



# **SHIRE OF JERRAMUNGUP**

## **INFORMATION STATEMENT**

Updated August 2016

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# 1 Functions and Structure of the Organisation

## 1.1 Shire of Jerramungup

Jerramungup Shire Council was established on 1 July 1982, having been annexed from the Shire of Gnowangerup. Jerramungup Shire has an area of 6,541 square kilometres, with two principal townsites being Jerramungup and Bremer Bay.

The Shire has a total road network length of 1,121 kilometres, sealed roads 132 kilometres, and unsealed 989 kilometres (excluding highways).

## 1.2 Structure of the Organisation

### 1.2.1 List of Councillors

**Shire President** Cr Robert Lester  
**Deputy Shire President** Cr Joanne Iffla

Cr Bruce Trevaskis  
PO Box 128, Jerramungup  
Ph: 9835 4049 Fax: 9835 4049

Cr Robert Lester  
PO Box 21, Jerramungup  
Ph: 9835 4041 Fax: 9835 4043

Cr Bill Bailey  
PO Box 27, Jerramungup  
Ph: 9835 2032 Fax: 9835 2044

Cr Julie Leenhouders  
11214 Borden-Bremer Bay Rd, Bremer Bay  
Ph: 9837 4051 Fax: 9837 4051

Cr Joanne Iffla  
Lot 50 Bennett St, Bremer Bay  
Ph: 9837 4298 Fax: 9837 4398

Cr Rex Parsons  
PO Box 31, Jerramungup  
Ph: 9835 1091 Fax: 9835 1212

Cr Carolyn Daniel  
PO Box 142, Jerramungup  
Ph: 9835 3025 Fax: 9835 3025

## **2 Public Effect of the Organisations Functions**

### **2.1 Decision Making**

The Shire of Jerramungup significantly affects the public (as a local authority) by providing a wide range of services and facilities. This service is carried out in a manner appropriate to the current and future needs of its communities.

The Shire of Jerramungup also has a role in the management, improvement and development of the resources within its area to create a safe and pleasant environment for its residents and ratepayers.

General information relating to Shire matters is published monthly in the Bremer Bay Bulletin and Jerry Journal.

#### **2.1.1 Council**

Council consists of seven (7) Councillors elected by the residents and ratepayers of the Shire of Jerramungup of whom one is elected by Council as Shire President. Council is the decision making body on all policy matters. Meetings of Council are held on the third Wednesday of each month commencing at 2.00pm (unless advertised otherwise) and are open to the public. Council meetings are normally held in the Administration Building in Jerramungup, with the exception of the April, August and December meetings which are held in the Bremer Bay Town Hall.

#### **2.1.2 Council Agendas and Minutes**

Agendas and Minutes for all Council meetings are made available for viewing or purchase at the Shire's Administration Office or can also be downloaded on the Shire's website [www.jerramungup.wa.gov.au](http://www.jerramungup.wa.gov.au). Minutes are available for viewing at both the Bremer Bay and Jerramungup Community Resource Centres the week following the Council meeting.

### **2.2 Legislation, Regulations, By-Laws and Powers**

#### **2.2.1 Acts**

A number of Acts of Parliament give the Shire of Jerramungup the necessary powers to make decisions regarding the natural, built and legal environments which it administers. Listed below are the principle Acts which are briefly described.

- ❖ *Local Government act 1995 and Associated Regulations*  
This Act is legislation which enables the Shire of Jerramungup to administer its local government area. Local authorities operate strictly within the Act and are not able to undertake actions, activities or services that are not specifically provided for in this or other legislation.
- ❖ *Bush Fires Act 1954 and Associated Regulations*  
An Act to make better provision for diminishing the dangers resulting from bush fires, for the prevention, control and extinguishment of bush fires.
- ❖ *Cemeteries Act 1986*  
An Act to provide for the declaration and management of cemeteries, the establishment, constitution and functions of cemetery boards, the licensing of funeral directors, the regulation of burials, the repeal of Cemeteries 1897 and for connected purposes.
- ❖ *Dog Act 1976 and Associated Regulations*  
An Act to amend and consolidate the law relating to the control and registration of dogs, the ownership and keeping of dogs and the obligations and rights of persons in relation thereto, and for incidental and other purposes.
- ❖ *Environmental Protection Act 1986*  
An Act to provide for an Environmental Protection Authority, the prevention, control and abatement of environmental pollution, for the conservation, preservation, protection, enhancement and management of the environment.
- ❖ *Freedom of Information Act 1992*  
An Act to provide for public access to documents, and to enable the public to ensure that personal information is accurate, complete, up to date and not misleading, and for related purposes.
- ❖ *Health Act 1911*  
An Act to consolidate and amend the law relating to public health.
- ❖ *Liquor Control Act 1988 and Associated Regulations*  
An Act to regulate the sale, supply and consumption of liquor, the use of premises on which liquor is sold, and the services and facilities provided in conjunction with or ancillary to the sale of liquor, to minimise harm or ill-health caused to people, or any group of people due to the use of liquor, to provide for orders that may prohibit persons from being employed at, or from entering, licensed premises.
- ❖ *Litter Act 1979 and Associated Regulations*  
An Act to make provision for the abatement of litter, to establish, incorporate and confer power upon the Keep Australia Beautiful Council (WA).

- ❖ *Occupational Safety and Health Act 1984 and Associated Regulations*  
An Act to promote and improve standards for occupational safety and health, to establish the Commission for Occupational Safety and Health, to provide for a tribunal for the determination of certain matters and claims, to facilitate the coordination of the administration of the laws relating to occupational safety and health and for incidental and other purposes.
- ❖ *Public Works Act 1902*  
An Act relating to public works.
- ❖ *Rates and Charges (Rebates and Deferments) Act 1992*  
An Act to permit administrative authorities to allow rebates on, or the deferral of payment of, certain amounts payable by way of rates or charges by pensioners and other eligible persons.
- ❖ *Strata Titles Act 1985*  
An Act to facilitate the horizontal and vertical subdivision of land, the disposition of titles thereto, to provide for incidental and connected purposes, and to repeal the *Strata Titles Act 1966*.
- ❖ *Planning and Development Act 2005 and Associated Regulations*  
An Act to provide for a system of land use, planning, and development in the State, and for related purposes.
- ❖ *Valuation of Land Act 1978*  
An Act to provide for the valuation of land and other purposes.
- ❖ *Building Act 2011*  
An Act to provide for the following —
  - permits for building work and demolition work;
  - standards for the construction and demolition of buildings and incidental structures;
  - the use and maintenance of, and requirements in relation to, existing buildings and incidental structures;
  - work affecting land other than land on which the work is done;
  - the amendment of the *Local Government (Miscellaneous Provisions) Act 1960* and various other Acts;
  - the repeal of the *Building Regulations 1989* and the *Local Government (Prohibition on Dealings in Land) Regulations 1973*;
- ❖ *Transfer of Land Act 1893*  
An Act to consolidate the law relating to the simplification of the title to and the dealing with estates in land.

## 2.2.2 Council Local Laws

Local Laws are adopted by the Council to regulate and govern local issues. Listed below are local laws that cover a variety of areas.

- ❖ Beach Access Local Law
- ❖ Dog Local Law
- ❖ Parking & Parking Facilities Local Law
- ❖ Dust & Sand Local Law
- ❖ Reserves & Foreshores Local Law
- ❖ Local Government Property Local Law

## 2.2.3 Standing Orders

Council does not have Standing Orders.

## 2.2.4 Local Planning Scheme

The Shire of Jerramungup's Local Planning Scheme No 2 was gazetted on the 12<sup>th</sup> January 2007.

The purposes of the scheme are to:-

- a) set out the local government's planning aims and intentions for the Scheme area;
- b) set aside land as reserves for public purposes;
- c) zone land within the Scheme Area for the purposes defined in the Scheme;
- d) control and guide land use and development;
- e) set out procedures for the assessment and determination of planning applications;
- f) make provision for the administration and enforcement of the Scheme; and
- g) address other matters contained in Schedule 7 to the Planning and Development Act.

### **3 Policy Formulation – Public Participation**

#### **3.1 Policies and Delegations**

The Council adopts policies on a variety of issues to act as a guide for officers of the Shire and provide the basis for decision making. All current policies are contained with the Council's Policy Manual. A register of authorised delegations made by the Council to assist with the efficient administration of the municipality is also available for inspection.

#### **3.2 Annual General Meeting of Electors**

The Annual General Meeting of Electors is held once in every financial year and includes the presentation of the Annual Report and the Auditor's Report. Residents and ratepayers are encouraged to attend this meeting as it is an opportunity to ask questions and raise issues with local representatives. The Annual General Meeting is alternated between Jerramungup and Bremer Bay.

#### **3.3 Working Parties, Sub-Committees and Consultative Groups**

Interested members of the public, elected members and staff are able to nominate, be nominated or be selected as representatives on a variety of Shire related working parties, sub-committees or consultative groups or act as representatives or other external organisations. A current listing of these parties, sub-committees and groups is listed below.

- ❖ Bremer Bay Community Development Committee
- ❖ Regional Road Group Committee
- ❖ Great Southern Zone of WALGA Committee
- ❖ Bush Fire Advisory Committee
- ❖ Fitzgerald Biosphere Group
- ❖ Regional Recreation Advisory Committee
- ❖ South Coast Management Group
- ❖ Jerramungup FESA Unit Management Committee
- ❖ Bremer Bay FESA Unit Management Committee
- ❖ Development Assessment Panel
- ❖ Fitzgerald River National Park Advisory Group

All abovementioned committees meet as required.



## **4. Documents Held by the Organisation**

### **4.1 Publicly Available For Inspection**

The Shire of Jerramungup has a variety of documents available for public inspection or purchase. For example, Agendas, Minutes, Annual reports, Local Laws, Budgets, Policy Manual, etc, are available for inspection or may be purchased by paying a photocopying fee of 20 cents per page. A copy of Council Minutes can be viewed at no charge at the Shire's Administration office or the Jerramungup or Bremer Bay Community Resource Centres.

The district public libraries also have documents relating to the Bureau of Statistics, Education (university) brochures, Australia wide telephone directories, etc.

### **4.2 Documents Covered By The Act**

Documents and information covered by the Freedom of Information Act include various items for example, maps, plans, personnel records, client records, building files and correspondence.

All documents received and sent are filed on a central records management system, these are recorded electronically and hard copies manually filed.

The files are divided into the following categories:

General files are a broad classification of files that are kept for projects, services, assets, and agencies that operate outside the Shire's Administration office. These agencies include district libraries, government departments, private companies etc. These files contain various documents and information relating to a particular service, project, asset or agency.

Personnel and payroll files are maintained by the Shire's Payroll Officer and Deputy Chief Executive Officer. These files only contain details on current and past employees which include personal information, medical reports, workers compensation, salary appraisals and leave entitlements.

Property (Assessment) files contain information relating to each property within the Shire boundary. This includes, but is not limited to, information on sale & settlement, building applications, planning applications, maps etc. Records dated before 1982, which is the year the Shire of Jerramungup was amalgamated, may still be filed with the Shire of Gnowangerup.

### 4.3 Retention and Disposal of Records

Standards for record keeping across government have been set by the State Archives through the Records Management Office. The General Retention and Disposal Scheme for Local Government has been developed to provide consistency throughout local government in the disposal and archival of all records.

The Shire of Jerramungup's active files are stored and maintained at the Administration office. Inactive or Closed files are either archived in suitable storage areas or destroyed as per the State Local Government retention and disposal schedule.

## 5 Applications and Forms of Access

### 5.1 Applications and Forms of Access

#### 5.1.1 Applications

For your application to be accurately and promptly dealt with please ensure that you provide sufficient information to enable the correct document(s) to be identified.

- ❖ The Shire of Jerramungup may request proof of your identity.
- ❖ If you are seeking access to a document or documents on behalf of another person the Shire of Jerramungup will require authorisation, usually in writing.
- ❖ Your application will be dealt with as soon as practicable (within 45 days) after it is received.

Applications may be made by contacting the Freedom of Information Officer at the Shire of Jerramungup Administration Office, or by telephone (08) 9835 1022. You can then arrange to be supplied with an application form or any further information you may require. You may lodge an application addressing it to:-

Mr Brent Bailey  
Freedom of Information Officer  
Shire of Jerramungup  
8 Vasey Street  
JERRAMUNGUP WA 6337

#### 5.1.2 Fees and Charges

The following fees and charges were adopted by Council on the 20<sup>th</sup> July 2016, and reviewed from time to time, in accordance with the calculation guides set out in the Freedom of Information Act and are to be seen as maximum charges.

- ❖ Application fees for other access applications (non-personal information) **\$30.00**
- ❖ Archive research of Council records per hour or part Thereof **\$30.00**
- ❖ Charge for delivery, packaging and postage **Actual Cost**
- ❖ Photocopying required for enquiry **\$0.20**
- ❖ Other fees and charges as stated in Freedom of Information Regulations 1993.

### 5.1.3 Forms of Access

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.

## 5.2 The Review Process

The Freedom of Information Act provides for a review and appeal process. You may seek an Internal Review and if you are still dissatisfied, a review by the Information Commissioner may be requested. Further still you can appeal to the Supreme Court.

### 5.2.1 Internal Review

If you are not satisfied with the decision the FOI Officer makes concerning your application then you can apply to the Shire of Jerramungup for an internal review of that decision. Applications for an internal review must be lodged at the Shire within 30 days of receipt of notice of the Shire's decision. The Shire will respond within 15 days or any longer period agreed between the applicant and the Shire. There is no charge of an internal review.

### 5.2.2 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:-

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

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.

### 5.3 Amendments Procedures

An individual may apply to have a document amended if it contains inaccurate, incomplete, out of date or misleading personal information. An application should be made in writing to the Shire of Jerramungup and should provide all the information required in the Act. Applicants must provide details and, if necessary, documentation in support of their claim that the information they seek to have amended is inaccurate, incomplete, out of date or misleading.

Applicants must also indicate how they wish the amendment to be made (ie. alternation, insertion etc).



# SHIRE OF JERRAMUNGUP

## Application for Access to Documents

(Under the Freedom of Information Act 1992, S.12)

**DETAILS OF APPLICANT:**

Surname: .....

Given Names: .....

Australian Postal Address: .....

Post Code: ..... Telephone Number(s): .....

*(If application is on behalf of an organisation)*

Name of Organisation/Business: .....

DETAILS OF REQUEST:       Personal documents       Non-Personal documents

I am applying for access to document(s) concerning .....

**FORM OF ACCESS:**

I wish to inspect the document(s)       Yes       No

I require a copy of the document(s)       Yes       No

I require access in another form       Yes       No

*(if so, please specify alternative form)* .....

**FEEES AND CHARGES:**

*Attached is a cheque/cash to the amount of \$ ..... to cover the application fee. I understand that before I obtain access to documents I may be required to pay processing charges in relation to this application and that I will be supplied with a statement of charges if appropriate.*

*In certain cases a reduction in fees and charges may apply – see section of fees and charges on the back of this form. If you consider you are entitled to a reduction, submit a request with copies of documents which address the criteria on the back on this form and support your application for a fee reduction.*

I am requesting a reduction in fees and charges       Yes       No

APPLICANTS SIGNATURE: ..... DATE:    /    /

(OFFICE USE ONLY)

Reference Number: .....

Received on: ..... / ..... / .....

Deadline for Response: ..... / ..... / .....

Acknowledgement sent on: ..... / ..... / .....

Proof of Identity (if required): ..... / ..... / .....