



SHIRE OF
WAROONA
SEA TO SCARP

INFORMATION ACCESS FRAMEWORK (Information Statement)

2025

TOWARDS
2030

Document No: CGFW001



About this document

This Information Statement is published by the Shire of Waroona in accordance with the requirements of section 94 of the *Freedom of Information Act 1992*.

An updated Information Statement will be published annually.

Council is pleased to comply with the *Freedom of Information Act 1992* and welcomes enquiries.

Disclaimer

This document has been published by the Shire of Waroona. Any representation, statement, opinion, or advice expressed or implied in this publication is made in good faith and on the basis that the Shire are not liable for any damage or loss whatsoever which may occur as a result of action taken or not taken, as the case may be, in respect of any representation, statement, opinion or advice referred to herein.

Accessibility

This document is available in alternative formats such as large print, electronic, audio or Braille, on request.



Document Control

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1. Introduction

The *Freedom of Information Act 1992* (FOI Act) is designed to provide the public legal rights to access information held by local and public authorities that is not publicly available.

Part 5, section 96(1) of the FOI Act requires the Shire of Waroona (Shire) to prepare and publish an annual Information Statement. This Statement must:

- State the structure and functions of the Shire.
- Describe the ways in which functions of the Shire affect members of the public.
- Describe arrangements that allow the public to participate in the development of the Shire's policy and the performance of its functions.
- Describe the type of documents usually held by the Shire available for inspection, purchase or free-of-charge.
- Describe the arrangements and procedures for providing members of the public access to documents.
- Describe the procedures for amending personal information.

This Information Access Framework (Information Statement) has been created to comply with that requirement and is correct as at 1 January 2025.

Contact Us

Copies of this document may be obtained free-of-charge from:

Shire of Waroona
52 Hesse Street
Waroona WA 6215

This document is also available on the Shire's official website.

For further enquiries in relation to the FOI Act and the Information Statement, please contact the Shire's Freedom of Information Coordinator during business hours - Monday to Friday, 9am to 4pm on (08) 9733 7800 or email: warshire@waroona.wa.gov.au.

2. Purpose, Vision & Values

Purpose

We create environments where community, culture and commerce can flourish

Vision

A celebration of natural beauty, country values and vibrant prosperity

Values

1. We support our community in a collaborative manner with enthusiasm and fairness
2. We commit to building a resilient community
3. We encourage diversity and inclusiveness and celebrate uniqueness
4. We listen to the community and respond to their needs
5. We strive to deliver consistently high standards of service

3. Structure & Functions of the Shire

Major Functions and Powers

The Shire of Waroona is constituted as a Local Authority under the *Local Government Act 1995* (Local Government Act). The general function of a local government is to provide for the good government of persons within its district and includes general legislative and executive powers and functions.

Using its legislative powers, a local government may make local laws prescribing all matters that are required or permitted to be prescribed by a local law or are necessary or convenient to be so prescribed for it to perform any of its functions under the Local Government Act.

The local government's executive powers involve administering its local laws and other actions as necessary or convenient to be done for, or in connection with, performing its functions under the Local Government Act, including the provisions of services and facilities.

The Shire of Waroona is wholly or partly responsible for administering the following legislation and regulations:

- Aboriginal Heritage Act 1972
- Agriculture and Related Resources Protection Act 1976
- Animal Welfare Act 2002 and Regulations
- Australian Citizenship Act 2007
- Building Act 2011 and Regulations
- Bush Fires Act 1954 and Regulations
- Caravan Parks and Camping Grounds Act 1995 and Regulations
- Cat Act 2011 and Regulations
- Cemeteries Act 1986
- Control of Vehicles (Off Road Areas) Act 1978 and Regulations
- Disability Services Act 1993 and Regulations

- Dog Act 1976 and Regulations
- Emergency Management Act 2005 and Regulations
- Environmental Protection Act 1986 and Regulations
- Equal Opportunity Act 1984
- Dangerous Goods Safety Act 2004 and Regulations
- Fines, Penalties and Infringement Notices Enforcement Act 1994
- Food Act 2008 and Regulations
- Freedom of Information Act 1992 (WA) and Regulations
- Health (Miscellaneous Provisions) Act 1911
- Heritage of Western Australia Act 1990 and Regulations
- Land Administration Act 1997 and Regulations
- Litter Act 1979 and Regulations
- Liquor Control Act 1988 and Regulations
- Local Government Act 1995 and Regulations
- Local Government (Miscellaneous Provisions) Act 1960 and Regulations
- Local Government Grants Act 1978
- Main Roads Act 1930 and Regulations
- Parks and Reserves Act 1895 and Regulations
- Planning and Development Act 2005 and Regulations
- Planning and Development (Consequential and Transitional Provisions) Act 2005 and Regulations
- Privacy and Responsible Information Sharing Act 2024
- Public Health Act 2016 and Regulations
- Public Interest Disclosure Act 2003
- Rates and Charges (Rebates and Deferments) Act 1992 and Regulations
- Road Traffic (Administration) Regulations 2014
- Road Traffic Code 2000
- Shire of Waroona Town Planning Scheme No. 3 and local planning policies
- State planning policies
- Strata Titles Act 1985 and Regulations
- Valuation of Land Act 1978 and Regulations
- Waste Avoidance and Resource Recovery Act 2007 and Regulations
- Any other Act becoming law or amended to require local government to wholly or partly be responsible for administering.

Local Laws

Under the Local Government Act and other legislation, the Shire may make local laws that are necessary or convenient for it to perform any of its functions and regulate and manage activities throughout the shire. These laws are enforceable through the courts.

The Shire of Waroona has adopted and administered the following local laws:

- Activities on Thoroughfares & Trading in Thoroughfares Public Places 2001
- Bush Fire Brigades Local Law 2024
- Cat 2023 (Consolidated)
- Dog 2023
- Drakesbrook Cemetery 2021
- Extractive Industries 2021
- Fencing 2014
- Health 2021 (Consolidated)
- Local Government Property 2014

- Meeting Procedures 2020
- Pest Plant 2024
- Waste 2021

Services Provided to the Community

Council makes decision on issues relating to services that are provided for members of the public. These services currently include:

Roads, footpaths and curbing	Stormwater drainage
Traffic control devices	Cycle paths
Parking bays/street closures	Street lighting (shire-owned lights)
Street sweeping	Street tree planting
Rubbish bins & collection	Refuse sites
Public seating	Library
Parks and reserves	Playground equipment
Community halls & centers	Drakesbrook cemetery
Public toilets	Ranger service
Planning controls	Animal control
Environmental health matters	Special needs programs
Recreation/ sporting facilities	Community information service
Citizenship ceremonies	Building control
Fire prevention	Extractive industries control
Environmental management	

Organisational Structure

The community elects its Councillors who make decisions as a Council on the community's behalf.

Council

The Shire of Waroona has seven positions on Council, with local government elections held every two years. Under the leadership of their appointed Shire President, councillors serve for a term of four years.

Position on Council	Responsibilities
Shire President Cr Mike Walmsley <i>term expires 2025</i>	<ul style="list-style-type: none"> • Presides at meetings in accordance with the <i>Local Government Act 1995</i> • Provides leadership and guidance to the community in the district • Carries out civic and ceremonial duties on behalf of the Shire of Waroona • Speaks on behalf of the Shire of Waroona • Performs such other functions as are given to the Shire President by the <i>Local Government Act 1995</i> or any other written law • Liaise with the CEO on the Shire of Waroona's affairs and the performance of its functions.

Deputy Shire President Cr Naomi Purcell <i>term expires 2025</i>	The Deputy Shire President performs the functions of the President when authorised to do so under section 5.34 of the <i>Local Government Act 1995</i> .
Councillors <ul style="list-style-type: none"> • Cr Charlie Clarke <i>term expires 2027</i> • Cr Karen Odorisio <i>term expires 2027</i> • Cr John Mason <i>term expires 2027</i> • Cr Larry Scott <i>term expires 2025</i> • One councillor position currently vacant until October 2025 	<ul style="list-style-type: none"> • Represents the interests of electors, ratepayers and residents of the district • Provides leadership and guidance to the community in the district • Facilitates communication between the community and the council • Participates in the Shire of Waroona's decision making processes at council and • Committee meetings • Performs such other functions as are given to a Councillor by the <i>Local Government Act 1995</i> or any other written law

Executive Leadership Team

Shire Position	Responsibilities
Chief Executive Officer Mark Goodlet	<ul style="list-style-type: none"> • Strategy • Elections • Major Projects • Council Services • Business Improvement
Director Customer & Development Services Kirsty Ferraro	<ul style="list-style-type: none"> • Customer Service • Library Services • Human Resources • Work Health & Safety • Community Safety & Emergency Services • Regulatory Services • Planning Services • Environmental Management
Director Corporate & Community Services Ashleigh Nuttall	<ul style="list-style-type: none"> • Finance • Governance • Risk Management • Information Technology • Community Services • Economic Development • Tourism • Communications & Marketing • Recreation Services

Director Infrastructure

Brad Oborn

- Technical Services
- Works & Operations
- Waste Management
- Asset Management Services

Council Meetings

Ordinary council meetings are held on the fourth Tuesday of every month commencing at 4.00 pm, except for January. Members of the public are welcome to attend.

Public Access to Agendas

Members of the public are entitled to view or obtain a copy of the agenda for ordinary and special meetings of council, Annual Elector's General Meeting, and other documents prepared for a council meeting at the same time they are available to Council or committee members.

Public Access to Unconfirmed Minutes

Similar rights to the above exist. In the case of unconfirmed minutes of ordinary or special council meetings, unconfirmed minutes are available within 10 business days following the meeting; in the case of committee meetings - 5 business days after the meeting.

Committees & Working Groups

Committee	Council Representatives
<i>Council Committees</i>	
Finance and Audit Committee	All Councillors
Alcoa Waroona Sustainability Fund Committee	Cr Walmsley and Cr Purcell
Bushfire Advisory Committee	Cr Walmsley
Local Emergency Management Committee	Cr Walmsley and CEO nominated officer/s
<i>Council Advisory Working Groups</i>	
Recreation Advisory Working Group	Cr Scott, Cr Purcell and Cr Odorisio
Waroona Visitor Centre Advisory Working Group	Cr Purcell, Cr Mason and Cr Scott
Awards Committee Advisory Working Group	Cr Purcell, Cr Odorisio, Cr Clarke and Cr Mason

Councillors and appointed staff are also members of a number of external committees, associations and working groups (statutory or otherwise) that assist other authorities and groups in performing their functions. To clarify the role and scope of each committee, there

are usually a Terms of Reference in place to determine the committee's membership, responsibilities, extent of decision making and reporting requirements.

Committee	Council Representatives
External Committees, Associations and Advisory Groups	
<i>Alcoa Wagerup Environmental Improvement Plan Stakeholder Reference Group –</i>	Cr Mason, and Director Infrastructure & Development Services (DIDS)
<i>Coast SWaP</i>	Vacant
<i>Harvey River Restoration Taskforce</i>	Cr Clarke
<i>Lake Clifton Heron Progress Association</i>	Cr Clarke
<i>Peel Harvey Biosecurity Group</i>	Cr Purcell
<i>Peel Mosquito Management Group</i>	Vacant
<i>Peel Regional Leaders Forum (Peel Alliance)</i>	President Cr Walmsley and proxy, Deputy President Cr Purcell, and CEO (non-voting)
<i>Western Australian Local Government Association - Peel Zone</i>	Cr Walmsley and Cr Purcell
<i>Peron Naturaliste Partnership</i>	Cr Walmsley (proxy vacant)
<i>Preston Beach Progress Association</i>	Cr Clarke
<i>Regional Joint Development Assessment Panel</i>	Cr Walmsley and Cr Purcell (Cr Mason and Cr Scott alternatives)
<i>Regional Road Group (Southwest)</i>	Cr Mason (Cr Purcell proxy)
<i>Wagerup Community Consultative Network</i>	Cr Odorisio, second position vacant
<i>Waroona Historical Society</i>	Cr Odorisio
<i>Waroona Interagency Committee</i>	Cr Purcell

Delegations

The Chief Executive Officer (CEO) and other officers have delegated authority from Council to make decisions on a number of specified administrative and policy matters which are subject to ongoing development. These delegations are listed in Council's delegations register and are reviewed annually by Council.

In accordance with legislative requirements, Council makes decisions which direct and/or determine its activities and functions. Such decisions include the approval of works and services to be undertaken, and the allocation of resources to works and services.

Decisions are also made to determine whether approvals are to be granted for applications from residents for various forms of development.

Council has several policies which enable matters to be dealt with on a consistent basis. All Council policies are accessible via the Shire of Waroona website.

4. Public Participation in Decision Making

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

1. Council Meetings – Question Time & Deputations

Members of the public are permitted to attend and/or speak, make public statements, or ask questions and have them responded to at a public question time or deputation session held at the start of every council meeting, on any subject including those on the agenda.

With approval of the CEO, a member of the public can personally, or on behalf of up to five people, address Council at these sessions.

Meetings can be closed in certain prescribed circumstances, including when a meeting is dealing with:

- a matter affecting an employee;
- the personal affairs of any person;
- a contract;
- legal advice;
- trade secrets;
- commercially sensitive information; or
- matters which could impair law enforcement or endanger the security of local government property.

2. Development Applications

Residents are notified of some Development Applications requiring the approval of Council. When an application is publicly notified, residents have the opportunity to write to Council expressing their view of the application.

3. Petitions

Written petitions can be addressed to Council on any issue within Council's jurisdiction.

4. Annual Elector's General Meeting

In accordance with section 5.28 (1)(a) and (b) of the Local Government Act, a Special Elector's General Meeting may be called at the request of a minimum of 100 electors or 5% of the number of electors, whichever is the lesser number; or a third of the number of council members.

An Annual Elector's General Meeting is held by the Shire of Waroona which either follows or coincides with Council's adoption of the shire's annual report. Electors are encouraged to attend these meetings.

5. Written Requests

Any member of the community may write to the Shire of Waroona at any time on any matter. It will be considered by the administration and/or the Council and a decision and response will be provided.

6. Councillors

Members of the public can contact their local councillors to discuss any issue or obtain advice on matters relevant to Council.

7. Community Consultation

Council consults with its residents on particular issues that affect residents by way of advertising in local papers, calling public meetings and seeking responses to surveys and questionnaires. Policy CP001 – Community Engagement sets out in detail the principles applying to community consultation.

5. Access to Council Documents

The Shire seeks to make information and documents available to members of the public promptly and at the least possible cost. Whenever possible documents will be provided without a formal application process. The Local Government Act and other legislation may provide situations where information or documents must be made available under certain circumstances.

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

Information is made available through a range of mediums including public statements, media releases, social media (Facebook), the Shire's website, advertisements placed in local and state-wide newspapers, public notice boards, library service, fact sheets and brochures, as well as individual correspondence, public and statutory documents, and reports.

Documents held by the Shire

The Shire produces a number of documents available for public inspection at its administration offices. Section 5.94 of the Local Government Act sets out the documents that are to be made available for inspection at any local government and the limitation on their release. Many of these documents may also be viewed and available free of charge through the Shire's website at www.waroona.wa.gov.au.

The Shire holds records relating to various functions of the Shire as described below:

- Building
- Public health
- Rates
- Planning and development
- Financial management
- Community relations
- Governance
- Information management
- Recreation and cultural services
- Local laws and enforcement
- Emergency services
- Risk management
- Customer service
- Private works
- Infrastructure and Assets
- Waste management
- Parks and reserves
- Grants and subsidies
- Correspondence (public and government agencies)
- Council records – agendas/ minutes

Documents available for inspection outside the FOI Act

The following documents are available for public inspection free of charge at the Shire Administration Office, 52 Hessee Street, Waroona WA; copies of documents will incur charges as per the Shire of Waroona's Schedule of Fees and Charges:

- Annual Financial Statements and Budgets
- Business Plans (Prepared under section 3.59 of the Local Government Act)
- Annual Reports
- Town Planning Scheme and Planning Policies
- Codes of Conduct
- Documents released for Public Comment
- Freedom of Information - Information Statement
- Local Laws
- Media Releases, Public Notices and Advertisements
- Minutes of Committee and Council Meetings
 - *Limitation:* access does not extend to the inspection where a meeting of Council or Committee (or a part of such a meeting to which the information refers) was closed to members of the public.
- Council Policies
- Rates Records
- Registers; including:
 - Primary and Annual Financial Returns

- Expired Primary and Annual Financial Returns
 - Declarations of Interest
 - Expired Declarations of Interest
 - Register for Gates
 - Gift and Travel Contributions
 - Management Orders (for reserves)
 - Easements
 - Shire Owned Property Titles
 - Bushfire Brigades
 - Roadside Memorials, memorial furniture and plaques
 - Use of the Common Seal
 - Tenders
 - Attendance at events (councillors)
 - Continuing professional development (councillors)
 - Complaints (councillors)
 - Fees, Expenses and Allowances paid to councillors
-
- Owners and Occupiers Roll
 - Schedule of Fees and Charges
 - Statutory Notices
 - Strategic Community Plan
 - Corporate Business Plan
 - Disability Access and Inclusion Plan (DAIP)
 - Record Keeping Plan (RKP)

Library Facilities

Access to some council records is also available at the Waroona Library, corner of Thatcher and Hesse Streets, Waroona WA or visit the Library's website:

www.waroona.wa.gov.au/community/library.

Retention and disposal of Council records

Retention and disposal of Shire records is in accordance with the *State Records Act 2000*, Council policy AP003 – Records Management, and the Shire of Waroona Record Keeping Plan.

Access to documents under the FOI Act

Access to documents other than those listed as accessible outside the FOI Act must be requested via a Freedom of Information application.

6. Freedom of Information – Procedures and Access Arrangements

The Shire of Waroona aims to make information available promptly and at the lowest reasonable cost. Whenever possible, all effort will be made to provide access to documents outside the Freedom of Information (FOI) process.

If information is not routinely available, the FOI Act, provides the right for members of the public to apply for documents held by the Shire. This Act also enables the public to ensure that their personal information in documents is accurate, complete, up-to-date and not misleading.

Forms of Access

Access is to be provided, if possible, in the format requested by the applicant. The format may include, but is not limited to:

- Inspection
- a copy of a document
- a copy of an audio or video tape
- a computer storage device
- a transcript of a recorded document or of words recorded in shorthand or encoded form
- a written document in the case of a document form which words can be reproduced in written form.

Where the agency is unable to grant access in the format requested, access may be provided in a different format.

Access Application Requirements

A valid access application must:

- Be in writing;
- Give enough information so that the specific documents requested can be identified;
- Give an Australian address to which notices can be sent; and
- Be lodged at the Shire with the required \$30 access application fee.

Applications can be sent via post, delivered in person, or emailed however an application is not considered valid unless the criteria above have been satisfied.

An FOI application form (AF003 – Application for Access to Documents) can be requested from the Shire of Waroona or found on the Shire's website under Council > Governance > Freedom of Information.

Applications should be directed to:

Freedom of Information Coordinator
Shire of Waroona
PO Box 20
WAROONA WA 6215
Phone: (08) 9733 7800
Email: warshire@waroona.wa.gov.au

Under the FOI Act, the Shire has 45 days from receipt of a **valid** access application to make a decision on whether or not to allow access to the requested documents.

Applications will be acknowledged in writing, and a written Notice of Decision will be provided.

At the Shire's discretion, the applicant may be notified of necessary fees and charges applicable to the provision of documents in which they have 30 days to pay. Payment must be made before documents are issued.

Note: the applicant's reasons, or the agency's belief as to the applicant's reason(s) for seeking access do not affect a person's right to be granted access.

Refusal of Access

Under section 23 the FOI Act, an agency may refuse access to a document if –

- the document is an exempt document listed under Schedule 1 of the FOI Act;
- the document is not a document of the Shire;
- the document is of a private collection (if the owner objects); or
- If dealing with the application would require a substantial diversion of Shire resources.

A written notice of decision must be provided to the applicant stating reasons for refusal of access.

Applicant's Right to Review

Applicants who are dissatisfied with the outcome provided in their FOI Notice of Decision are entitled to ask for an internal review by the agency. Applications should be made in writing within 30 calendar days of receiving the Notice of Decision. Applicants will be notified of the outcome of the review within 15 calendar days.

The applicant, if unsatisfied with the result of the internal review, may then apply to the Information Commission for an external review within 60 days of receiving the notice of internal review decision. The Commissioner has an additional 30 days to review the agency's decision and advise the applicant accordingly.

Fees and Charges

A schedule of fees and charges are set under the *Freedom of Information Regulations 1993*. Except for the compulsory \$30 application fee for non-personal information (information that is not personal information about the applicant) all other fees and charges are discretionary.

The 2024/25 FOI fees and charges are as follows:

Application Fee	
* compulsory under section 12(1)(e) of the FOI Act (for an application for non-personal information)	\$30.00
DISCRETIONARY FEES AND CHARGES – Paid only if / when requested	
Charge for time dealing with the application (per hour)	\$30.00
Photocopying charge per hour	\$30.00
Photocopying charge per sheet	20 cents

Delivery, postage	Actual Cost
Duplication tape, film, computer information	Actual Cost
Transcribing information per hour	\$30.00
Advanced deposit, required if charges are expected to exceed \$25.	25%

For impecunious applicants or those issued with prescribed pensioner concession cards, any charges payable can be reduced by 25%. Please note: this does not apply to the application fee.

Amendment of personal records

Individuals who are concerned that the Shire of Waroona holds information about them that is inaccurate, incomplete, out of date or misleading are encouraged to contact the Shire's Freedom of Information Coordinator (FOI Coordinator) to discuss whether the information can be corrected without the need for a formal application under the *Freedom of Information Act 1992 (WA)*.

If deemed necessary, a valid FOI application should be submitted to the FOI Coordinator to correct or amend any documents containing the individual's personal information. The application must also provide information or evidence to establish that the personal information sought to have amended is inaccurate, incomplete, out of date or misleading.

Furthermore, applicants must indicate whether they wish the amendment of the information to be made by editing, striking out, or deleting the information or inserting information or a note in relation to the information.

There are no fees or charges associated with an application for amendment of personal information under the *Freedom of Information Act 1992 (WA)*.

The Shire of Waroona will inform the applicant of its decision, and reasons for arriving at that decision, within 30 days of receiving a valid application together with rights of review should the applicant be dissatisfied with the decision.

Enquiries and/or applications to amend personal information can be directed to:

Freedom of Information Coordinator
Shire of Waroona
PO Box 20
WAROONA WA 6215
Phone: (08) 9733 7800
Email: warshire@waroona.wa.gov.au



Shire of Waroona
Administration: 52 Hesse St, Waroona
Postal: PO Box 20, Waroona WA 6215
Ph: (08) 9733 7800
Email: warshire@waroona.wa.gov.au Web: www.waroona.wa.gov.au

