



# Information Statement 2024

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Chief Executive Officer



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### Structure and Function of Council

#### Council

The Shire of Capel Council is a decision-making body comprised of nine elected members. Council decisions are guided by a Strategic Community Plan based on input provided by ratepayers and residents.

Ordinary meetings of Council are held monthly, commencing at 6.00pm. Members of the public can view the meeting via live stream [www.capel.wa.gov.au](http://www.capel.wa.gov.au) or are welcome to attend meetings in person.

#### Meeting dates 2024

Q1	Q2	Q3	Q4
January 31	April 24	July 31	October 30
February 28	May 29	August 28	November 27
March 27	June 26	September 25	

#### Elected Members

1. Cr Douglas Kitchen (President)	Term Expires 2025
2. Cr Sebastian Schiano (Vice President)	Term expires 2027
3. Cr Ashley Dillon	Term Expires 2025
4. Cr John Fergusson	Term expires 2027
5. Cr Rosina Mogg	Term expires 2027
6. Cr Peter McCleery	Term Expires 2025
7. Cr Kieran Noonan	Term expires 2027
8. Cr Terri Sharp	Term expires 2027
9. Cr Christine Terrantroy	Term Expires 2025

#### Agendas and Minutes

Council meeting agendas and minutes are available for viewing at the Shire Office in Capel, the Capel, Boyanup and Dalyellup libraries, and the Shire's website.

#### Council Committees

Council members participate in internal committees that support the operation of the council.

- Audit Committee
- Climate Change Adaption and Sustainability Committee
- Bush Fire Advisory Committee
- Local Emergency Management Committee
- Economic Development Advisory Committee

### Community Committees

Several community advisory committees and working groups dealing with various issues have Council representatives as members. Currently, these are:

- Boyanup Memorial Park and Sports Council
- Boyanup Foundation
- Boyanup Hall Committee
- Boyanup & Districts Farmers Market Committee
- Capel Chamber of Commerce
- Capel Land Conservation District Committee
- Development Assessment Panel
- Disability Access & Inclusion Reference Group
- Geographe Catchment Council (Geocatch)
- Gelorup Community Centre Management Committee
- Kaatijinup Biodiversity Park
- Local Emergency Management Committee
- Peppermint Grove Beach Community Association
- Peron Naturalist Partnership
- SW Regional Road Group
- SW Zone, WA Local Government Association
- Trails Working Group

### Delegations and Policies

Council makes decisions which direct and/or determine its activities and functions in keeping with legislative requirements. Such decisions include the approval of works and services to be undertaken, and the allocation of resources toward works and services.

The Chief Executive Officer and other officers have delegated authority from Council to make decisions on specific administrative and policy matters. The authority behind these delegations is detailed in the Delegations Manual, which is reviewed annually by Council and is available on the website.

Decisions are also made to determine if approvals are to be granted for applications from residents for various forms of development. The Councils Policies enable such matters to be dealt with on a consistent basis. The Policies are available for viewing on the Shire's website.

### Community services

Council makes decisions on issues relating to services that are provided for members of the public. These services currently include:

- Animal control
- Building control
- Bus shelters
- Cemeteries
- Child Health Centres
- Citizenship ceremonies
- Coastal & beach management
- Community development
- Parking controls
- Parks and reserves
- Pest control
- Playground equipment
- Public seating & public toilets
- Recreational/sporting facilities
- Refuse sites & waste management
- Roads/footpaths/kerbing

- Community halls and centres
- Library & Information Service
- Dual use paths
- Environmental health matters
- Extractive industries
- Fire prevention
- Parking bays/road closures
- Seniors
- Street lighting
- Stormwater drainage
- Street sweeping
- Street tree planting
- Traffic control devices
- Youth

### Community Consultation

#### Council meetings

Members of the public can put forward their views on issues before Council through:

- Deputations – with the permission the President, members of the public can address Council personally or on behalf of a group of residents.
- Petitions – written petitions can be addressed to Council on any issue within Council's jurisdiction.
- Presentations – with the permission of the Chief Executive Officer, members of the public can address Council on any matter on the Council Meeting Agenda.
- Written Requests – a member of the public can write to Council on any Council policy, activity, or service.
- Elected Members – members of the public can contact Elected Members to discuss any issue relevant to Council.

#### Community consultation

- Development Applications - residents are notified and may make submissions regarding some Development Applications needing Council approval.
- Annual Meeting of Electors
- Advertising in a local newspaper as required
- Social media platforms and internet
- A Community Perceptions Survey (every 2 years – 2021 completed)

Council adopted the Shire of Capel Community Engagement Framework 2022 to 2026 to guide consultation with the community and stakeholders.

#### Documents available for inspection

Many documents are available for public inspection at the Shire Office in Capel, and many are also accessible via the Shires web site. Please note that there may be limits to inspection rights for certain documents under s5.95 of the local Government Act 1995.

Annual Budget (also available at the Capel, Boyanup and Dalyellup libraries)

Annual Report (also available at the Capel, Boyanup and Dalyellup libraries)

Code of Conduct

Complaints Register

Council, Committee and Special Electors Agendas and Minutes \* (excluding sections closed to the public)

Council Local Laws and proposed Local Laws

Delegations Register

Freedom of Information Statement

Laws enforced by the Shire of Capel

Owners and Occupiers Roll

Strategic Community Plan

Policy Manual

Pound Register

Gift register

Register of Financial Interests

Schedule of Fees and Charges

### State Records Office

The State Records Office is regarded as being a part of the Department of Local Government, Sport and Cultural Industries (the Department) for the purposes of the FOI Act. All applications requesting access to documents held by the State Records Office and the Commission are processed by the Department. The Department is also responsible for making decisions about the release of documents.

The public can access a variety of documents outside the FOI Act on the State Records Office website. [State Records Office \(www.wa.gov.au\)](http://www.wa.gov.au)

### Requests for Information

#### Freedom of Information Act 1992

Requests for other information not listed on the previous page may be considered under the *Freedom of Information Act 1992* (FOI Act).

This Act gives you the right to access documents held by State and local government agencies, subject to some limitations. Sometimes, an FOI application may not be your best option when seeking information because:

- Access rights under the FOI Act do not apply to documents that are already publicly available.
- You will not be able to obtain personal information about other people.
- Certain business documents or documents covered by legal professional privilege may not be made available.

An application for access to documents under the FOI Act does not automatically ensure you will obtain the documents you request. Access may be refused, or you may only receive heavily redacted copies of documents based on exemptions under the FOI Act.

The Act is written to facilitate access to documents held by government bodies, and to ensure that your personal information in those documents is correct. It is not designed as a tool to assist in neighbourhood disputes or civil legal action.



The type of government documents or records that can be requested extends to all manner of information, however recorded, in the possession or under the control of an agency. Documents include (but are not limited to) maps, plans, diagrams, graphs, drawings, photographs, videos, audiotapes, CCTV footage and electronic records including emails.

### Amendment of Council records

You may gain access to Council documents to seek amendments concerning your personal affairs by making a request under the FOI Act. A member of the public may request a correction to any information about themselves that is incomplete, misleading, or out of date.

### Applications for access to documents

Under the FOI legislation, an application must be made in writing with:

- sufficient information to enable the identification of the relevant documents,
- an Australian address to which notices can be sent, and
- the payment for the application fee where applicable. (Application fees only apply when non personal information is requested.)

You can access a FOI application form through the website [Forms – Shire of Capel](#)

FOI applications to the Shire of Capel can be submitted via email: [infor@capel.wa.gov.au](mailto:infor@capel.wa.gov.au), in person at the Shire of Capel Offices, Forrest Rd, Capel, or by post to - The Freedom of Information Coordinator, Shire of Capel, PO Box 369, Capel WA 6271.

### Fees and charges

A scale of fees and charges is set under the FOI Regulations.

Apart from the application fee of \$30 for non-personal information, all charges are discretionary.

#### 1. Fees

- |  |         |
|--|---------|
| • Personal information about the applicant       | No fee  |
| • Application fee (for non-personal information) | \$30.00 |

#### 2. 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 photocopied A4 page  | 20c     |
| • Transcribing from tape, film or computer per hour, or pro rata)      | \$30.00 |
| • Duplicating a tape, film or computer information                     | At cost |
| • Delivery, postage and packaging                                      | At cost |

#### 3. 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% |

Fees for financially disadvantaged applicants or those issued with prescribed pensioner concession cards, (apart from the Application Fee) may be reduced by 25%.

Applicants will receive a response as soon as possible, and always within the statutory 45 days of Council receiving a valid application, together with the appropriate fee.

### **Access Arrangements**

Access to documents can be granted by way of visual inspection or supply of hard copies, email attachment copies (digital files), or placed on a USB.

### **Decision makers**

Council's Governance Officer is the Freedom of Information Coordinator and is authorised to perform the required functions of the Act.

### **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 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; and
- information on the right to review and the procedures to be followed to exercise those rights.

### **Access refusal**

Applicants who are refused access or are dissatisfied with a decision of the agency are entitled to ask for an internal review by the agency.

### **Review**

Application for a review should be made in writing within 30 days of receiving the notice of decision. Internal review will be undertaken by a senior officer from the Shire of Capel.

Review applications should be addressed to: The Chief Executive Officer, PO Box 369, Capel WA 6271, [info@capel.wa.gov.au](mailto:info@capel.wa.gov.au)

You will be notified of the outcome of the review within 15 days.

If the result of the internal review is not to the applicant's satisfaction, an external review may be requested by contacting the Office of the Information Commissioner.

[info@foi.wa.gov.au](mailto:info@foi.wa.gov.au) (08) 6551 7889