



# SHIRE OF NORTHAMPTON

## FREEDOM OF INFORMATION STATEMENT

2009/2010

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## **2.0 MISSION STATEMENT**

The Shire of Northampton will provide community leadership by modelling and supporting economic, environmental and social development within the Shire.

## **3.0 DETAILS OF LEGISLATION ADMINISTERED**

Including, yet not limited to:

Freedom of Information Act  
Local Government Act 1995  
Local Government (Miscellaneous Provisions) Act 1960  
Bushfires Act  
Dog Act  
Town Planning Development Act  
Health Act  
Dividing Fences Act  
Caravan Park and Camping Ground Act

## **4.0 COUNCIL STRUCTURE**

### **4.1 Council Structure**

The Council is comprised of ten (10) Councillors. The President is elected from within the Councillors who are representative of the two (2) Wards in the Shire.

President – Cr George Parker  
Deputy President – Cr Gordon Wilson

### **4.2 Wards**

#### **Northampton Ward**

Cr George Parker, Cr Gordon Wilson, Cr Sandra Stock-Standen and Cr Vicki Maskrey, Cr Eric Simkin, Cr Owen Simkin.

#### **Kalbarri Ward**

Cr Ron Allen, Cr Patricia Gliddon, Cr Lou Parker and Cr Alcida Link

### **4.3 COMMITTEES**

To enable Council to efficiently administer its business. All committees are appointed to oversee various aspects of its operations, all Committee meetings are held on an “as needs basis”. All recommendations made by the committees are to be referred to the Council for endorsement.

## ***HOUSING COMMITTEE***

### ***Members***

Cr's G. Parker, V. Maskrey, E. Simkin, L. Parker, DCEO & EHO/Building Surveyor

### ***Purpose***

Will meet at least once annually to:

Inspect all Council owned or controlled buildings to determine appropriate work requirement for recommendation to Council for inclusion into future budget(s).

All other Committee Meetings will be on an "as needs basis" to discuss items referred to the Committee by Council in the area of Council controlled buildings and properties.

## ***DISABILITY SERVICES COMMITTEE***

### ***Members***

Cr's P. Gliddon, V. Maskrey, A. Link and EHO

### ***Purpose***

Will meet on an "as needs" basis only to discuss items referred to them by Council in the area of Disability Services.

## ***KALBARRI PLANNING STRATEGY COMMITTEE***

### ***Members***

Cr's P. Gliddon, L. Parker, Alternates G. Wilson and R. Allen and Principal Planner.

### ***Purpose***

Will meet on an "as needs" basis only to develop the Kalbarri Planning Strategy and Committee reports direct to Council to act on any recommendations.

## ***BATAVIA COAST REGIONAL ORGANISATION COUNCIL***

### ***Members***

President, Deputy President and CEO (as per BROOC agreement) with two alternates currently Cr R. Allen and Cr O. Simkin

### ***Purpose***

Formation of an alliance of four neighbouring shires to investigate resource sharing and further cooperation between the local authorities in other areas of operations.

### ***KALBARRI AIRPORT JOINT VENTURE COMMITTEE***

#### ***Members***

Cr's G. Parker, R. Allen & CEO  
Alternates – Cr's Gliddon & O Simkin

#### ***Purpose***

Meets twice a year or when deemed necessary to resolve matters relating to the operation of the Kalbarri Airport in association with the joint partner, City of Geraldton/Greenough

### ***AUDIT COMMITTEE***

***[Legally required in accordance with the Local Government (Audit) Regulations, 1996]***

#### ***Members***

Cr's G. Parker, G. Wilson, P. Gliddon and S. Stock-Standen

#### ***Purpose:***

The roles and responsibilities of the Finance & Audit Committee will be in accordance with Clause 16 of the Local Government (Audit) Regulations 1996 ie: -

Clause 16(a) – Audit Committee is to provide guidance and assistance to the local government:-

- (i) as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and
- (ii) as to the development of a process to be used to select and appoint a person to be auditor

Clause 16(b) – Audit Committee may provide guidance and assistance to the local government as to –

- (i) matters to be audited;
- (ii) the scope of the audits;
- (iii) its functions under Part 6 of the Act; and
- (iv) the carrying out of its functions relating to other audits and other matters related to financial management.

Other matters include:-

- Committee to be of three or more persons, including elected members and other persons (if considered appropriate by Council).
- Employees and CEO may only be on the Committee as observers.
- Absolute Majority of Council required to appoint Committee members.
- Council may only delegate powers and duties under Part 7 of the LG Act to the Committee.
- Decisions of Committee to be by simple majority.
- Appointment of Council Auditors requires the recommendation of the Committee.
- Committee is to ensure matters identified by an auditor are detailed in the Auditors Report.
- Committee may refer a copy of the Audit Report to the CEO for action.
- Meet with the Auditor at least once every year (can be by electronic communication).
- Examine Auditors Report and ensure action is taken where necessary.

## **REPRESENTATIVES ON OUTSIDE COMMITTEES**

### ***Northampton Townscape Committee***

Cr's S. Stock-Standen & V. Maskrey

### ***Northampton Community Centre***

Cr's O. Simkin & S. Stock-Standen

### ***Northampton Tourist Association***

Cr's V. Maskrey & S. Stock-Standen

### ***Northampton Historical Society***

Cr S. Stock-Standen

### ***Kalbarri Development Association – includes Kalbarri Townscape Committee***

Cr P. Gliddon

***Kalbarri Tourist Association***

Cr R. Allen as delegate & Cr P. Gliddon as deputy

***Kalbarri Sport & Recreation Club***

Cr's L. Parker & R. Allen

***Kalbarri Maritime Advisory Committee***

Cr's R. Allen, A. Link, L. Parker and CEO

***Kalbarri Aged Persons Homes Management Committee***

Cr P. Gliddon & R. Allen – deputy

***Agricultural Protection Board & Emu Barrier Fence***

Cr E Simkin

***Coastal Sub Group of the Regional Road Group***

Cr G. Parker & CEO

***Galena Mining Area Heritage Advisory Committee***

Cr P. Gliddon & Principal Planner

***Horrocks Townscape Committee***

Cr S. Stock- Standen & O. Simkin

***Senior Staff Employment Performance Review Panel***

Cr's G. Parker, P. Gliddon, G. Wilson, O. Simkin, E. Simkin & CEO

**5.0 DETAILS OF DECISION MAKING FUNCTIONS**

Local Laws and Policies applying to this Council's district only, are made by Council under the Local Government Act 1995.

Council may provide that contravention of a provision of the local law is an offence, and may provide for penalties to be imposed.

**6.0 PUBLIC PARTICIPATION IN THE FORMULATION OF POLICY AND PERFORMANCE OF COUNCIL FUNCTIONS**

**6.1 Committees or bodies which involve public representation**

No committees or bodies which involve public representation exist within Council at this time.

## **6.2 Committees that don't involve direct public representation but may be open to the public**

No such Committees exist. However, if Council does resolve to delegate authority to a Committee these meetings will be open to the public.

## **6.3 Participation in Committees**

Council members are elected to committees by the following process:-

- i) Members identify which committees they have an interest in sitting on.
- ii) Members vote by secret ballot their choice of committee members from the list of members who have indicated their interest in being on a particular committee.

## **7.0 DOCUMENTS HELD**

### **7.1 Any person can attend the office during office hours and inspect free of charge, subject to limitations any of the following in relation to council in the form in which it is normally held.**

- a) annual report to electors;
- b) annual budget;
- c) annual financial report;
- d) various brochures available at the counter;
- e) shire library facilities;
- f) equal opportunity policy statement
- g) confirmed and unconfirmed minutes of Council, committee and electors meetings;
- h) Financial Plan for the Future, Strategic Plan
- i) register of financial interests;
- j) schedule of fees and charges;
- k) schedule of loan repayments;
- l) loans register;
- m) proposed local law of which Statewide public notice has been given;
- n) local laws made by Council;
- o) any written law that Council has the duty or power to enforce;
- p) rates record;
- q) notice papers and agenda relating to any council or committee meeting and reports other documents that have been -
  - i) tabled at a council or committee meeting; or
  - ii) produced by council or a committee and presented at a council or committee meeting.
- t) prepared business plan;
- u) register of owners and occupiers and electoral rolls;
- v) register of delegations to committees.

## **7.2 Documents available to the public - for which a fee may be charged.**

- a) maps of the Shire of Northampton;
- b) the annual financial report;
- c) the annual budget;
- d) municipal inventory;
- e) town planning documents;
- f) freedom of information statement.

## **7.3 Other documents held which may be available for inspection within the Freedom of Information Act**

- a) register of delegations to CEO and employees;
- b) unconfirmed minutes of council or committee meetings;
- c) notice papers and agenda relating to council or committee meetings and reports and other documents which -
  - i) are to be tabled at the meeting; or
  - ii) have been produced by the local government or a committee for presentation at the meeting.
- d) and which have been made available to members of Council or the committee.
- e) the information contained in a tenders register;
- f) property ownership enquiries.

## **7.4 Limits on right to inspect Local Government Information**

A person's right to inspect information does not extend to the inspection of information:-

- a) which is not current at the time of inspection; and
- b) which, in the CEO's opinion, would divert a substantial and unreasonable portion of resources away from other functions.
- c) in relation to any debt owed by a person other than the debt of the person making the enquiry.
- d) relating to minutes of meetings or notice papers and agenda and supporting reports and documents of a meeting which:-
  - i) was closed to the public; or
  - ii) in the CEO's opinion, could have been closed to members of the public, but was not closed.
- e) in relation to contracts for the CEO and senior employees if:-
  - i) the information relates to a matter other than the salary or the remuneration or benefits payable under the contract; and

- ii) in the CEO's opinion, the information should not be available for inspection by members of the public because of the private nature of the information.

## **7.5 Format in which information is held-**

- a) library holds brochures, videos, cassettes and books, available for borrowing through the library system;
- b) rates records are held on computer hard disk;
- c) minutes of meetings are held in guard and bound books;
- d) annual report to electors, financial report and budget are held in booklet form and on hard disk;
- e) register of loans - hard copy and hard disc;
- f) register of tenders - hard copy;
- g) register of delegations to committee - hard copy and hard disc;
- h) maps - hard copy;
- i) principal activities and business plans - hard copy and hard disc;
- j) register of financial interests - hard copy;
- k) owners, occupiers and electoral rolls - hard disk and soft copy;
- l) municipal inventory – hard copy and hard disc;
- m) correspondence, both incoming and outgoing is in filing cabinets and in electronic format on hard disc for short term or held in the storeroom for long term archives. A system index schedule (numbers used in filing records) is held in booklet form;
- n) personal information - held in filing system and on computer hard disk.

## **8.0 THE OPERATION OF FREEDOM OF INFORMATION IN THE SHIRE OF NORTHAMPTON**

### **8.1 How and to whom initial enquiries should be made?**

- i) In accordance with Section 12 (i) Initial enquiries should be made:
  - a) in writing;
  - b) give enough information so that the documents requested can be identified;
  - c) give an Australian address to which notices can be sent; and
  - d) be lodged at the agency with any application fee payable.

Applications and enquiries should be addressed to the Freedom of Information Coordinator:-

The Deputy Chief Executive Officer  
Shire of Northampton  
PO Box 61  
NORTHAMPTON WA 6535

*Telephone and fax numbers:*

Phone: (08) 99341202  
Fax: (08) 99341702  
Email – dceo@northampton.wa.gov.au

- ii) Applications will be acknowledged in writing and you will be notified of the decision within 45 days.
- iii) It is the aim of the Shire of Northampton to make information available promptly and at the least possible cost, and whenever possible documents will be provided outside the Freedom of Information Process.
- iv) If information is not routinely available, the *Freedom of Information Act 1992* provides the right to apply for documents held by the agency and to enable the public to ensure that personal information in documents is accurate, complete, up to date and not misleading.

## 8.2 Freedom of Information Charges -

A scale of fees and charges set under the Freedom of Information Act Regulations.

- |   |                    |
|---|--------------------|
| i) Personal Information about the applicant   | <i>no fee</i>      |
| ii) Application fee (for non personal information)  | <i>\$30.00</i>     |
| iii) Charge for time dealing with the application<br>(per hour, or pro rata)  | <i>\$30.00</i>     |
| iv) Access time supervised by staff<br>(per hour, or pro rata)  | <i>\$30.00</i>     |
| v) Photocopying staff time<br>(per hour, or pro rata)   | <i>\$30.00</i>     |
| vi) Per photocopy   | <i>0.20</i>        |
| vii) Transcribing from tape, film or computer<br>(per hour, or pro rata)  | <i>\$30.00</i>     |
| viii) Duplicating a tape, film or computer information  | <i>Actual Cost</i> |
| ix) Delivery, packaging and postage   | <i>Actual Cost</i> |
| x) Advance deposit may be required of the estimated charges   | <i>25%</i>         |
| xi) Further advance deposit may be required to meet the charges for dealing with the application  |                    |
| xii) For financially disadvantaged applicants, those issued with prescribed pensioner concession cards, the charge payable may be reduced by 25%. |                    |

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.

## 8.3 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 of the decision and procedures to follow.

*Refusal of Access -*

Applicants who are dissatisfied with a decision are entitled to ask for an internal review. 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.

**8.4 Person responsible for decisions regarding access or the amendment of personal information under Freedom of Information -**

The Deputy Chief Executive Officer makes decisions regarding access or the amendment of personal information under Freedom of Information.