



Information Statement

Freedom of Information Act 1992



Acknowledgement of Country

“Kaya, Nala Maat Kaya Noonduk (Hello, Our Family Welcomes You) to Wadandi Boodja (Saltwater People’s Country) – we all come together on Boodja (Country). Whilst on Wadandi Boodja we ask that you respect the land by walking softly and take the time to listen to Boodja as she Wongi (Talks).

We respect the presence of the Demmala Goomala (Ancestors) whose Djanga (Spirits) reside on Boodja and whose Djenna (feet) walk the land and whose Djanga Korda (heart spirit) flows through all creation. Wooditjup (Margaret River) is the heart of Wadandi Boodja (country), a meeting place between land and sea, connecting us all with Wadandi Boodja.

The Wadandi Boodja (Motherland) reaches from Bunbury, along the coast of Geographe Bay, extending to Yallingup (Place of Holes) to Talinup, Augusta (Place of Reeds) inland to Nannup (The Stopping Place), taking in the region of Undalup (Busselton) The Wadan Boodja (Sea Country) is of great spiritual significance to the coastal Wadandi people. Boodja – Land, Country, Mother Earth – is our most important resource. No matter what culture or religion – all of us rely on Nala Boodja, Our Country.

It is up to all of us to listen to the land, understand the connection to Country that we all have and realise how urgent it is to work together to make better decisions on how we can create that balance, ensuring sustainability for the generations to come, in order to protect and preserve the beauty of Boodja.

Whilst living, travelling, visiting and holidaying on Wadandi Boodja (Saltwater People’s Country) we ask that you respect the area and walk softly on the country, taking the time to listen to Boodja (Country) as she Wongi (Talks) of the Season, and leave nothing but footprints”.

Wadandi Traditional Cultural Custodian Wayne “Wonitji” Webb.

The Shire of Augusta Margaret River acknowledges we are on Wadandi and Pibelman Boodja, whose ancestors and their descendants are the traditional owners of this country.

We acknowledge the Wadandi and Pibelman have been custodians since the land was soft (creation times) and continue to perform age old ceremonies of celebration, initiation and renewal. We acknowledge their living culture and their unique role in the life of this region.

The Shire is committed to Aboriginal Australians sharing fairly and equitably in the region’s cultural, social, environmental and economic future.

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Alignment to the Strategic Community Plan 2040

COMMUNITY VISION

Augusta Margaret River
Sustainable, inclusive,
connected to place and
respecting Boodja

Environment

We will protect and enhance the unique natural environment and biodiversity of the region through climate action and informed decision making.

We will focus on:

Outcome EN.1: Ecology and biodiversity protection
Outcome EN.2: Healthy waterways, foreshores and natural landscapes
Outcome EN.3: Collective climate action
Outcome EN.4: Sustainable resource and waste management

People

We will support and strengthen our diverse, resilient, welcoming, safe and connected community through our services and advocacy.

We will focus on:

Outcome PE.1: Diverse cultural values are respected and adopted
Outcome PE.2: Equal opportunities for all
Outcome PE.3: Active, healthy and fulfilling lifestyles
Outcome PE.4: Safe and resilient communities

Place

We will responsibly develop vibrant, sustainable places which maintain their distinctive characters, and which supports a local economy that is resilient, equitable and sustainable.

We will focus on:

Outcome PL.1: Diverse, sustainable and well-designed places
Outcome PL.2: Infrastructure which caters to need
Outcome PL.3: Sustainable agriculture and thriving rural community
Outcome PL.4: Resilient circular local economy

Performance

We will deliver quality governance, service and value with integrity and transparency.

We will focus on:

Outcome PF.1: Responsible planning and ownership of outcomes
Outcome PF.2: Community and customer focus
Outcome PF.3: High performing and engaged people
Outcome PF.4: A culture of innovation, quality and continuous improvement

Objective

Part 5 of the Freedom of Information Act 1992 (WA) (the FOI Act) requires the Shire of Augusta Margaret River to prepare and publish an information statement which conveys information to the public about the Shire's operations, the kinds of documents it holds and the procedures for accessing them.

Information statements are to be prepared in accordance with the requirements of section 94 of the FOI Act and must set out:

- The Shire's mission statement
- Details of legislation administered
- Details of the Shire's structure and functions
- Details of the decision-making functions within the Shire
- Opportunities for public participation
- Documents held by the Shire
- Operation of Freedom of Information (FOI) in the Shire

This document is available on the Shire's website.

Mission Statement

Community Vision

Sustainable, inclusive, connected to place and respecting Boodja.

Purpose

The Shire of Augusta Margaret River exists to provide, facilitate and advocate for services, facilities and Boodja, to improve quality of life for everyone in our community.

Values

Our values guide our behavior and decision making to fulfil our purpose. It's how we act as an organisation and how we lead and service our community. These are:

RESPECT

We acknowledge our culture, environment and community, whilst ensuring our behavior has a positive impact.

INTEGRITY

We have the courage to do the right thing and be transparent in our decision making.

COMMUNITY

We focus on supporting positive collaborative relationships that connect our communities to deliver great outcomes for the wider community.

EXCELLENCE

We are committed to providing a high level of services to our customers and are open to opportunities and change.

Enabling Legislation

Legislation

The principal statute that empowers local governments in Western Australia is the Local Government Act 1995. There are over 300 statutes that local government are wholly or partially responsible for administering in Western Australia. Some of the main ones that the Shire of Augusta Margaret River administers include:

Other major statutes affecting local government

Building Act 2011

Bush Fires Act 1954
Caravan and Camping Act 1995
Cat Act 2011
Cemeteries Act 1986
Dog Act 1976
Food Act 1976
Freedom of Information Act 1992
Health (Miscellaneous Provisions) Act 2005
Public Health Act 2016
Town Planning and Development Act 2005

Local Laws

The Shire is also responsible for administering and enforcing a number of local laws. These can all be viewed on the Shire's website and include:

Local Laws
Activities in Thoroughfares and Public Places Trading Local Law 2020
Cat Local Law 2024
Cemeteries Local Law 2020
Dogs Local Law 2016
Environment and Nuisance Local Law 2013
Erosion and Sediment Control Local Law 2013
Extractive Industries Local Law 2014
Health Local Law 2014
Local Government Property Local Law 2013
Parking Amendment Local Law 2016
Parking and Parking Facilities Local Law 2013
Standing Orders Local Law 2011
Street Numbering Local Law 2015

Agency Structure and Functions

Council

Our Shire Council is represented by eight people elected by the community each for a four-year term, with elections held every two years. Council is currently elected under a "no wards" system which means one electoral ward covers the whole shire rather than a number of smaller wards, and all eight Councillors are elected by voters in one shire wide ward.

Councillors represent the community's interests, provide leadership, facilitate communication between the Council and community, establish policy, and participate in the decision-making process. These decisions are made at Council Meetings or Committee of Council Meetings.

Council Responsibilities

Shire President

The role of the Shire President is to:

- Preside at council meetings (ensure meetings are conducted in a correct and orderly manner while remaining impartial)
- Carry out civic and ceremonial duties (such as conducting citizenship ceremonies)
- Speak on behalf of the Shire
- Liaise with the CEO on the Shire's affairs and the performance of its functions
- Provide leadership and guidance to the community

Councillors

A councillor's primary role is to represent their district and the people who live in it. Councillors provide a bridge between the community and the council. As well as being an advocate for local residents, Councillors play an important role in keeping their communities informed about issues that affect them.

The role of each councillor is to:

- Represent the interests of electors, ratepayers and residents
- Provide leadership and guidance to the community
- Facilitate communication between the community and the council
- Participate in decision making processes at meetings

Shire Administration

Each local government employs a Chief Executive Officer (CEO) to employ and manage staff, to provide advice to the Council and administer the day-to-day operations of the local government. The CEO is appointed by Council and is the conduit between the elected members of Council and the local government staff. All staff receive their direction from and are responsible to the CEO.

The CEO has three directorates which oversee the functions of the local government:

- Corporate and Customer Services
- Sustainable Development and Infrastructure Services
- Sustainable Economy and Communities

Shire Administrative Responsibilities

Chief Executive Officer

The CEO is responsible for implementing the Council's strategic vision and leading the local government administration. The CEO also acts as the primary link between Councillors and the Shire's staff and is responsible for providing support and professional advice to Councillors, including in the development of policy.

Director Corporate and Customer Services

The Director Corporate and Customer Services drives corporate and culture approaches to ensure strong organisational performance, financial sustainability, and outstanding customer experiences across the Shire.

Director Sustainable Development and Infrastructure

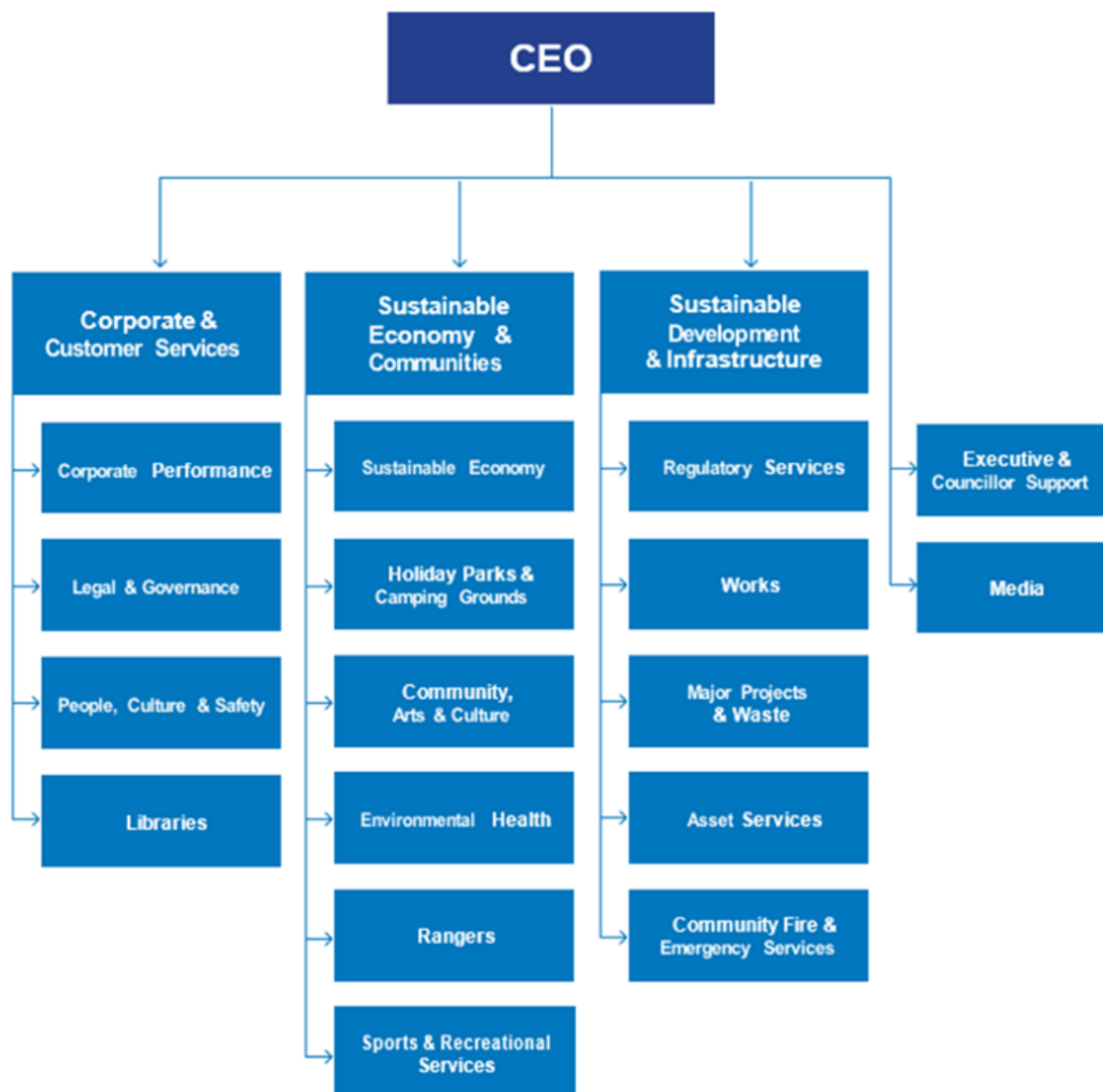
The Director Sustainable Development and Infrastructure oversees the planning and development across the Shire, the maintenance of community assets and the long-term protection of the environment.

Director Sustainable Economy and Communities

The Director Sustainable Economy and Communities works with local business, industry and community leaders to drive sustainable economic and community outcomes through partnerships and projects.

Organisational Structure

Shire of Augusta Margaret River Organisational Structure



Decision Making

Ordinary Council Meetings

Ordinary Council Meetings (OCMs) are usually held on the fourth Wednesday of the month commencing at 5.30pm. The week prior to the meeting Q&A days are held to provide an opportunity for the councillors, and the community, to attend briefing sessions and ask questions that can inform decision making related to upcoming agenda items.

The CEO and Directors of the business units also attend the Council meetings to assist the Elected Members in making informed decisions.

Council agendas are available to the public prior to the meetings and minutes are published following the meetings.

Meetings are live streamed via the Shire's YouTube channel.

Agendas and minutes are also available for public viewing at Shire offices and libraries.

Special Meetings of Council

Special meetings are convened to consider an urgent matter or a matter that involves special circumstances. Special meetings are conducted in similar ways as the Ordinary Council Meetings.

Special Electors' Meetings

A Special Electors' meeting occurs if a petition, signed by at least 100 eligible electors, is submitted to the Council requesting that a meeting be held on that matter.

Electors' General Meetings

The Electors' General Meeting occurs once every financial year. Reports that are submitted include the Annual Report, Annual Financial Statements, Auditors Report for the previous financial year, and other general business.

Committees

The Shire has a number of committees with Council Members formed under the Local Government Act 1995. None of these committees have any delegated powers. These include:

List of Committees

Audit and Risk Management Committee (ARMC)

The role of the Audit and Risk Management Committee is to monitor the Shire's risk management framework, compliance processes, audit performance, and audit program.

Behaviour Complaints Committee (BCC)

The role of the Behaviour Complaints Committee is to deal with behaviour complaints made under Division 3 of the Shire of Augusta Margaret River Code of Conduct for Council Members, Committee Members and Candidates (Code of Conduct).

Bush Fire Advisory Committee (BFAC)

The role of the Bush Fire Advisory Committee is to formulate for Council's consideration, recommendations and policy on matters relating to bush fire preparedness, prevention, response and recovery.

Local Emergency Management Committee (LEMC)

The role of the Local Emergency Management Committee is to ensure effective local emergency management arrangements are prepared and maintained for the Shire and perform any other emergency requirements as specified under the *Emergency Management Act 2005*.

Public Participation

Attending Council and Committee Meetings

The procedures for conducting Council and Committee Meetings are governed by the Shire of Augusta Margaret River's Standing Orders Local Law 2009. Members of the public are welcome to attend Council and Committee meetings. There is an opportunity at Council and Committee meetings for members of the public to ask questions (refer to 'Public Question Time') and an

opportunity at Council meetings for members of the public to make a deputation (refer to 'Deputations').

Public Question Time

All members of the community have a legislative right to ask questions at Council meetings. Public Question Time provides an opportunity for the public to question Council about issues affecting local government and the community. It also provides Council with the opportunity engage with the community and seek feedback on issues of importance.

Questions asked during Public Question Time must pertain only to business of Council. This includes any matter before Council at the meeting or any issue relating to the Shire.

A maximum of 30 minutes will be allowed for Public Question Time. To ensure everyone is given equal and fair opportunity, questions will be limited to two per person if there are a number of people wishing to ask questions.

Deputations

A deputation is a presentation by a member of the public regarding an item on the agenda in which the speaker/s has a direct interest. A deputation must be requested in advance of the meeting and approved by the Shire President.

Elected Members

In their role, Elected Members make themselves available to the community to assist with matters regarding the function of Council.

Written Requests

A member of the public can write to the Shire on the policy, activity, service or any issues within the Shire's jurisdiction.

Community Consultation

The Shire is committed to ensuring quality place-based community consultation for Shire projects, plans and proposals. Each consultation is customised depending on the context, place, timeframe and legislative requirements in accordance with the Shire's Community Consultation and Stakeholder Engagement Policy. Consultation can occur through submissions or surveys on the Shire's Your Say online engagement platform and is promoted on the Shire's website, in local newspapers and on public notice boards as needed. Where appropriate the Shire will also host public meetings and write to residents or landowners impacted by a decision.

Petitions

A petition is a request for action from the community. It informs Council in a public way of the views of a section of the community and serves as a means of placing community concerns before Council.

The subject of a petition must be a matter on which Council has the power to act.

The Shire will only accept petitions from electors of the district. An elector is a person who owns or occupies rateable property within the Shire and is eligible to vote in local and State elections.

A petition received by an Elected Member or the Chief Executive Officer (CEO) is to be presented to the next ordinary Council meeting where Council will vote to either:

- a) Receive the petition
- b) Prepare a report on the petition
- c) Refer the petition to a committee

Documents Held by the Agency

The Shire maintains comprehensive records of all its dealings including correspondence, memorandum, file notes, reports, plans, sketches, maps, diagrams, documents pertaining to the keeping of records, applications, approvals and notices.

Availability of information is subject to the provisions established in the FOI Act 1992 and the Local Government Act 1995 and may be free or subject to the Shire's Schedule of Fees and Charges. The Shire will assist members of the public to obtain access to documents promptly, at the lowest reasonable cost and ensure that personal information contained in documents is accurate, complete, up-to-date and not misleading.

Information is made available through a range of mediums including public statements, news releases, the Shire's website, advertisements placed in local and state-wide newspaper, public notice boards, information sheets, individual correspondence, public and statutory documents and reports and library services.

Library Details

Margaret River Public Library

Fearn Avenue
Margaret River WA 6282
08 9780 5600
amrlibrary@amrshire.wa.gov.au

Augusta Public Library

Allnut Terrace
Augusta WA 6290
08 9780 5670
auglib@amrshire.wa.gov.au

Documents available on the Shire's website

Section 5.96A of the Local Government Act 1995 list a number of documents the CEO must publish on the Shire's website. These include:

Documents on website

A map of the district showing the district boundaries

An up-to-date consolidated version of any local law made by the local government in accordance with section 3.12 that is in force

The annual budget

An up-to-date list of fees and charges imposed under section 6.16

Current plans for the future of the district made under section 5.56

Confirmed minutes of council or committee meetings

Minutes of electors' meetings

Notice papers and agenda relating to council or committee meetings and reports and other documents that have been

- a) Tabled at a council or committee meeting; or
- b) Produced by the local government or a committee for presentation at a council or committee meeting and that have been presented at the meeting; information of a kind prescribed for the purposes of this subsection or required by another provision of this Act to be published on the website

Documents available for inspection

Section 5.94 of the Local Government Act 1995 list a number of documents to be made available for inspection during office hours. These include:

Documents for inspection

Any code of conduct

Any register of complaints referred to in section 5.121 of the Local Government Act 1995

Any register of financial interests

Any register of Gifts

Any annual report

Any annual budget

Any list of fees and charges imposed under section 6.16

Any plan for the future of the district made in accordance with section 5.56

Any proposed local law of which the local government has given local public notice under section 3.12(3)

Any local law made by the local government in accordance with section 3.12

Any regulations made by the Governor under section 9.60 that operate as if they were local laws of the local government

Any text that

- a) is adopted (whether directly or indirectly) by a local law of the local government or by a regulation that is to operate as if it were a local law of the local government; or
- b) would be adopted by a proposed local law of which the local government has given local public notice under section 3.12(3)

Any subsidiary legislation made or adopted by the local government under any written law other than under this Act

Any written law having a provision in respect of which the local government has a power or duty to enforce

Any rate record

Any confirmed minutes of council or committee meetings

Any minutes of electors' meetings

Any notice papers and agenda relating to any council or committee meeting and reports and other documents that have been

- a) tabled at a council or committee meeting; or
- b) produced by the local government or a committee for presentation at a council or committee meeting and which have been presented at the meeting

Any report of a review of a local law prepared under section 3.16(3)

Any register of owners and occupiers under section 4.32(6) and electoral rolls

A report on a supplementary audit prepared under section 7.12AH (1)

Such other information relating to the local government

- a) required by a provision of this Act to be available for public inspection; or
- b) as may be prescribed

Other Documents Available to the Public

The Shire makes the following documents available to the public even through there is no statutory requirement. These include:

Other Documents
Shire Policy
Community Plans
Planning approvals for a property you own (fees apply)
Building permit approvals for a property you own (fees apply)
Septic plans for a property you own (fees apply)
Owner postal information

Freedom of Information

It is the aim of the Shire 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 FOI Act provides the right to apply for documents held by the Shire 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
- Be lodged at the agency with any application fee payable

Applications and enquiries should be addressed to:

Chief Executive Officer
PO Box 61
Margaret River 6285

Telephone: (08) 9780 5255

Email: amrshire@amrshire.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 non-personal information (information that is not personal information about the applicant) all charges are discretionary. The fees and charges are as follows.

Fees	
Personal information about the applicant	No fee and no charges

Application fee (for non-personal information)	\$30.00
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	\$0.20
Transcribing from tape, file 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 applications or those issued with prescribed pensioner concession cards, any charges payable are reduced by 25%.

Deposits

Fees and Charges - 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 reason for claiming the document is exempt
- Information on the rights of review and the procedures to be followed to exercise those rights

Right of Review

Applicants who are dissatisfied with a decision of the agency are entitled to lodge a complaint with the Information Commissioner seeking external review of that decision.

The external review application should be made within 60 calendar days after being given the agency's written notice of 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 your written notice of decision.)

A complaint to the Information Commissioner must:

- Be in writing
- Give particulars of the decision to which the complaint relates
- have attached to it a copy of the agency's notice of decision
- Give an address in Australia

There is no charge for lodging a complaint with the Information Commissioner's office.

The address for lodgement of a complaint with the Information Commissioner by mail or in person is:

Office of the Information Commissioner
Albert Facey House
469 Wellington Street
PERTH WA 6000

You may also lodge a complaint with the Information Commissioner by

- Facsimile to (08) 6551 7889
- Email to info@foi.wa.gov.au

Should you have any further queries or require any further information about your review rights at this stage, you may contact the Office of the Information Commissioner on (08) 6551 7888 or 1800 621 244 (WA country callers).



amrshire@amrshire.wa.gov.au
www.amrshire.wa.gov.au

Margaret River

41 Wallcliffe Rd (PO Box 61)
Margaret River 6285

T (08) 9780 5255 | **F** (08) 9757 2512

Office Hours

Mon to Fri, 9am – 4pm

Phone enquiries

8.30am – 4.30pm

Augusta

66 Allnut Tce
Augusta 6290

T (08) 9780 5255 | **F** (08) 9757 2512

Office Hours

Tue to Thu 9am – 12pm, 1pm – 4pm

Phone enquiries

8.30am – 4.30pm

If you are deaf, or have a hearing impairment or speech impairment, contact us through the National Relay Service:

- TTY users phone 133 677 then ask for 08 9780 5255
- Speak and Listen users phone 1300 555 727 then ask for 08 9780 5255
- Internet relay users connect to the NRS www.relayservice.com.au then ask for 08 9780 5255