



Shire of
Serpentine
Jarrahdale

Information Statement

This Information Statement is published by the Shire of Serpentine Jarrahdale as required under the *Freedom of Information Act 1992*.





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Information Statement 2020 - 2021

This Information Statement is published by the Shire of Serpentine Jarrahdale in accordance with the requirements of the *Freedom of Information Act 1992 (FOI)*.

Council is pleased to comply with the legislation and welcomes enquiries.

An updated Information Statement will be published each year.

Paul Martin
Chief Executive Officer

Date



Vision Statement

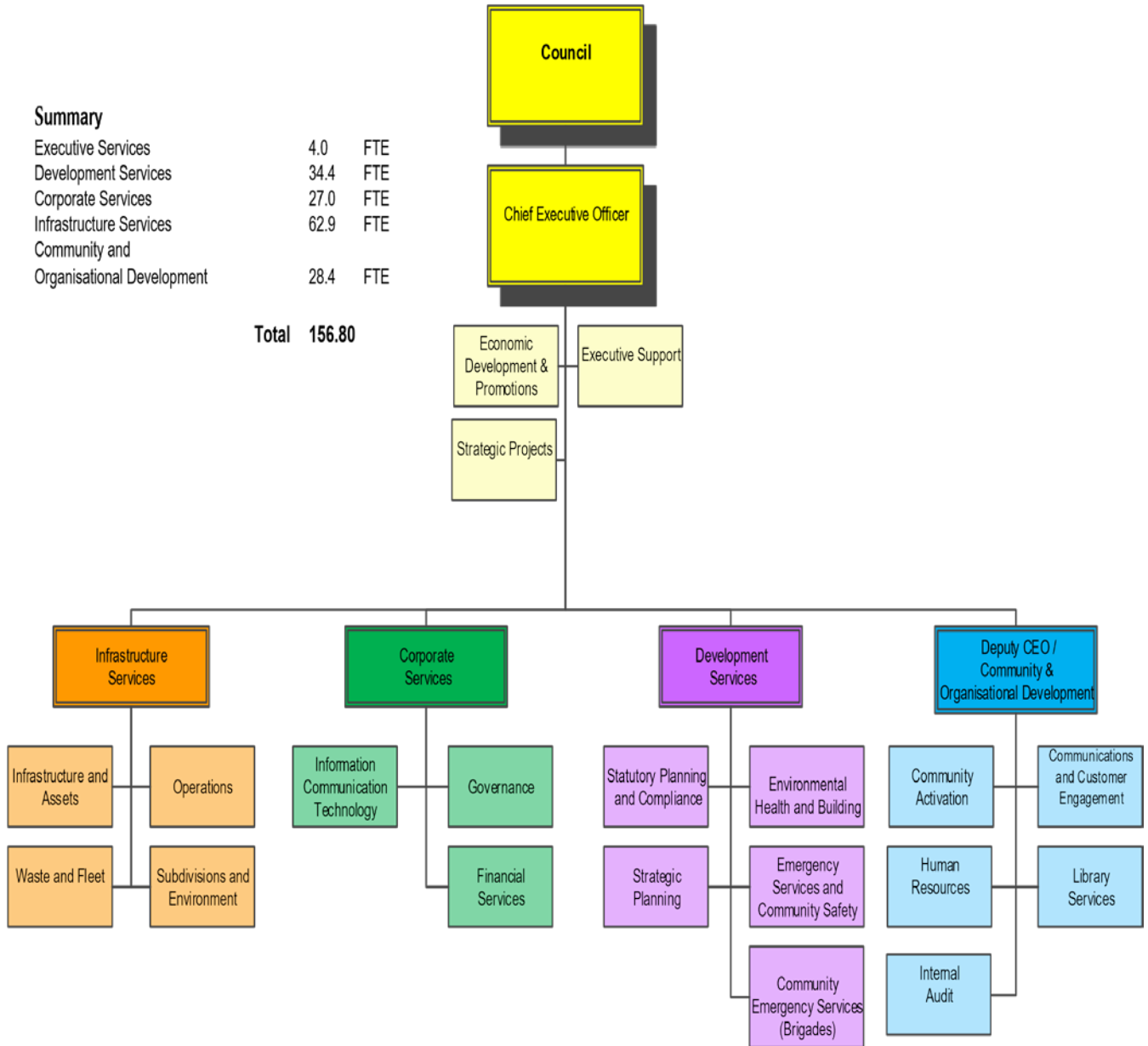
City Living offering a rural lifestyle with abundant opportunities for a diverse community.

Organisational Chart

September 2020

Summary

Executive Services	4.0	FTE
Development Services	34.4	FTE
Corporate Services	27.0	FTE
Infrastructure Services	62.9	FTE
Community and Organisational Development	28.4	FTE
Total	156.80	





Councillors

South Ward

Shire President

Councillor Michelle Rich

Current term expires 2023

Mobile: 0438 252 109

Email: mrich@sjshire.wa.gov.au

Deputy Shire President

Councillor Dave Atwell

Current term expires 2023

Mobile: 0417 974 131

Email: datwell@sjshire.wa.gov.au

Councillor Keira McConkey

Current term expires 2021

Mobile: 0401 445 338

Email: kmcconkey@sjshire.wa.gov.au

North Ward

Councillor Robert Coales

Current term expires 2021

Mobile: 0425 031 976

Email: rcoales@sjshire.wa.gov.au

Councillor Bill Denholm

Current term expires 2021

Mobile: 0401 691 380

Email: bdenholm@sjshire.wa.gov.au

Councillor Lauren Strange

Current term expires 2023

Mobile: 0437 801 637

Email: lstrange@sjshire.wa.gov.au

North West Ward

Councillor Michael Dagostino

Current term expires 2023

Mobile: 0412 284 616

Email: mdagostino@sjshire.wa.gov.au



Councillor Morgan Byas

Current term expires 2021

Mobile: 0437 661 776

Email: mbyas@sjshire.wa.gov.au

Councillor Dean Strautins

Current term expires 2023

Mobile: 0488 992 966

Email: dstrautins@sjshire.wa.gov.au

Wards

North

- Byford

North West

- Part of Byford
- Darling Downs
- Oakford

South

- Cardup
- Mundijong
- Whitby
- Jarrahdale
- Serpentine
- Hopeland
- Keysbrook
- Mardella
- Karrakup
- Oldbury

Council

The Shire of Serpentine Jarrahdale is served by a Council consisting of a Shire nine Councillors, who are elected by popular vote to represent their community.

Council acts as a corporate body, establishing policies and making decisions within a range of Parliamentary Acts and regulations, covering a wide range of issues affecting the community.



Councilors work together as a team to represent the interests of the Shire as a whole. Once a decision is made by Council, it is the responsibility of the Chief Executive Officer to see that decision implemented.

Ordinary Council Meeting Agendas and Minutes

Ordinary Meetings of Council are held on the third Monday of each month, (except December, which is generally held on the second Monday). Ordinary Council Meetings commencing at 7:00pm. There is usually no Ordinary Council Meeting held in January.

Council and Committee Meetings are open to the public, unless a confidential matter is discussed, whereby the public will be required to leave the Chambers but may return at the conclusion of the confidential matter.

Agendas of all Council and Committee meetings are available to members of the public on the Shire's website at <http://www.sjshire.wa.gov.au/agendas-minutes/>, in the Mundijong Public Library, and at the Shire's Administration Centre, 6 Paterson Street, Mundijong prior to the Meetings.

A copy of the Council minutes is available to the public, within ten business days after each meeting, and Committee Minutes, within 5 business days after the meeting. Copies are available at the Mundijong Public Library, Council's Administration Centre and on the Shire's website at <http://www.sjshire.wa.gov.au/agendas-minutes/>.

Delegated Authority and Authorisations

In accordance with the *Local Government Act 1995* (the Act) a local government may delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act.

The application of delegated authority is intended to improve the efficiency, effectiveness and timeliness of decision-making and is consistent with the Shire's Strategic Community Plan and commitment to a strong customer service focus.

All delegations made by the Council must be by absolute majority decision. The following are decisions that cannot be delegated to the Chief Executive Officer:

- any power or duty that requires a decision of an absolute majority or 75% majority of the local government;
- accepting a tender which exceeds an amount determined by the local government;
- appointing an auditor;
- acquiring or disposing of any property valued at an amount determined by the local government;
- any of the local government's powers under Sections 5.98, 5.99 and 5.100 of the Act;
- borrowing money on behalf of the local government;
- hearing or determining an objection of a kind referred to in Section 9.5;
- any power or duty that requires the approval of the Minister or Governor;
- such other duties or powers that may be prescribed by the Act.



The Chief Executive Office may delegate any of his powers to another employee with or without further conditions in accordance with the Act. All delegations must be in writing.

A register of delegations relevant to the Chief Executive Officer and other employees is to be kept and reviewed at least once every financial year.

Authorisations are made under the *Local Government Act 1995* and other legislation. In most cases, authorisations are made by the Chief Executive Officer under delegated authority, or, in other cases by the Council itself depending on the requirements of the relevant statute.

Legislation may include an express (written) power for Local Government to appoint an 'authorised person'. An Authorised Person, once appointed, is responsible for fulfilling the powers and duties assigned under law to an Authorised Person, which may be specified or limited in the Certificate of Authorisation. Legislation does not provide for an Authorised Person to delegate their powers and duties to another person.

The Register of Delegations and Authorisations is available at
https://www.sjshire.wa.gov.au/Profiles/sj/Assets/ClientData/Documents/Page-Centre/Council/Register_of_Delegations_and_Authorisations_-_Adopted_by_Council.pdf

Council Committees, Council Advisory Groups and External Groups with Elected Member delegates

Listed below are Council Committees, Council Advisory Groups and External Groups where Elected Members have been nominated to represent Council, Some of the Committees and Groups listed below also comprise Council Staff and members of the public.

- Access and Inclusion Advisory Group
- Audit, Risk and Governance Committee (ARG)
- Bush Fire Advisory Committee (BFAC)
- CEO Employment Committee
- Cemeteries Advisory Group (Due to COVID-19, no member appointments have been made at this time)
- Darling Range Regional Park Community Advisory Committee
- Equine Advisory Group
- Keysbrook Community Consultative Group
- Local Emergency Management Committee (LEMC)
- Metropolitan East Joint Development Assessment Panel
- Metropolitan Regional Roads Sub Group (MRRG)
- Oakford Fire Station Project Advisory Group
- Peel Development Commission Board
- Peel Harvey Biosecurity Group
- Peel Trails Group Inc.
- Rivers Regional Council



- Serpentine Jarrahdale Land Conservation District Committee
- Serpentine Jarrahdale Trails Association Inc. (Due to COVID-19, no member appointments have been made at this time)
- South East Regional Energy Group
- Sporting Forums
- Thomas Road Community Working Group
- Western Australian Local Government Association (WALGA) – Peel Zone

Public Participation

Ratepayers and residents are encouraged to participate in Council's decision-making process. Ratepayers and Residents can be involved in the process by attending meetings, participating in public question time and / or public statement time, submitting petitions, providing feedback on public consultations and presenting a deputation.

Ordinary and Special Council Meetings

Ordinary and Special Council meetings are open to the public unless the matter being discussed is of a confidential nature.

Minutes of the meetings for Ordinary and Special Council Meetings, and Committee Meetings are a legally binding document and should be accurate.

The minutes are not a verbatim record of proceedings, but will include the necessary information to indicate how the Council Resolution was arrived at.

Minutes of the previous Ordinary Council Meeting and any Special Council Meetings, are circulated prior to and confirmed at the next Ordinary Council Meeting. The Audit, Risk and Governance Committee and the CEO Employment Committee does not have delegated authority to make decisions, therefore all recommendations from these Committees are presented to Council for ratification.

Members of the public have a number of opportunities to put forward their views on particular issues before Council as follows:

Public Question Time / Public Statement Time

Members of the public are welcome to attend Council and Committee meetings. Time is set aside at these meetings to allow members of the public to ask a maximum of three (3) questions or make a statement.

Council allows public question and public statement time at the beginning of each council meeting. Public Questions and Public statements are required to be lodged in writing in advance of the meeting. Council's requirements in relation to public question and statement is set out in Council policy - – Public Question and Public Statement Time – Ordinary Council Meeting. This policy is available on



the Shire's website : <https://www.sjshire.wa.gov.au/documents/134/council-policy-113-publicquestion-and-public-statement-time-ordinary-council-meeting>

No public participation is permitted following Public Question Time and Public Statement Time.

Petitions and Deputations

Petitions

A petition is a formal request made by a specific number of signatories requesting some form of action. In the case of the Shire, a petition generally requests Council to resolve to support a nominated course of action.

Petitions made to Council must relate to an area where Council has an authority or role.

Requirements for a Petition

The Shire's Standing Orders Local Law 2002 (as amended) describes the requirements for a petition to be accepted. A petition must:

- (a) be addressed to the President;
- (b) be made by electors or residents of the district;
- (c) state the request on each page of the petition;
- (d) contain the names, addresses and signatures of the electors or residents making the request, and the date each signed;
- (e) contain a summary of the reasons for the request;
- (f) state the name of the person upon whom, and an address at which, notice to the petitioners can be given
- (g) be in the form prescribed by the Act and Local Government (Constitution) Regulations 1996 if it is
 - (i) a proposal to change the method of filling the office of President;
 - (ii) a proposal to create a new district or the boundaries of the Local Government;
 - (iii) a request for a poll on a recommended amalgamation;
 - (iv) a submission about changes to wards, the name of a district or ward or the number of councillors for a district or ward.

Please refer to this template example of a Petition

https://www.sjshire.wa.gov.au/profiles/sj/assets/clientdata/documents/pagecentre/council/public_participation_-_e11_5622_petition__current_.pdf

Petitions should be carefully worded so that any potential signatories are able to clearly understand the purpose of the petition. The petition must be expressed in respectful and temperate terms. A Petition may be rejected if it is offensive or derogatory to the Council.

In accordance with Council's Standing Orders Local Law 2002, a Councillor may present the Petition to the Ordinary Council Meeting. Therefore, discussing your Petition with your local Elected Member and gaining their support for the proposal is important.

Petitions can be representative of community feeling, therefore the more signatures, the stronger the argument in favour of the proposal.



Signatures should be confined to ratepayers and residents of the Shire of Serpentine Jarrahdale, aged 18 years or over.

The Petition should be addressed to the:
Shire President,
Shire of Serpentine Jarrahdale
6 Paterson Street,
Mundijong WA 6123

The Petition may be delivered either in hard copy or emailed to:
info@sjshire.wa.gov.au

Completed Petitions can also be handed to the Elected Member with whom you have discussed the petition. The Elected Member must then provide a copy of the Petition to the Shire President.

Petitions, which comply with the requirements as set out above will be presented to the next Ordinary Council Meeting.

Council may accept or reject the Petition and in the case of accepted Petitions, refer the matter of the Petition for consideration by a Committee or a subsequent Council meeting.

Deputations

A deputation is a presentation made to Council or a Committee. A deputation is most often regarding a matter that is scheduled for consideration by Council or a Committee.

The deputation can either be in support of a proposal or in opposition to a proposal.

A deputation may not exceed 15 minutes in duration.

For the full requirements of a Deputation, please refer to Clause 3.13, of the Shire's *Standing Orders Local Law 2002 (as amended)*.

A request to make a deputation to Council must be made in writing to the Chief Executive Officer at least 3 working days prior to the relevant Council or Committee meeting.

Requests made are considered by the Shire President or the Presiding Member of the Council or Committee meeting. The Shire President or the Presiding Member may accept or reject your request.

Requests should state what Agenda item or matter the Deputation will relate to and the wording of the Deputation. Elected Member contact information is available on the Shire's website if you wish to distribute any information prior to the meeting. Information not previously provided in your request is not to be handed out at the meeting.

Deputations may be made as an individual or a group. A group requesting a deputation may not exceed five people, and only two nominated whom may address the Council or Committee.



You will be notified of the Shire President or Presiding Member's decision prior to the meeting. If your request is approved, you will need to attend the relevant Council or Committee meeting from the commencement of the meeting.

At the relevant time, you will be asked to address Council or the Committee. Under the Standing Orders you must extend due courtesy and respect to Council or the Committee and the processes under which it operates and take direction from the person presiding. Council meetings are not subject to Parliamentary Privilege.

More information on submitting Deputations is on the Shire's website:
<https://www.sjshire.wa.gov.au/council/council/council-and-committee-meetings/publicparticipation.aspx>

Petitions and Deputations need to comply with the requirements as set out in the Shire's Standing Orders Local Law 2002 (as amended).

No public participation is permitted following Petitions and Deputations.

Community Consultation

Wherever possible, Council consults with its residents and ratepayers on particular issues that affect their neighbourhood by way of website notifications, council newsletters, letterbox drops, questionnaires, public meetings and by advertising in local papers.

Elected Members

Members of the public can contact their elected members to discuss any issues relevant to the Shire of Serpentine Jarrahdale. Elected Member contact information is available in this Information Statement, or on the Shire's website www.sjshire.wa.gov.au

Written Requests

A member of the public can write to Council requesting information on any council activity or service. This can be done by mailing to Shire of Serpentine Jarrahdale, 6 Paterson Street, Mundijong, Western Australia 6123 or alternatively by e-mail to info@sjshire.wa.gov.au

Development Applications

Residents are notified of development applications where there may be issues relating to the impact of a development on adjoining properties. This is an opportunity for residents to write to Council expressing their views. These submissions are taken into account in determining the development application.

Acts, Regulations and Local Laws which empower the Shire

The principal legislation governing the operation of Western Australian local governments is the *Local Government Act 1995*. The Shire also administering other legislation including the following:

- *Age Discrimination Act 2004 (Cwlth)*
- *Agriculture and Related Resources Protection Act 1976*



- *Australian Human Rights Commission Act 1986 (Cwlth)*
- *Biosecurity and Agriculture Management Act 2007*
- *Botanic Gardens and Parks Authority Act 1998*
- *Building Act 2011*
- *Building Services (Complaint Resolution and Administration) Act 2011*
- *Building Services (Registration) Act 2011*
- *Building Services Levy Act 2011*
- *Bush Fires Act 1954*
- *Caravan Parks and Camping Grounds Act 1995*
- *Cat Act 2011*
- *Children and Community Services Act 2004*
- *Conservation and Land Management Act 1984*
- *Control of Vehicles (Off-Road Areas) Act 1978*
- *Corruption, Crime and Misconduct Act 2003*
- *Criminal Code 1913*
- *Defamation Act 2005*
- *Disability Discrimination Act 1992 (Cwlth)*
- *Disability Services Act 1993*
- *Dividing Fences Act 1993*
- *Dog Act 1976*
- *Electoral Act 1907*
- *Emergency Management Act 2005*
- *Emergency Services Levy Act 2002*
- *Environmental Protection Act 1986*
- *Equal Opportunity Act 1984*
- *Evidence Act 1906*
- *Fair Work Act 2009 (Cwlth)*
- *Fines and Infringement Notices Enforcement Act 1994*
- *Food Act 2008*
- *Freedom of Information Act 1992*
- *Graffiti Vandalism Act 2016*
- *Heritage Act 2018*
- *Housing Act 1980*
- *Human Rights and Equal Opportunity Commission Act 1986 (Cwlth)*
- *Human Rights (Sexual Conduct) Act 1994 (Cwlth)*
- *Industrial Relations Act 1979*
- *Interpretation Act 1984*
- *Land Administration Act 1997*
- *Library Board of Western Australia Act 1951*
- *Liquor Control Act 2008*
- *Litter Act 1979*
- *Local Government (Miscellaneous Provisions) Act 1960*



- *Local Government Act 1995*
- *Local Government Grants Act 1978*
- *Main Roads Act 1930*
- *Oaths, Affidavits and Statutory Declarations Act 2005*
- *Occupational Safety and Health Act 1984*
- *Planning and Development Act 2005*
- *Public Health Act 2016*
- *Public Interest Disclosure Act 2003*
- *Racial Discrimination Act 1975*
- *Rates and Charges (Rebates and Deferments) Act 1992*
- *Residential Tenancies Act 1987*
- *Road Safety Council Act 2002*
- *Road Traffic Act 1974*
- *Sex Discrimination Act 1984 (Cwlth)*
- *State Administrative Tribunal Act 2004*
- *State Records Act 2000*
- *Strata Titles Act 1985*
- *Superannuation Act 2005 (Cwlth)*
- *Superannuation Guarantee Act 1992*
- *Transfer of Land Act 1893*
- *Valuation of Land Act 1978*
- *Volunteers and Food and Other Donors (Protection from Liability) Act 2002*
- *Waste Avoidance and Resource Recovery Act 2007*
- *Western Australian Land Authority Act 1992*
- *Wildlife Conservation Act 1950*
- *Workers' Compensation and Injury Management Act 1981*

Local Laws

Local Laws (previously known as by-laws) are adopted by Council to regulate and govern local issues including the following:

- Bee Keeping Local Law 1999
- Cemeteries Local Law 2005
- Dust and Building Waste Local Law 2017
- Extractive Industries 1999
- Fences Local Law 2004
- Health Local Laws 1999
- Keeping of Dogs 2004
- Kennel and Cattery Establishments 2004
- Livestock in Public Places and Wandering at Large 2004
- Parking and Parking Facilities Local Law 2014
- Public Places and Local Government Property Local Law 2019



- Pest Plants By-law 1986
- Standing Orders Local Law 2002
- Trading in Public Places Local Law 1999
- Unsightly Land and Refuse, Rubbish or Disused Materials on land Local Law 2004
- Volunteer Bush Fire Brigades 2019

Town Planning Scheme

The Shire of Serpentine-Jarrahdale's Town Planning Scheme No. 2 was gazetted on 4 August 1989.

The purpose of the scheme is:

- To provide for the orderly and proper land use management of the scheme area.
- To set aside land for public use as reserves.
- To control and direct land development through zoning into those locations that will result in the greatest benefit to this community.

The enabling legislation is the Planning and Development Act 2005. It is under the powers of conferred by this Act that the scheme is formulated and reviewed.

Documents available to the public

The Shire of Serpentine-Jarrahdale has a variety of documents for public inspection or purchase as follows:

- Annual Report
- Australian Food Standards Code
- Australian Standards (Building Construction)
- Budgets
- Building Code of Australia
- Burial Registers
- Cemetery Plans
- Code of Conduct
- Community Consultation Framework
- Ordinary Council Meeting Agendas
- Ordinary Council Meeting Minutes
- Criteria for Landfill
- Annual Electors Meeting Agenda and Minutes
- Electoral roll
- Emergency Management Plan
- Financial Statements
- Freedom of Information Statement
- Government Sewerage Policy
- Information on Recycling
- Local Laws



- Long Term Financial Plan
- Disclosure of Interests Affecting Impartiality
- Disclosure of Financial Interest at Meetings
- Register of Gifts and Contributions to Travel
- Planting of Trees and Shrubs
- Policy Manuals
- Rates record (available for purchase)
- Rural Strategy (available for purchase)
- Rural Strategy Review August 2003 (available for purchase)
- Schedule of Fees and Charges
- Shire History Book - Harnessing Voices (available for purchase)
- Shire History Book - The Serpentine (available for purchase)
- Small Block Manual
- Stormwater Management Strategy and Plans for Byford and Mundijong
- Strategic Community Plan
- Tender Register
- Town Planning Scheme 2

Photocopies of any portion of the abovementioned documents can be obtained at the current photocopy cost.

Each department has also published a number of "Info Notes". These are continually being updated and are available on the Shire's website.

Website

Shire of Serpentine Jarrahdale has a website at www.sjshire.wa.gov.au where much of the abovementioned information can be found. This site is continually being updated to ensure that the information available is current.

Library

The Mundijong Public Library is located on Paterson Street next door to the Administration Centre.

The following is offered at the library:

- Books for loan
- E-resources
- Community History collection
- Newspapers and magazines
- Talking books
- Large print books
- DVDs
- Seed swap
- Leaflets and brochures on local and general interest items



- Free Wi-fi , scanning, emailing and computer access
- Printing and copying at cost
- Study area
- Activities and programs for adults and children
- Recycling / Terracycle site
- Online presence through Website, Facebook, Instagram and YouTube.
- Serpentine Jarrahdale Library Friends INC.(volunteer support group)

Information Services

Information Services holds current files and inactive files generated by staff and correspondents. All documents are contained within an alphanumeric filing system.

Since February 2002 the records management system has been fully electronic, with incoming correspondence scanned and registered into an automated ERDMS Electronic Records Document Management System. All outgoing correspondence and internal documents are also registered into this system as they are created.

Retention and Disposal of Council Records

Standards for record keeping across government have been set by the State Archives through the State Records Office. The General Disposal Authority for Local Government Records (RD 2010046) has been developed to provide consistency throughout local government in the disposal and archiving of all records. The Shire of Serpentine-Jarrahdale keeps their files in accordance with the Schedule.

Freedom of Information Procedures and Access Arrangements

It is the aim of the agency to make information available promptly and at the least possible cost, and whenever possible documents will be provided outside the FOI process.

If information is not routinely available, the Freedom of Information Act 1992 (WA) 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.

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 enquiries should be addressed to the Freedom of Information Coordinator on telephone (08) 9526 1111, 6 Paterson Street, Mundijong 6123 or by email at info@sjshire.wa.gov.au.



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

Freedom of Information Charges

A scale of fees and charges are set out in the FOI Regulations. Apart from the application fee for nonpersonal information (information that is not personal information about the applicant) all charges are discretionary. The fees and charges are as follows.

• Personal information about the applicant	No fee and no charges
• Application fee (for non-personal information)	\$30.00
• 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	.20
• Transcribing from 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

An estimate of charges will be provided if the cost is expected to exceed \$25.00. For impecunious applicants or those issued with prescribed pensioner concession cards, any charges payable are reduced by 25%. This reduction applies to any potential fees and charges only and does not apply to the application fee.

Deposits

• An advance deposit may be required in respect of the estimated charges	25%
• Further advance deposit may be required to meet the charges for dealing with the application	75%

Access Arrangements

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; or a transcript of a recorded, shorthand or encoded document from which words can be reproduced.

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 such as –



- the date the decision was made;
- the name and the designation of the officer who made the decision;
- if access is refused, the reasons for claiming the document is exempt; and
- information on the rights of review and the procedures to be followed to exercise those rights.

Refusal of Access

Applicants who are dissatisfied with a decision of the agency are entitled to ask for an internal review by the agency. The internal review application should be made in writing within 30 calendar days after being given the agency's notice of decision. You will be notified of the outcome of the review within 15 calendar days.

If you disagree with the result you then can apply to the Information Commissioner for an external review. The external review application should be made within 60 calendar days after being given the agency's written notice of the internal review decision. (Note: if you are requesting external review as a third party or following an application for amendment of personal information, you must lodge your external review application within 30 calendar days after being given written notice of the internal review decision).

Any external review application should be directed to **Office of the Information Commissioner**, Address: Albert Facey House, 469 Wellington Street, Perth, Western Australia 6000, **Phone:** (08) 6551 7888, **Email:** info@foi.wa.gov.au, **Web:** www.oic.wa.gov.au

The Shire of Serpentine Jarrahdale aims to make information available prompt and at the least possible cost. Documents will be provided outside the FOI process wherever possible.

If information is not routinely available, the *Freedom of Information Act 1992* provides the right to apply for documents held by the Shire of Serpentine Jarrahdale and also to enable the public to ensure the personal information in documents is accurate, complete, up to date and not misleading. Under the provisions of the Act, applicants may be made to:

- Confer upon persons a general right of access to information held by agencies;
- Confer upon individuals a right to apply to an agency for an amendment of personal information to ensure that it is accurate, complete, up to date and not misleading;
- Place an obligation on agencies to make publicly available certain information about their operations.
- Review a previous FOI decision regarding access to, or amendment of a document.

The Act requires that agencies prepare and publish an Information Statement which conveys the maximum possible detail to the public about its operations and which makes available to the public documents such as internal manuals, which have previously been unavailable.



This Information Statement is published by the Shire of Serpentine Jarrahdale in accordance with the requirements of the *Freedom of Information Act 1992* as outlined above.

- The Act does not apply to information that is:
- Available for purchase or free distribution to the public
- Available for inspection under Part 5 or another enactment
- Available for inspection in State Archives
- Publicly available library material held for reference purposes; or
- Made or acquired by an art gallery, museum or library and preserved for public reference or exhibition purposes
- Personal information.

Lodging a Freedom of Information Request

FOI applications are to be made to the Shire, as specified in the Act, an applicant must:

- Provide sufficient information to enable the requested document to be identified;
- Be in writing;
- Provide an Australian address for correspondence;
- Be accompanied by the prescribed application fee if the document requested is for non-personal information;
- Specify the manner in which access is requested, e.g. copy requested;

Your application will be dealt with as soon as practicable (within 45 days) after it is received. Further information can be obtained from the Shire of Serpentine Jarrahdale's FOI Coordinator.

Applications and enquires should be addressed to:

FOI Coordinator
Shire of Serpentine Jarrahdale
6 Paterson Street
MUNDIJONG W A 6 1 2 3

Applications will be acknowledged in writing.

The *Freedom of Information Act 1992* can be downloaded from the Government of Western Australia, Department of Justice, Parliamentary Counsel's Office
https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_353_homepage.html

Fees and Charges

The scale for 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.

The charges are as follows:



Personal information about the applicant	No fee
Application fee (for non-personal information)	\$30.00
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
Photocopy staff time (per hour, or pro rata)	\$30.00
Per photocopy	\$00.20
Transcribing from 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

Deposits

Advance deposit may be required of the estimated charges

25%

Further advance deposit may be required to meet the charges for dealing with the application. 75%

A 25% reduction of charges may apply for financially disadvantaged people. There are no fees or charges applicable for internal or external review.

Charges do not apply for searching, identifying or collating the documents.

Access to Documents

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 case of a document where words can be reproduced in written form.

Where the Shire of Serpentine Jarrahdale is unable to grant access in the form requested, access may be given in a different form.

Review & Appeal Process

The *Freedom of Information Act 1992* provides for a review and appeal process. You may seek an internal review or if you are still not satisfied an external review by the Information Commissioner.



Internal Review of Decisions

An applicant may request an internal review of a decision where access is denied or made subject to conditions which the applicant considers wrong. The applicant must apply to the Shire in writing within 30 days of receiving written notice of the decision.

The Chief Executive Officer or the delegated Officer may confirm, vary or reverse the decision under review. If the Shire fails to give notice of its decision on the application for review given within 15 days after it is lodged, or such longer period as it agreed between the Shire and the access application, the Shire is to be taken to have decided to confirm the decision under review. There is no application fee or other charge or an internal review.

External Review

If you are still dissatisfied after the internal review has been completed, you may seek a review by the Information Commissioner. This request must be made in writing giving details of the decision to which your complaint relates. Your complaint should be made to the Information Commissioner and addressed to:

The Office of the Information Commissioner
Albert Facey House
469 Wellington Street
PERTH W A 6 0 0 0

Appeal

Any party to a complaint may appeal to the Supreme Court on any question of law arising out of a decision of the Information Commissioner, except for a decision as to the deferral of access to a document, the charges to be imposed for dealing with an access application and the payment of a deposit on account charges.