



Shire of Victoria Plains

Freedom of Information Statement 2023

28 Cavell Street

Calingiri WA 6569

T: 08 9628 7004

Email: reception@victoriaplains.wa.gov.au

Website: www.victoriaplains.wa.gov.au

Revised 30/08/2023.

Table of Contents

1.	Introduction:	3
2.	History & Demographics:	4
3.	Mission Statement and Strategic Objectives:	6
4.	Enabling Legislation:	7
5.	Decision Making:	8
6.	Public Participation:	12
7.	Administration:	14
8.	Freedom of Information Procedures:	16
9.	Freedom of Information Fees and Charges:	17
10.	Decision and Review Process:	18

1. Introduction

This document has been prepared and published in accordance with the requirements of Part 5, Freedom of Information Act 1992. Section 94 of this Act requires each agency to prepare an Information Statement which clearly outlines to the public, information about its operation with as much detail as possible. The information statement document and any internal manuals must be made available for inspection or purchase by the public if required.

It is a requirement to review the Information Statement every 12 months and notify the Information Commissioner accordingly.

The Information Statement must set out:

- a) The Agency's mission Statement.
- b) Details of Legislation administered.
- c) Details of the Agency Structure.
- d) Details of decision-making functions.
- e) Opportunities for public participation in the formulation of policy and performance of Agency functions.
- f) Documents held by the Agency.
- g) The operation of FOI in the Agency.

This document therefor constitutes the Shire of Victoria Plains information Statement, copies of which are available from the Shire's Freedom of Information Coordinator at the Shire of Victoria Plains Office 28 Cavell Street Calingiri Western Australia 6569, 08 9628 7004 Monday to Friday or from the Shire of Victoria Plains website www.victoriaplains.wa.gov.au

2. History & Demographics

2.1 History

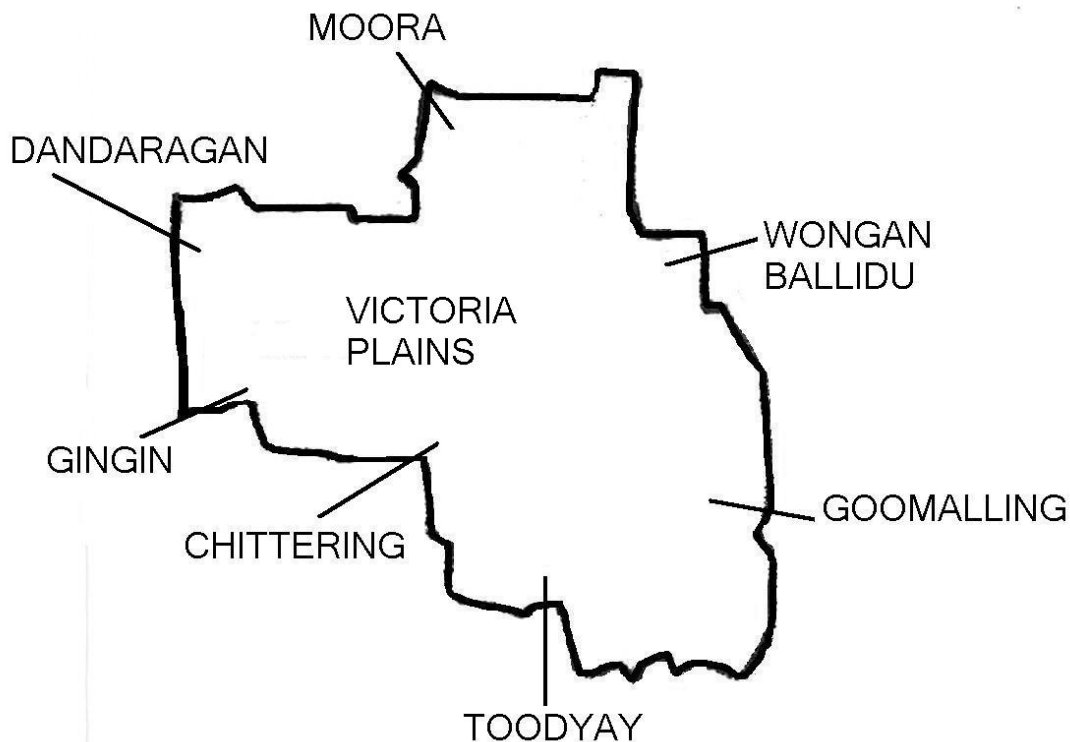
The Victoria Plains Road Board was one of the first of nineteen road boards established in Western Australia in 1871 to build and maintain roads and bridges throughout the state. In the early days, Victoria Plains stretched from the Indian Ocean to the South Australian border and from Carnamah in the North to Bolgart in the South.

Today, our total area lies across 256,973 hectares with a population of close to one thousand. The area is renowned for its prosperous agricultural activities, beautiful wildflowers, longstanding heritage and of course, the home of the Benedictine Community in New Norcia.

Victoria Plains' competitive advantage lies in its proximity to Perth, central location to regional hubs, its access to main roads, two rail lines and electricity and its abundance of water.

The council is incredibly supportive of new industry and business ventures and welcomes new residents to Victoria Plains to establish their businesses and lives.

Victoria Plains is a unique and special place to live.



2.2 Current facts

Area	2569.73 square kilometers
Distance from Perth	140 kilometers
Length of Sealed Roads	252.24 kilometers
Length of Unsealed Roads	573.44 kilometers
Number of Electors	542 as @ April 2023
Population	802
Number of Dwellings	407
Number of Rate Assessments	630
Number of Schools	3
Libraries	4 Bolgart, Calingiri, Mogumber, and e-Library.
Localities	7 Bolgart, Calingiri, Gillingarra, Mogumber, Piawaning, New Norcia and Yerecoin.
Local Events	ANZAC Day, Australia Day, Bolgart Bush Markets, Mogumber Rodeo, Yerecoin Christmas Markets, and Piawaning Expo.

3.Mission Statement and Strategic Objectives.

3.1 Mission Statement and Goals.

“To work in partnership with the community, developing the potential of the Shire and building a positive future in accordance with our core values.”

The goals contain aspiration and objectives with performance measures which help to evaluate.

our progress in realizing our vision.

- CONNECT – an inclusive, safe, and vibrant community.
- GROWTH – Plan for and facilitate sustainable growth and development.
- BUILD – accessible, pleasing urban spaces that are fit for purpose.
- PROSPER – a thriving local economy.
- LEAD – accountable, responsible, and forward-thinking administration.

3.2 Our Values.

- AUTHENTIC
- RESILIENT
- CREATIVE
- COLLABORATIVE

3.3 Objectives

Specific objectives are detailed within the Councils Strategic Community Plan document is available from the Shire administration office or viewed on the Shire website at www.victoriaplains.wa.gov.au .

4.Enabling Legislation.

The Shire of Victoria Plains is established under the Local Government Act 1995. Briefly, the legislation and regulations, which empower the shire, are listed as follows:

Local Government Act 1995
Local Government (Administration) Regulations 1996
Environmental Protection Act/Regulation 1986/1987
Health Legislation Administration Act 1984
Health Act 1911
Public Buildings Regulations
Planning and Development Act and Regulations 2005
Acts Amendment (Heritage Council) Act No 97 of 1990
Dog Act 1976
Cat Act /Regulations 2011/2013
Bush Fires Act 1954
Litter Act/Regulations 1979/1981
Public Works Act 1902
Road Traffic Act 1974
Aboriginal Heritage Act 1972
Council – Local Laws

Copies of the Acts and Regulations are available from:

State Law Publisher
Ground Floor
10 William Street
PERTH WA 6000

Phone: 08 6552 6000
Fax: 08 9321 7536
Email: sales@dpc.wa.gov.au

5. Decision Making

5.1 Council Structure

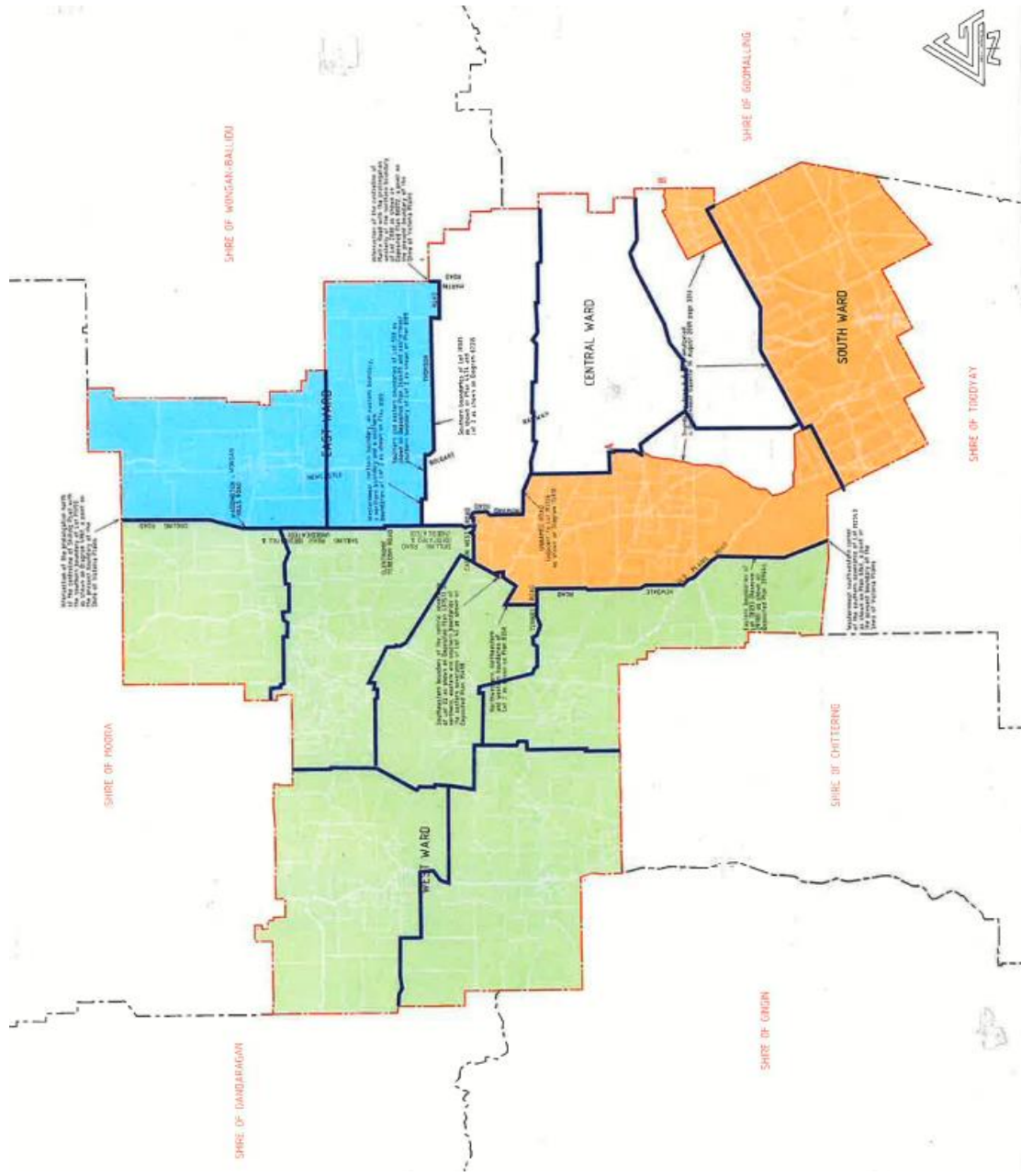
The Shire is a Local Government authority constituted by the *Local Government Act 1995* ('the Act'). This Act and associated regulations set out many of the rules that govern the operations of the council. In accordance with the Act, Council's role is to:

- Direct and control the Local Government's affairs.
- Be responsible for the performance of the Local Government's functions.
- Oversee the allocation of finances and resources.
- Determine Policy.

The Local Government Act 1995 also grants Council the authority to delegate certain decision-making functions to Committees or to the Chief Executive Officer (CEO). These are available for inspection at the Shire's Administration Centre or available for [download from the Shire's website](#).

The Council is an Elected Body comprising 7 Councilors including the President representing four wards. Councilors are elected for a four-year period every two years; this means that half of the council can be changed or re-elected every two years. The President is elected by electors/residents for a four-year term.

However, from 21 October 2023 the Shire is going to a no ward system reducing the number of councilors from 7 to 5.



5.2 Council and Committee Structure

Audit and Risk Committee

The Audit and Risk Committee role, in accordance with Regulation 16 of the *Local Government (Audit) Regulations 1996*, is to provide guidance and assistance to the local Government regarding:

- a) The matters to be audited.
- b) The scope of audits; and
- c) Financial, risk and compliance management functions as prescribed in the *Local Government Act 1995*; as well as
- d) Other matters specified in the Terms of Reference.

Chief Executive Officer Performance and Salary Review Committee

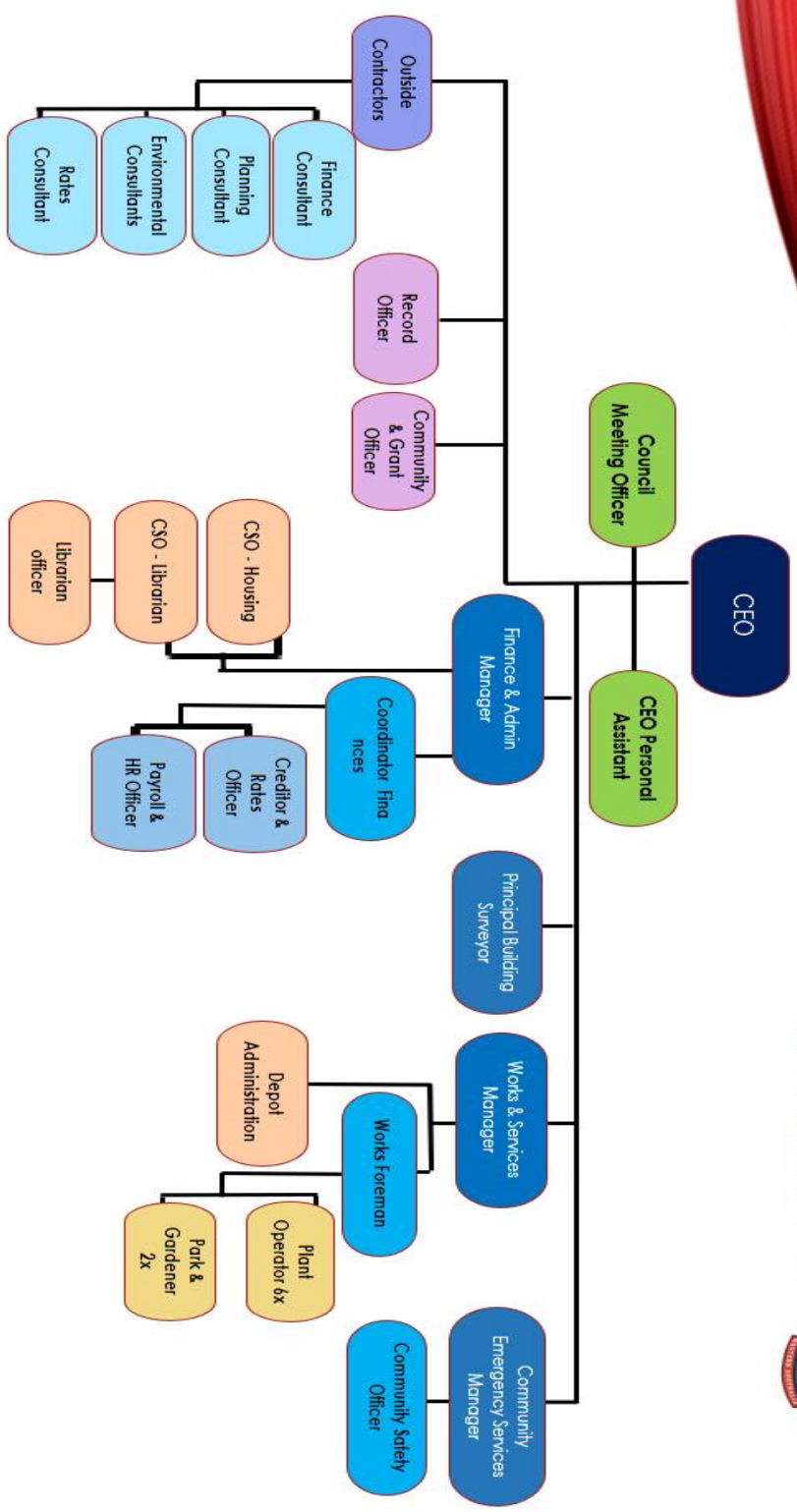
The CEO Performance and Salary Review Committee undertakes the probationary and annual performance and salary reviews of the Shire's Chief Executive Officer, in accordance with the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*.

5.3 Management Structure

The CEO reports directly to the Council and advises on matters related to the functions of the *Local Government Act 1995* and any other written Law. The CEO also ensures current and relevant information is available to the Council to assist them to make informed decisions. In liaison with the President, the CEO may speak on behalf of Council to the community. The CEO is also responsible for managing the day-to-day operations of the Local Government.

SHIRE OF VICTORIA PLAINS

Organisational chart



6. Public Participation.

6.1 Council Meetings

The shire's Ordinary Council Meetings ('OCMs') process occurs monthly and consists of two parts. An Agenda Briefing is held on the week before the OCM. Elected members seek clarification and ask questions on items listed on the OCM Agenda and Shire Officers may present information. Both briefing and OCMs are held in the Shire's Administration Centre on the Fourth Wednesday of each month commencing at 2pm; the only disparity from this is the council meeting in December which, because of Christmas, is usually brought forward. For up-to-date information about the date and time of meetings please contact the Shire's Administration Centre on 08 9628 7004 or view the Shire's website www.victoriaplains.wa.gov.au .

6.2 Presenting Issues to Council

There are several options available for the community to present issues to the Council for consideration. These options include the following:

6.2.1 Deputations

Any persons wishing to make a Deputation shall request approval from the CEO, setting out the subject matter to be raised by the deputation in concise terms, but nevertheless in sufficient detail, to enable the Council to have a general understanding of the purpose of the Deputation. Clause 6.9 of the Shire of Victoria Plains *Meeting Procedures Local Law 2018* relates.

- a) Not to exceed five people, only two of whom may address the Council, although others may respond to specific questions from members.
- b) Is not to address the Council for a period exceeding 10 minutes.

6.2.2 Public Question Time

Members of the public are permitted to ask questions at every Briefing, OCM and Special Council Meeting. The first 15 minutes of each council meeting is open to the public for "public question time". Electors should address their questions to the CEO a week before the meeting refer clause 6.7 *Meeting Procedures Local Law 2018* and policy 1.2 *Council Policy Manual 23 March 2022*.

6.2.3 Petitions

A Petition may be presented to Council and must be addressed to the President. The subject matter may be any issue within the Council's district. Refer to clause 6.10 *Meeting Procedures Local Law 2018*.

6.2.4 Written Requests

Members of the public can write to the Council on any issue within the Council's district.

6.2.5 Elected Members

Members of the public can contact their elected members of Council to discuss any issue relevant to Council. Elected Members can be found on the Shire's website www.victoriaplains.wa.gov.au .

6.26 Electors Meetings

Each year the Shire must hold a General Elector's Meeting at which the Shire's Annual Report is presented. The matters discussed at this meeting are, firstly, the contents of the annual report for the previous financial year, and then any other general business.

7.Administration.

7.1 Local Laws

- Bush Fire Brigades Local Law 2017
- Cemeteries local Law 2018
- Dogs Local Law 2018
- Extractive Industries Local Law 2018
- Fencing Local Law 2018
- Health Local Laws 2003
- Health Amendment local Lawa 2005
- Meeting Procedures Local Law 2018
- Public Places and Local Government Property Local Law 2018

7.2 Access to Council Documents

The following documents are available for public inspection at the Shire's Administration Centre. Members of the public may purchase copies of these documents upon payment of the appropriate fees: alternately some of these documents appear on the Shire's website, www.victoriaplains.wa.gov.au which is updated regularly.

Document Access Table

	DESCRIPTION OF DOCUMENTS	AVAILABLE WITHOUT AN FOI APPLICATION			FOI APPLICATION REQUIRED
		ON WEBSITE	COPY AVAILABLE	COST	
3.1	Governance				
	Council and Committee Agendas and Minutes	YES	YES	YES	NO
	Information Bulletin	NO	YES	YES	NO
	Financial Interest Register	NO	VIEW ONLY	NO	NO
	Delegations Register	NO	VIEW ONLY	NO	NO
	Policy Manual	NO	VIEW ONLY	NO	NO
	Local Laws	NO	VIEW ONLY	NO	NO
	Town Planning Scheme	NO	YES	YES	NO
	Strategic Plan	YES	YES	YES	NO
	Plan for the Future	YES	YES	YES	NO
	Code of Conduct	NO	VIEW ONLY	NO	NO
3.2	Corporate and Customer Services				
	Staff Induction Manual	NO	VIEW ONLY	NO	NO
3.2.1	Administration				
	Community Directory	NO	YES	YES	NO
	Shire & Community Newsletter	YES	YES	NO	NO
	Disability Service Plan	YES	YES	YES	NO
	Schedule of Fees and Charges	NO	YES	YES	NO
	Complaints Register	NO	VIEW ONLY	NO	NO
3.2.2	Finance				
	Annual Budget	YES	YES	YES	NO
	Annual Report	YES	YES	YES	NO
	Monthly Financial Statement (in Minutes)	YES	YES	YES	NO
	Tender Register	NO	VIEW ONLY	NO	NO
	Rates Records	NO	VIEW ONLY	NO	NO
	Local Government Industrial Awards	NO	VIEW ONLY	NO	NO
3.2.3	Records				
	FOI Freedom of Information Statement	YES	YES	YES	NO
	Local Government Retention and Disposal Schedule	NO	VIEW ONLY	NO	NO
	Record Keeping Plan	NO	VIEW ONLY	NO	NO
	Electoral Rolls	NO	YES	YES	NO

8. Freedom of Information.

8.1 Operation of Freedom of Information

It is the Shire's intent to make information available informally wherever possible, however there are circumstances where this is not appropriate. In these instances, the *Freedom of Information Act 1992* gives people the right to formally apply for access to documents held by the Shire.

Upon application, the Shire's Freedom of Information Co-Ordinator will assist in obtaining access to documents at the lowest reasonable cost, and ensure that personal information held is accurate, complete, up to date and not misleading. The right to apply is not affected by any reasons for wishing to obtain access, or the Shire's belief as to what the reasons are for applying.

The types of documents that may be requested include paper files, computer records, maps, plans, photographs, tape recordings, films, video tapes, electronically stored information, and meeting papers.

8.2 Access and Amendment to Personal Records

If you find information about you contained in a Shire document is inaccurate, incomplete, and out of date or misleading, then you can apply in writing to the Shire to amend the information. Access to personal information pertaining only to you is available free of charge.

8.3 Freedom of Information Applications

When lodging an application, it is important to note that applications must:

- 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.

Application Forms are available on the Shire's Website at www.victoriaplains.wa.gov.au.

Applications and enquiries should be addressed to the: -

Freedom of Information Co-Ordinator

Shire of Victoria Plains

Po Box 21

Calingiri WA 6569

8.4 Freedom of Information Charges

No fees or charges apply for personal information or amendment of personal information about yourself (e.g., your medical records; details of employment etc.), however applications for other documents (i.e., which are non-personal in nature), require a \$30 application fee to be paid when the application is lodged.

There may also be other charges imposed by the Shire as follows:

Type of Fee

Personal information about applicant	No Fee
Application Fee (Non personal information)	\$30.00

Type of Charges

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	\$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%

For financially disadvantaged applicants or those issued with prescribed pensioner concession cards, the charge payable is reduced by 25%

8.5 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 on which the decision was made.
- The name and the 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.

8.6 Review and Appeal Process

8.6.1 Internal Review (s.39-40 and 54 of the FOI Act)

If you are dissatisfied or aggrieved by certain decisions of the Shire regarding access to documents or amendments of personal information, you can apply to the Shire for an Internal Review of our decision. To apply for an internal review:

- a) You must submit a letter or fill in an 'Internal Review Application Form' and lodge it with the Shire within 30 days after being given notice of the decision.
- b) The lodgment must give details of the decision you wish to have reviewed and give an address in Australia to which notices can be sent.
- c) The Shire will then conduct an Internal Review within fifteen calendar days.

NOTE: There is no right to an internal review of a decision made by a Minister of the Principal Officer of the Shire (Usually the Chief Executive Officer).

8.6.2 External Review y the Information Commissioner (s.65-66 of the FOI Act)

If, after an Internal Review has been completed, you are still dissatisfied with the Shire's decision, you can make a complaint to the Office of the Information Commissioner.

The Information Commissioner may allow a complaint to be made even though an Internal review has not been sought or has not been completed if you can show that there are good reasons why you should not apply for an Internal Review, or why an Internal Review should not be completed.

A complaint must be:

- a) Lodged to the Information Commissioner in writing.
- b) Must give details of the decision to which the complaint relates.
- c) Must include an address in Australia to which notices can be sent.

If you are seeking access to documents or amendment of personal information, your complaint must be lodged within 60 days after being given written notice of the decision. If you are a third party to an application for access to personal or commercial or business information concerning yourself, your complaint must be lodged within 30 days after being given written notice of the decision.

As a rule, each party to a complaint pays his/her own costs however, the Information Commissioner may order a person to pay the costs of another party to a complaint in certain circumstances.

8.6.3 Appeals to the Supreme Court (s.85 of the FOI Act)

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 of charges.

The procedures relating to appeals to the Supreme Court are established by the court. Information on these procedures can be obtained from the:

Office of the Information Commissioner

Level 12, St Martin's Tower

44 St Georges Terrace Perth 6000

Phone: 08 9220 7888

8.7 FOI Legislation

Should you wish to obtain a copy of the *Freedom of Information Act 1992* or associated regulations please visit the State law Publisher's website at www.legislation.wa.gov.au where a full copy of all State legislation is available. Further information can also be obtained from the Office of the Information Commissioner website at www.foi.wa.gov.au .