



**SHIRE OF NUNGARIN**  
**ANNUAL INFORMATION STATEMENT**  
**2024/2025**





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## Introduction

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The objectives of the *Freedom of Information Act 1992* (FOI Act) are to:

- Enable the public to participate more effectively in the governing of the State; and
- Make the persons and bodies that are responsible for State and Local Government more accountable to the public.

Under Part 5, section 94 of the *Freedom of Information Act 1992* (FOI Act), the Shire of Nungarin (the Shire) is required to prepare and publish an Annual Information Statement. This document has been created to comply with that requirement, and is correct as at July 2024.

The Annual Information Statement includes information on:

- The structure and functions of the Shire;
- Decision-making functions;
- Community participation in the formulation of the Shire's policy and performance of the Shire's functions;
- Description of the kinds of documents generated and held by the Shire and which documents may be viewed, purchased or obtained free of charge;
- How to access documents and personal information held by the Shire; and
- How to amend personal information in documents held by the Shire.

This document can be obtained by accessing the Shire's website: [www.nungarin.wa.gov.au](http://www.nungarin.wa.gov.au)

Further information can be provided by contacting the Freedom of Information Coordinator via:

Shire of Nungarin, 66 Railway Ave, Nungarin WA 6490

Telephone: (08) 9046 5006

Email: [cso1@nungarin.wa.gov.au](mailto:cso1@nungarin.wa.gov.au)

# Strategic Vision and Values

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## Our Vision

A great place to live with a well-connected, strong, healthy, and friendly community.

## Our Values

We will conduct our business with:

### Respect:

- Value people and places and the contribution they make to the Shire;
- Develop an environment of respect for different cultures;
- Be appreciative of the aspirations of the community and what it does for itself.

### Inclusiveness:

- Be receptive, proactive, and responsive as an organisation;
- Exist to help a community that has the capacity for self-help;
- Demonstrate leadership by promoting Council and community teamwork.

### Fairness and equity:

- Maintain a 'whole of Shire' outlook, but recognise that each community is unique and likely to have variations on their needs;
- Provide services for a variety of ages and needs;
- Respond to the community in a fair and equal way depending on need.

### Communication:

- Create opportunities for consultation with the board community;
- Demonstrate leadership by promoting Council and community teamwork.

## Strategic Community Plan

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The Strategic Community Plan is an important document that will guide the Shire over ten years (2023 – 2033) in respect to both infrastructure and services. It is a 'roadmap' that has captured the hopes and priorities of our Shire community.

The Strategic Community Plan is implemented by the staff of the Shire and has been presented in the most reader friendly structure possible, whilst meeting the integrated guidelines of the Department of Local Government WA.

The Plan is developed for 10 years, however it is a living document and is reviewed by Council every 2 years, with a full review every 4 years.

Council identifies the issues and challenges in the delivery of the Strategic Community Plan but is also well aware of its strengths and potential opportunities to help Council embark on an exciting future.

The Strategic Community Plan can be accessed by visiting the Shire Administration Building or from the Shire website via following link:

[www.nungarin.wa.gov.au/documents/56/integrated-strategic-plan-2023-2033](http://www.nungarin.wa.gov.au/documents/56/integrated-strategic-plan-2023-2033)

## Structure and Functions

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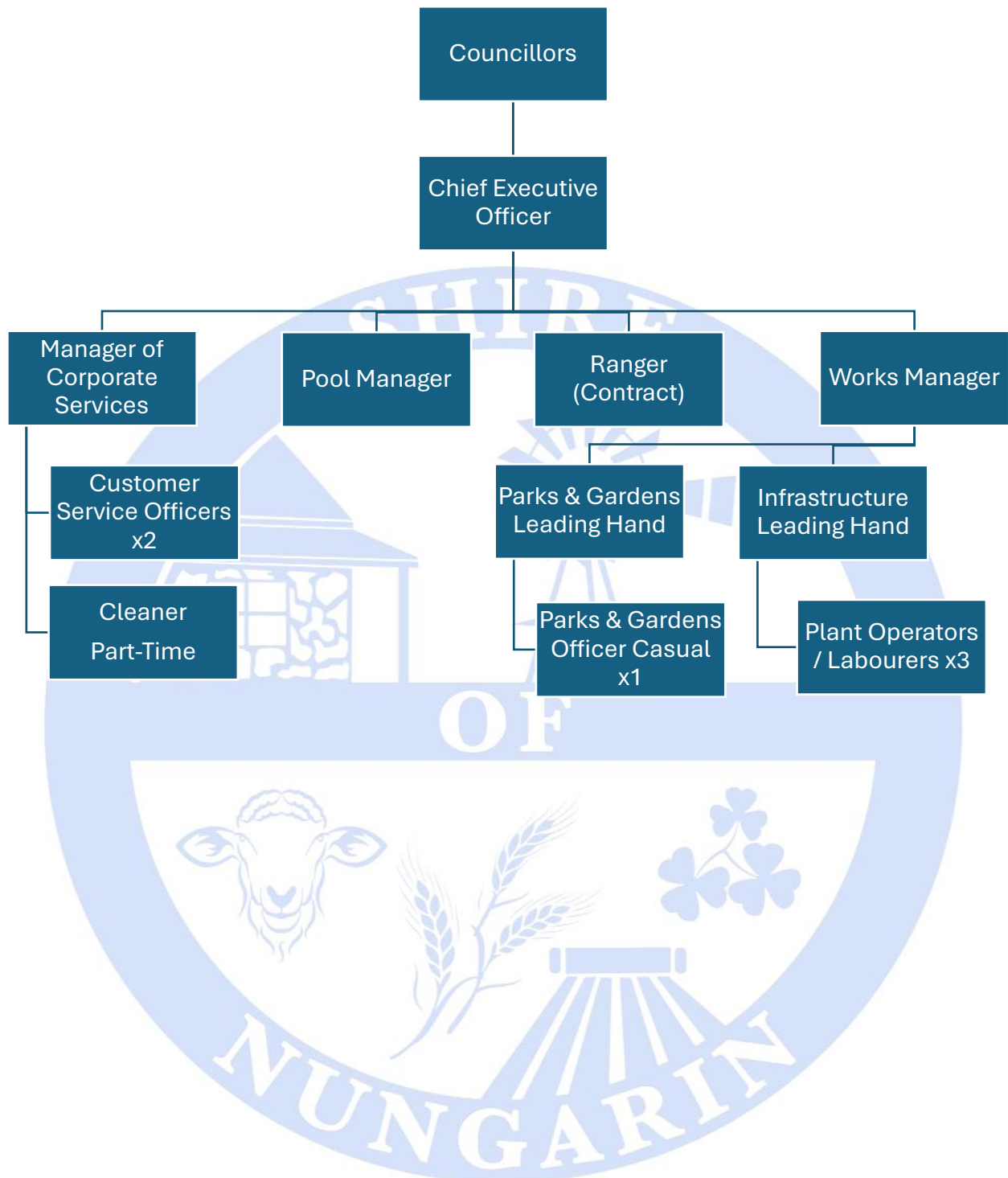
The Shire is a body corporate with perpetual succession and a common seal, and a governing Council.

The Shire's general function is to provide for the good government of persons in the district.

The Shire has both legal and executive powers and may do all things necessary or convenient in performing its functions.

The Shire's legislative functions, executive powers and structure have been outlined below as a summary only. The *Local Government Act 1995* (LG Act) or other relevant legislation should be consulted for clarification if required.

## Organisational Structure



## Council and Elected Members

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The Shire is served by the Shire President, Deputy Shire President and five Elected Members. Shire Elected Members are elected for a four-year term, with the role of President and Deputy President being considered every second year, in line with the election cycle.

The Elected Members form a corporate body working for the community and do not have the authority to act or make decisions as individuals. Decisions are made by Council in accordance with the *Local Government Act 1995* (the Act).

Cr P de Lacy – Shire President  
Cr G Coumbe – Deputy Shire President  
Cr RE O’Connell  
Cr K Dayman  
Cr A Eksanow  
Cr W Lee  
Cr M Caughey

### Role of the Council

- Direct and control the local government affairs;
- Responsible for the performance of the local government functions;
- Oversee and allocation of the local government’s finances and resources; and
- Determine the local government’s policies.

### Role of the Shire President

- Preside at meetings in accordance with the Act;
- Provide leadership and guidance to the community in the district;
- Carry out civic and ceremonial duties on behalf of the local government;
- Speak on behalf of the local government;
- Perform such other functions as are given to the Shire President by the Act or any other written law; and
- Liaise with the Chief Executive Officer on the local government’s affairs and the performance of its functions.

### Role of the Deputy President

The Deputy Shire President performs the functions of the President when authorised to do so under section 5.34 of the Act.

## Role of the Elected Members

- Represent the interests of electors, ratepayers and residents of the district;
- Provide leadership and guidance to the community in the district;
- Facilitate communication between the community and the council;
- Participate in the local government's decision-making processes at Council and Committee Meetings; and
- Perform such other functions as are given to an Elected Member by the Act or any other written law.

## Role of the Chief Executive Officer

- Advise the Council of the functions of the local government;
- Ensure that advice and information is available to the Council so that informed decisions can be made;
- Implement Council decisions; and
- Manage the day to day operations of the Shire including staff.

## Community Participation

Members of the public have a number of opportunities to participate in the formulation of the Shire's plans, policies and strategies as well as comment on the performance of the Shire's functions. These include:

- Ordinary Council Meetings;
- Special Council Meetings;
- Annual General Meetings of the Electors;
- Committees of Council;
- Petitions.

## Access to Documents held by the Shire

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### Documents available for inspection under the Local Government Act 1995

For the purposes of the Act, there are two categories of documents held by the Shire. These can be broadly categorised as those available for inspection or purchase outside the constraints of the Act and those which through their content, must be held confidentially with public access considered only through the provisions of the Act.

The following documents are examples of documents available for public inspection either on the Shire's website or at the Shire of Nungarin Administration Office under section 5.94 of the LG Act. Please note limitations apply to some documents arising out of section 5.95 of the LG Act, which generally relate to confidentiality.

- Any Code of Conduct regulation prescribing rules of conduct of council members referred to in Section 5.104 of the LG Act;
- A register of complaints referred to in Section 5.121 of the LG Act;
- Any register of Financial Interests;
- Annual Report;
- Annual Budget;
- Schedule of Fees and Charges;
- A plan adopted for the future of the district made in accordance with Section 5.56 of the LG Act being the Strategic Community Plan; the Corporation Business Plan; and the 10 Year Financial Plan;
- Proposed local Laws, of which the Shire has given State-wide public notice under section 3.12(3) of the LG Act;
- Local Law made by the local government in accordance with section 3.12 of the LG Act;
- A regulation made by the Governor under Section 9.60 of the *Local Government Act 1995* that operates as it were a local law of the Shire;
- Any subsidiary legislation made or adopted by the Shire under any written law other than under the *Local Government Act 1995*;
- Any written law having a provision in respect of which the Shire has a power or duty to enforce;
- Any rates record;
- Confirmed minutes of Council or Committee Meetings;
- Minutes of Electors' Meetings;
- Any notice, papers and agenda relating to any Council or Committee Meeting and reports and other documents that have been tabled at a Council or Committee Meeting; or produced by the Shire in a Committee for presentation at a Council Meeting and which have been presented at the meeting;
- Any report of a review of a local law prepared under section 3.16(3) of the LG Act;
- Any business plan prepared under section 3.59 of the LG Act;
- A register of owners and occupiers under section 4.32(6) of the LG Act and Electoral Rolls;
- A contract under section 5.39 of the LG Act; and
- Such other information relating to the Shire required by a provision of the LG Act or as may be prescribed.

### Available for a Fee

Details of documents available for purchase are included within the Fees and Charges Schedule available on the Shire's website:

[www.nungarin.wa.gov.au/documents/63/fees-and-charges-202425](http://www.nungarin.wa.gov.au/documents/63/fees-and-charges-202425)

## Documents subject to the Freedom of Information Act 1992

The *Freedom of Information Act 1992* (the FOI Act) gives people the right to seek access to documents held by the Shire.

The Shire is required to:

- Assist applicants in making an application;
- Assist applicants in obtaining access to documents at a reasonable cost; and
- Ensure that personal information captured in documents is accurate, completed, up-to-date, and not misleading.

The right to apply is not affected by any reasons a person may have to obtain access.

The Shire is mindful of its obligations and the general right of access the FOI Act provides to documents. If possible, the Shire will initially try to provide you with the documents outside of the FOI process.

While the FOI Act provides a general right of access to documents it also recognises that some documents require a level of protection, and these documents must meet specific exemption criteria in Schedule 1 of the FOI Act: Exemption Clauses.

The FOI Act can be viewed on the Western Australian Legislation website: [WALW - Freedom of Information Act 1992 - Home Page - legislation.wa.gov.au](http://WALW - Freedom of Information Act 1992 - Home Page - legislation.wa.gov.au).

### Amendment of Personal Information

The Act gives a person the right to apply for amendment of personal information which is inaccurate, incomplete, out of date, or misleading.

The agency may make the amendment by altering, striking out, deleting or inserting information, or inserting a note in relation to the information.

If you are requesting access to personal information, the Shire will require identification.

### Submitting a Freedom of Information Application

The use of an application form is not mandatory, however, an application must:

- Be in writing;
- Give enough information to enable the requested documents to be identified;
- Give an address in Australia to which notices under the Act can be sent;
- Give any other information or details required under the Regulations; and
- Be lodged at the Shire with the application fee.

Applications may be lodged at the Shire (with an application fee):

By post - Address to:

Freedom of Information Officer

Shire of Nungarin PO Box 8 Nungarin WA 6490

Or

In person – Visit:

Shire of Nungarin Administration Centre

66 Railway Avenue,

Nungarin WA 6490

## Notice of Decision

A notice of decision must be issued within 45 days (calendar days) from when the application was received. The Shire aims to respond as soon as practical to any application and will negotiate with the applicant on an extension to the 45-day limit, should the application be unusually large or require consultation with a significant number of Third Parties.

The written “Notice of Decision” will include:

- The day on which the decision was made;
- The name and the designation of the officer who made the decision;
- The reason why a document is considered exempt or the fact that access is given to an edited document;
- If access is refused, the reason for claiming the document is exempt; and
- Information on the rights of review and the procedures to be followed to exercise those rights.

## Access Arrangements

Access to documents can be by way of:

- Inspection;
- A copy of a document;
- A copy of an audio or video tape, or computer disk; or
- 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.

It should be noted that the Shire is not obligated to provide the information in a form that is not held in at the time of the application or would not be practicable to provide.

## Review Process

The FOI Act provides for a review and appeal process, as follows:

### Internal Review

Applicants who are dissatisfied with a decision of the Shire are entitled to ask for an internal review. An application must be made in writing within 30 days of receiving the notice of decision and must provide particulars of the decision to be reviewed.

There is no lodgement fee for an application for internal review, and there are no charges for dealing with an internal review request. The application will not be dealt with by the person who made the initial decision, or by any person who is subordinate to the original decision maker. The outcome of the application for internal review may result in a confirmation, variation or reversal of the initial decision under review. The applicant will be notified of the outcome within 15 days of the application.

### External Review

If still dissatisfied with the Shire's decision after the internal review has been completed, a review by the Information Commissioner can be sought. External review requests must be made in writing within 60 days of the original decision, to the Information Commissioner and give details of the application decision to which the request relates.

There is no charge for lodging a request for an external review with the Office of the Information Commissioner and details for contacting the office are:

By Post – Address to; or in Person:

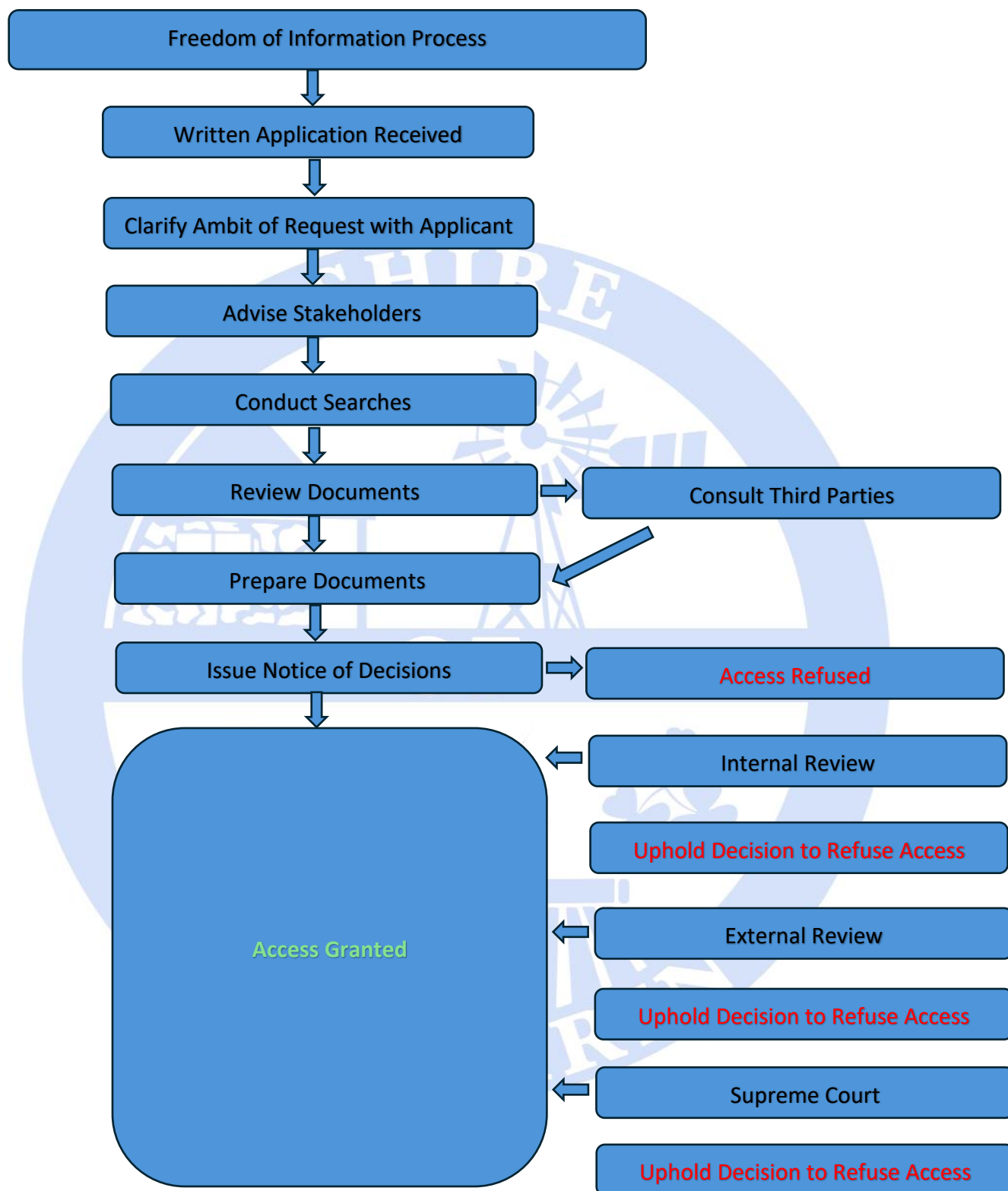
Office of the Information Commissioner  
Albert Facey House  
469 Wellington Street  
Perth WA 6000

Phone: 08 6551 7888

WA Country Callers – Free Call: 1800 621 244

Email: [Info@oic.wa.gov.au](mailto:Info@oic.wa.gov.au)

## Freedom of Information – Flowchart of Process



## Application to Access Documents form



### APPLICATION FOR ACCESS TO DOCUMENTS

(Pursuant to the Freedom of Information Act 1992, Section 12)

#### APPLICANT DETAILS

|                   |  |             |  |
|-------------------|--|-------------|--|
| Surname           |  | Given Names |  |
| Organisation Name |  |             |  |
| Postal Address    |  |             |  |
|                   |  | Postcode    |  |
| Telephone         |  | Mobile      |  |
| Email             |  |             |  |

#### REQUEST

##### Type of Request (please tick)

- ☐ Personal Documents (incurs no fees and will contain information pertinent to applicant only)
- ☐ Non-Personal Information (incurs \$30 application fee and additional charges may apply)

##### Details of Request

I am applying for access to document/s concerning:

(Please provide as much information as possible to identify the documents i.e. location/address, subject matter, date(s))

|               |       |  |     |
|---------------|-------|--|-----|
|               |       |  |     |
| Specify Dates | From: |  | To: |
|               |       |  |     |

#### CONSULTATION

Please tick if you give consent.

- ☐ I consent to all "Personal Information" and or "Commercial Information" of third parties being deleted from the requested document/s
- ☐ I consent to third parties being given my name as the applicant requesting the information

#### FORM OF ACCESS

Please tick preferred Form of Access

- ☐ Email
- ☐ Inspection of the document/s
- ☐ Physical Hard Copy (**charges apply**)

|           |  |      |  |
|-----------|--|------|--|
| Signature |  | Date |  |
|-----------|--|------|--|

PO BOX 8, NUNGARIN WA 6490 PHONE (08) 9046 5006 EMAIL: [CSOL@NUNGARIN.WA.GOV.AU](mailto:CSOL@NUNGARIN.WA.GOV.AU)

[WWW.NUNGARIN.WA.GOV.AU](http://WWW.NUNGARIN.WA.GOV.AU)