



SHIRE OF  
**MOUNT MAGNET**

**FREEDOM OF INFORMATION  
STATEMENT**

**2013/2014**



**Shire of Mount Magnet  
Freedom of Information Statement  
2013/2014**

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## 1.0 MISSION STATEMENT

For Mount Magnet to be recognised as an innovative, vibrant and inclusive community.

## 2.0 DETAILS OF LEGISLATION ADMINISTERED

Including, yet not limited to:

Freedom of Information Act 1992  
Local Government Act 1995  
Local Government (Miscellaneous Provisions) Act 1960  
Bushfires Act 1954  
Dog Act 1976  
Planning and Development Act 2005  
Health Act 1911  
Dividing Fences Act 1961  
Caravan Park and Camping Ground Act 1995  
Control of Vehicles (Off-road areas) Act 1978  
Litter Act 1979 and Regulations

Shire of Mount Magnet Local Laws, as gazetted

## 3.0 COUNCIL STRUCTURE

### 3.1 COUNCIL STRUCTURE

The Council is comprised of nine (9) Councillors. The President is elected by the Councillors.

POSITION	NAME	TERM EXPIRES
President	Ashley Dowden	2013
Deputy President	Greg Scott	2015
Councillor	Kevin Brand	2015
Councillor	Robert Ford	2015
Councillor	Jorgen Jensen	2013
Councillor	Jason Homewood	2013
Councillor	Wendy McGorman	2015
Councillor	Vacant	2015
Councillor	Vacant	2013

#### Please note

As at 1 June 2013 there are 2 vacant Councillor positions

### 3.2 COMMITTEES/DELEGATES

#### **Finance and Audit Committee**

In accordance with the requirements of the Local Government Act, Council has appointed a Finance and Audit committee, this committee includes all Councillors.

## Council Delegates

Council has appointed delegates to represent it on the following bodies:

<b>Regional Road Group</b>	Cr Robert Ford
<b>Murchison Zone WALGA</b>	Cr Ashley Dowden Cr Greg Scott
<b>Murchison Regional Vermin Council</b>	Cr Jason Homewood Cr Greg Scott
<b>Development Assessment Panel</b>	Cr Robert Ford Cr Jorgen Jensen Cr Wendy McGorman Cr Greg Scott
<b>Mining and Pastoral Museum</b>	Cr Ashley Dowden

### 4.0 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.

### 5.0 PUBLIC PARTICIPATION IN COUNCIL FUNCTIONS

#### 5.1 COMMITTEES OR BODIES WHICH INVOLVE PUBLIC REPRESENTATION

There are no committees.

#### 5.2 COMMITTEES THAT DON'T INVOLVE DIRECT PUBLIC REPRESENTATION BUT MAY BE OPEN TO THE PUBLIC

Finance and Audit Committee meetings are open to the public.

#### 5.3 PARTICIPATION IN COMMITTEES

Council members are elected to committees by the Council, when required.

#### 5.4 ORDINARY COUNCIL MEETINGS

Ordinary Council Meetings are held on the first Friday of each month, except for January and where the normal meeting date may fall on a public holiday.

Ordinary Council meetings are open to the public.

A period is set aside at the start of each meeting for public question time. This provides an opportunity for members of the public to ask questions of Council.

## **6.0 DOCUMENTS HELD**

### **6.1 DOCUMENTS AVAILABLE FOR INSPECTION FREE OF CHARGE**

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.

- Annual report to electors
- Annual budget
- Annual financial report
- Various brochures available at the counter
- Shire library facilities
- Equal opportunity policy statement
- Confirmed Minutes of Council, committee and electors meetings
- Long Term Financial Plan
- Register of financial interests
- Schedule of fees and charges
- Schedule of loan repayments
- Loans register
- Proposed local law of which Statewide public notice has been given
- Local laws made by Council
- Any written law that Council has the duty or power to enforce
- Rates record
- Confirmed minutes of council or committee meetings
- Minutes of electors meetings
- Notice of papers and agenda relating to any council or committee meeting and reports other documents that have been -
  - Tabled at a council or committee meeting or
  - Produced by council or a committee and presented at a council or committee meeting.
- Corporate Business Plan and related documents
- Strategic Community Plan and related documents
- Register of owners and occupiers and electoral rolls
- Register of delegations to committees

### **6.2 DOCUMENTS AVAILABLE TO THE PUBLIC - FOR WHICH A FEE MAY BE CHARGED**

These documents are available to the public of which a fee may be charged:

- Maps of the Shire of Mount Magnet
- The Annual Financial Report
- The Annual Budget
- Municipal Inventory
- Town Planning documents
- Freedom of Information Statement

### **6.3 OTHER DOCUMENTS AVAILABLE FOR INSPECTION**

These documents may be available for inspection within the Freedom of Information Act

- Register of delegations to CEO and employees;
- Unconfirmed minutes of council or committee meetings
- Notice papers and agenda relating to council or committee meetings and reports and other documents which -
  - Are to be tabled at the meeting or
  - Have been produced by the local government or a committee for presentation at the meeting
  - And which have been made available to members of Council or the committee
- The information contained in a tenders register
- Property ownership enquiries

### **6.4 LIMITS ON RIGHT TO INSPECT LOCAL GOVERNMENT INFORMATION**

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

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

## 6.5 FORMAT IN WHICH INFORMATION IS HELD

Information is kept in several formats however the standard format in which information is held is as follows:

- Library holds brochures, videos, cassettes and books, available for borrowing through the library system
- Rates records are held on computer hard disk
- Minutes of meetings are held in guard and bound books
- Annual report to electors, financial report and budget are held in booklet form and on hard disk
- Register of loans - hard copy
- Register of tenders - hard copy
- Register of delegations to committee - hard copy
- Maps - hard copy
- Principal activities and business plans - hard copy
- Register of financial interests - hard copy
- Owners, occupiers and electoral rolls - hard disk and soft copy
- Municipal Inventory - book
- Correspondence, both incoming and outgoing is in filing cabinets 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
- Personal information - held in filing system and on computer hard disk

## **7.0 THE OPERATION OF FOI IN THE SHIRE OF MOUNT MAGNET**

### **7.1 HOW AND TO WHOM INITIAL ENQUIRIES SHOULD BE MADE**

In accordance with Section 12 (i) Initial enquiries should be made:

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

The Chief Executive Officer  
Shire of Mount Magnet  
Post Office Box 62  
Mount Magnet WA 6638

Phone: (08) 9963-3000  
Fax: (08) 9963-4133

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

It is the aim of the Shire of Mount Magnet to make information available promptly and at the least possible cost, and whenever possible documents will be provided outside the Freedom of Information Process. 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.



## 7.2 FREEDOM OF INFORMATION CHARGES

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

- Personal Information about the applicant no fee
- Application fee (for non personal information) \$30.00
- Charge for time for dealing with an application, photocopying, supervised access and transcribing \$30.00 per hour or pro rata.
- Charge per photocopy \$0.20.
- Transcribing from tape, film or computer \$25.00 (per half hour, or pro rata)
- Charge for duplicating a tape, film or computer information Actual Cost
- Charge for delivery, packaging and postage Actual Cost
- Advance deposit which may be required expressed as a percentage of the estimated charges which will be payable in excess of the application fee 25%.
- Further advance deposit which may be required expressed as a percentage of the estimated charges which will be payable in excess of the application fee 75%.
- 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.

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.

The person responsible regarding access or the amendment of personal information under Freedom of Information:

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