pre 2018	X		
Council Agendas 2018 onwards			X
Council Minutes 1907 - 2005	X		
Council Minutes 2005 onwards			X
Councillor Training Report			X
Delegations Register			X
Disability Access and Inclusion Plan			X
Fees and Charges			X
Fire Break Order			X
Freedom of Information Statement			X
Gift and Travel Contributions Register			X
Long Term Financial Plan	X		
Policy Manual			X
Rate Book	X	X	
Record Keeping Plan	X		
Register of Annual Returns			X
Register of Declarations of Interest			X
Strategic Community Plan			X
Tender Register			X
Trails Masterplan			X
Town Planning Scheme			X

6. Access Arrangements

It is the aim of the Shire to make information available promptly and at the least possible cost and whenever possible will be provided outside the FOI process, this will be by way of:

1. inspection of a document in the Meeting Room in the Administration Building (where the document is not to leave the Shire Building ie. Cemetery Records or Council Minutes)
2. or by way of a USB drive.

7. Applying for Documents

If information is not routinely available, the *Freedom of Information Act 1992* provides the right to apply for documents held by the Shire and to enable the public to ensure that personal information in the document is accurate, complete, up to date and not misleading.

7.1 Applications

Application must be on writing on the prescribed form (attached).

Postal Address:
Shire of Beverley
FOI Officer
PO Box 20
BEVERLEY WA 6304

In Person:
Shire of Beverley Administration Building
Contact Person: FOI Officer
136 Vincent Street
BEVERLEY WA 6304

7.2 Charges

A scale of fees and charges is set under the *Freedom of Information Regulations 1993*. Apart from the application fee for non-personal information, all charges are discretionary, meaning that it is left to the Shire's discretion whether a charge will apply or not. Straightforward applications usually incur only the application fee. The charges are as follows:

Description of Fees	Charge
Application Fee - Non-Personal Information.	\$30.00
Application Fee - Personal Information (personal information about the applicant only).	No fee
Charge for time dealing with the application.	\$30.00 per hour or pro rata
Access time supervised by staff.	\$30.00 per hour or pro rata
Photocopying – staff time.	\$30.00 per hour or pro rata
Photocopying - cost per page	\$0.20
Transcribing from tape, film, or computer.	\$30.00 per hour or pro rata
Duplicating a tape, film, or computer information.	Actual costs
Delivery, packaging, and postage.	Actual costs
Deposits	
<ul style="list-style-type: none"> Advance deposits of the estimated charges may be required. 	\$25%
<ul style="list-style-type: none"> Further advance deposit may be required to meet the charges for dealing with the application. 	\$75%
<p>For financially disadvantaged applicants or those issued with prescribed pensioner concession cards, the charge for dealing with the application is reduced by 25%.</p> <p><i>** Note – there is no discount or waiver applicable to the initial \$30.00 application fee unless the application is for Personal Information only.</i></p>	

7.3 Notice of Decision

As soon as possible, but in any case within 45 days, the applicant will be provided with a notice of decision which will include details such as:

- the date the decision was made;
- the name and 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.

If you are not satisfied with the decision made in relation to the request, you can ask for a review of the decision.

8. Amending Personal Information

The right to amend personal information held by the Shire ensures information does not unfairly harm the person referred to, misrepresent facts about them or give a misleading impression. An application can be made to the Chief Executive Officer to correct or amend any documents containing an individual's personal information.

The application must be in writing, providing details and if necessary, documentation to support claims that the information the applicant seeks to have amended is inaccurate, incomplete, out of date or misleading.

The Shire will inform the applicant of its decision and its reasons and will advise the applicant of their right of review should they be dissatisfied with the Shire's decision.



**Freedom of Information
Application for Access to Documents**
(Under Freedom of Information Act 1992, S.12)

Details of Applicant

Surname: _____

Given Names: _____

Postal Address: _____ Postcode: _____

Telephone Number(s): _____

If application is on behalf of an organisation:

Name of Organisation/Business _____

Details of Request

Personal (No fee) **Non-Personal** (\$30.00) *(Please tick appropriate box)*

I am applying for access to document(s) concerning: _____

Form of Access

(Please tick appropriate box)

I wish to inspect the document(s) **Yes** **No**

I require a copy of the document(s) **Yes** **No**

I require access in another form **Yes** **No**

(specify)

Fees and Charges

I understand that before I obtain access to documents, I may be requested to pay additional fees and that the Shire of Beverley will provide an estimate of fees and charges prior to processing. I will be supplied with a statement of charges if appropriate required to pay processing charges.

In certain cases a reduction in fees and charges may apply - see section on fees and charges on the back of this form. If you consider you are entitled to a reduction, submit a request with copies of documents which address the criteria on the back of this form and support your application for a fee reduction.

I am requesting a reduction in fees and charges **Yes** **No** *(Please tick)*

Applicant's Signature: _____ Date: _____



Freedom of Information
Application for Access to Documents
(Under Freedom of Information Act 1992, S.12)

FOI Applications

- Please provide sufficient information to enable the correct document(s) to be identified.
- The agency may request proof of your identity.
- If you are seeking access to a document(s) on behalf of another person, the agency will require authorisation, usually in writing.
- Your application will be dealt with as soon as practicable (and, in any case, within 45 days) after it is received.
- The Freedom of Information Act is available on the Office of the Information Commissioner website <http://foi.wa.gov.au/>

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 agency is unable to grant access in the form requested, access may be given in a different form.

Fees and Charges

Refer to page three.

Lodgement of Applications

Applications may be lodged -

By post, addressed to:

Shire of Beverley
FOI Officer
PO Box 20
BEVERLEY WA 6304

In person at:

Shire of Beverley
FOI Officer
136 Vincent Street
BEVERLEY WA 6302



Freedom of Information Fees and Charges

Description of Fees	
Application Fee - Non-Personal Information.	\$30.00
Application Fee - Personal Information (personal information about the applicant only).	No fee
Charge for time dealing with the application.	\$30.00 per hour or pro rata
Access time supervised by staff.	\$30.00 per hour or pro rata
Photocopying – staff time.	\$30.00 per hour or pro rata
Photocopying - cost per page	\$0.20
Transcribing from tape, film, or computer.	\$30.00 per hour or pro rata
Duplicating a tape, film, or computer information.	Actual costs
Delivery, packaging, and postage.	Actual costs
Deposits	
<ul style="list-style-type: none"> • Advance deposits of the estimated charges may be required. 	\$25%
<ul style="list-style-type: none"> • Further advance deposit may be required to meet the charges for dealing with the application. 	\$75%
<p>For financially disadvantaged applicants or those issued with prescribed pensioner concession cards, the charge for dealing with the application is reduced by 25%.</p> <p><i>** Note – there is no discount or waiver applicable to the initial \$30.00 application fee unless the application is for Personal Information only.</i></p>	