



SHIRE OF
CUNDERDIN

Information Statement

As required under the Freedom of Information Act 1992 (WA)

2025-2026

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INTRODUCTION

The purpose of the *Freedom of Information Act 1992 (WA)* (FOI Act) provides for access to documents held by state and local government agencies. The department of local government and communities takes its obligations under the act seriously and is committed to complying with the aims of the act.

The aims of the Freedom of Information Act 1992 (WA) are to:

- enable the public to participate more effectively in governing the State; and
- make the persons and bodies that are responsible for State and local government more accountable to the public.

They are to be achieved by:

- creating a general right of access to State and local government documents;
- providing means to ensure that personal information held by State and local governments is accurate, complete, up to date and not misleading; and
- requiring certain documents concerning State and local government operations be made available to the public.

This document has been prepared by the Shire of Cunderdin to satisfy Part 5 of the Freedom of Information Act 1992, and is correct at November 2025. Copies of this document may be obtained from:

Deputy Chief Executive Officer
Shire of Cunderdin
37 Lundy Ave
CUNDERDIN WA 6407

Telephone: (08) 9635 2700
Email: admin@cunderdin.wa.gov.au

Further information can be provided, from the Shire of Cunderdin Administration Office, 37 Lundy Ave, Cunderdin, Monday – Friday between 8:30am – 4:00pm or via the Shire's website www.cunderdin.wa.gov.au

STRATEGIC VISION AND VALUES

Our Vision

A thriving and progressive community.

Our Mission

To demonstrate proactive, inclusive and responsible leadership in the provision of facilities, infrastructure and services for our community now and into the future.

STRATEGIC COMMUNITY PLAN 2022 - 2032

Our Strategic Community Plan reinforces our commitment to the people who live, work and visit the communities of Cunderdin and Meckering. The purpose of the Plan is to provide a clear purpose and strategic direction for our Shire, and to source the funding and support required to address the community priorities that are detailed within the Plan.

STRATEGIC PRIORITIES

Community and Social

To provide:

- Community members with the opportunity to be active, engaged and connected.

- A healthy and safe community is planned for.

- Advocate for the provision of quality health services, health facilities and programs in the Shire.

- Support emergency services planning, risk mitigation, response and recovery.

Economy

Endeavour to:

- Facilitate local business retention and growth

- Renew and improve the visibility of the Shire of Cunderdin brand

- Build economic capacity.

- Encourage local workforce participation

Built Environment

Support and implement:

- Safe, efficient and well maintained road infrastructure.

- Enhanced connectivity between places.

- Enhanced public spaces and townscapes.

- Protection of and preservation of heritage.

Natural Environment

Continue to:

- Maintain a high standard of environmental health services.

- Conservation of our natural environment.

- Demonstrate sustainable practices of waste management.

Civic Leadership

Always strive to ensure:

- Shire communication is consistent, engaging and responsive.

- Forward planning and implementation of plans.

- Implement systems and processes that meet legislative and audit obligations.

LEGISLATIVE FRAMEWORK

Legislation

The Shire of Cunderdin is established under the Local Government Act 1995 and has the responsibility for the administration of this Act within the Shire. The Shire is wholly or partly responsible for administering a wide range of legislation, including the following statutes and their subsidiary legislation:

- Animal Welfare Act 2002
- Building Act 2011
- Bush Fires Act 1954
- Caravan Parks and Camping Grounds Act 1995
- Cat Act 2011
- Cemeteries Act 1986
- Conservation and Land Management Act 1984
- Control of Vehicles (Off Road Areas) Act 1978
- Dangerous Goods Safety Act 2004
- Disability Services Act 1993
- Dividing Fences Act 1961
- Dog Act 1976
- Emergency Management Act 2005
- Environmental Protection Act 1986
- Equal Opportunity Act 1984
- Fire and Emergency Services Act 1998
- Fines, Penalties and Infringement Notices Enforcement Act 1994
- Freedom of Information Act 1992
- Food Act 2008
- Health (Miscellaneous Provisions) Act 1911
- Heritage Act 2018
- Land Administration Act 1997
- Liquor Licensing Act 1988
- Litter Act 1979
- Local Government Act 1995
- Local Government (Miscellaneous Provisions) Act 1960
- Local Government Grants Act 1978
- Main Roads Act 1930
- Parks & Reserves Act 1895
- Planning & Development Act 2005
- Planning & Development (Consequential & Transitional) Act 2005
- Public Health Act 2016
- Public Interest Disclosure Act 2003
- Rates & Charges (Rebate & Deferments) Act 1992
- Residential Design Codes of WA 2024
- Road Traffic Administration Act 2008
- State Records Act 2000
- Strata Titles Act 1985
- Work Health and Safety Act 2020
- Workers Compensation and Injury Management Act 1981
- Valuation of Land Act 1978

Local Laws

The Shire of Cunderdin is wholly responsible for administering the following Local Laws:

- Shire of Cunderdin Animals, Environment and Nuisance Local Law 2016
- Shire of Cunderdin Animals, Environment and Nuisance Amendment Local Law 2019
- Shire of Cunderdin Cemetery Local Law 2015
- Shire of Cunderdin Cemetery Amendment Local Law 2016
- Shire of Cunderdin Dogs Local Law 2015
- Shire of Cunderdin Extractive Industries Local Law 2011
- Shire of Cunderdin Health Local Law 2016
- Shire of Cunderdin Local Government Property Local Law 2015
- Shire of Cunderdin Local Government Property Amendment Local Law 2016
- Shire of Cunderdin Pest Plants Local Law 2015
- Shire of Cunderdin Thoroughfares and Public Places Local Law 2015
- Shire of Cunderdin Thoroughfares and Public Places Amendment Local Law 2016

SERVICES TO THE COMMUNITY

The Shire of Cunderdin is responsible for providing good governance, including legislative and executive functions. These services are provided to maintain a pleasant and safe environment for residents and ratepayers.

The activities and functions of the Shire are described as follows:

- Animal Control
- Building Control
- Bus Shelters
- Cemeteries
- Child Health Centres
- Citizenship Ceremonies
- Community Development
- Community Halls and Centres
- Community Information Service
- Community Support Program
- Dual Use Paths
- Environmental Health Matters
- Extractive Industries Control
- Fire Prevention
- Footpaths
- Parking Bays/Street Closures
- Parks and Reserves
- Pest Control
- Playground Equipment
- Public Seating and Public Toilets
- Recreational/Sporting Facilities
- Refuse Sites and Waste Management
- Roads/Kerbing
- Seniors Program
- Street Lighting
- Stormwater Drainage
- Street Sweeping
- Street Tree Planting
- Traffic Control Devices
- Youth Program

COUNCIL STRUCTURE

The Cunderdin Shire Council consists of 7 Councillors, including the Shire President. Councillors are elected for a four year term and retire on a rotation basis with as near as practicable to one half of the Councilors retiring every second year.

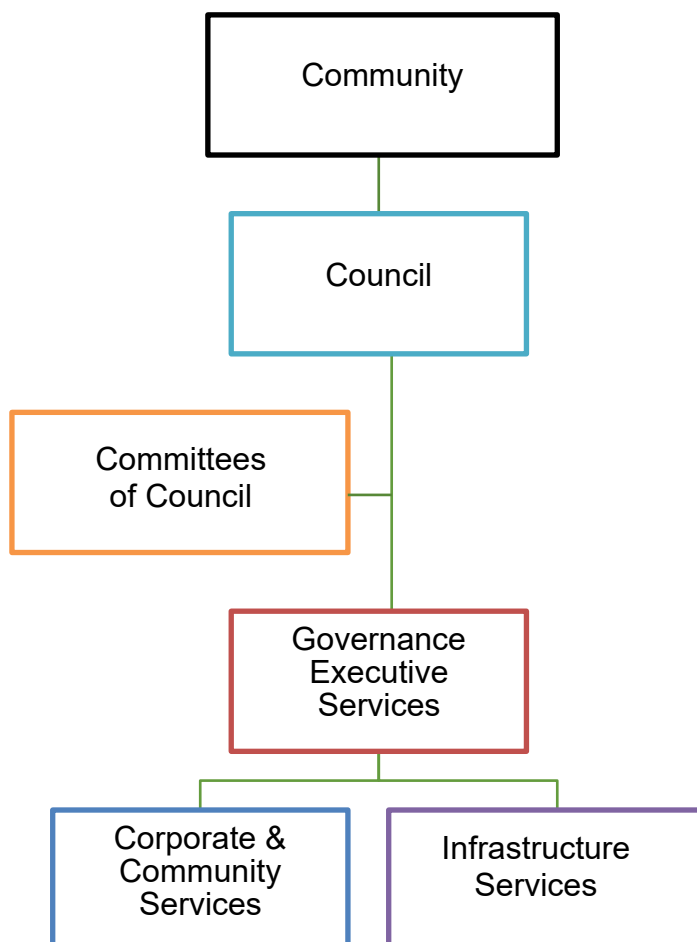
Elections are held on the third Saturday in October in the election year.

The Shire President is elected at the first meeting of Council following an election. The Presidential term is for two years and the Shire President chairs all ordinary meetings of Council.

Council meets on the fourth Wednesday of the month from February to December unless resolved otherwise. A meeting in the month of January will only be held when it is called under provisions of Section 5.4 of the Local Government Act 1995.

Minutes of meetings are available at the Shire Office, Cunderdin Community Resource Centre and the Shire's website www.cunderdin.wa.gov.au.

Organisational Structure



COUNCIL AND COMMITTEE MEETINGS

Council Meetings

Council Meetings afford members of the public the opportunity to ask Elected Members and staff questions about Shire matters generally.

Public Question Time

The allotted public question time during a Council meeting is 15 minutes and may be extended if circumstances require. It is advised that a submission form be completed by the speaker in advance, allowing sufficient time for complex questions to be researched and a response provided.

Any member of the public attending a Council meeting can ask up to two (2) questions on any matter relating to the ordinary business of the Shire of Cunderdin or the function of the Council regardless of whether or not the matter in question is on the agenda. Questions with multiple parts will be considered separate questions.

Committees of Council

The Shire of Cunderdin has committees and working groups that meet on a regular or semi-regular basis to oversee operations and make recommendations to the Council in their specific areas of responsibility.

Council advertises for community member vacancies on Council Committees when required. A full list of Council's committees can be accessed on the Shire's website www.cunderdin.wa.gov.au

Council Committees include:

- Audit Committee
- Bushfire Advisory Committee
- Local Emergency Management Committee
- Cunderdin Museum Management Committee

Other Committees:

- Joint Development Assessment Panel
- Department of Fire and Emergency Services Committee (DFES)
- Regional Road Group Kellerberrin Sub Group
- WALGA Great Eastern Country Zone (GECZ)
- Cunderdin Airfield Committee
- Meckering Action Group
- Cunderdin Business Association
- Cunderdin Sports & Recreation Centre Management Committee
- CMT Seniors Committee
- Cunderdin Youth Council

COUNCIL STAFF

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.

Role of the Chief Executive Officer

The Chief Executive Officer's role is to:

- 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.

Delegated Authority

The Chief Executive Officer and other officers have delegated authority from Council to make decisions on a number of specific administrative and policy matters which are subject to ongoing development. These delegations are detailed in the Delegations Register and are reviewed annually by Council.

The *Local Government Act 1995* and associated Regulations require Council to:

- determine policies to be applied by Council in exercising its discretionary powers;
- determine the type, range and scope of projects to be undertaken by the Shire;
- develop comprehensive management plans, budgets, financial controls and performance objectives and indicators for the operations of the Shire.

In keeping with the legislative requirement, Council determines the strategic direction of the Shire, including the development of key policies and the allocation of resources to works and services. Decisions are also made to determine whether or not approvals are to be granted for applications from residents for various forms of development.

Access to Council Staff

Shire staff are available to advise customers and answer enquiries in relation to all matters pertaining to Council and its operations as a local government. Should you wish to speak with the CEO or a Manager, it is advisable to phone beforehand to make an appointment as availability can be limited at times. Enquiries of a general nature, and payments of any kind can be made in person or over the phone during normal office hours at the Administration Office 37 Lundy Avenue, Cunderdin.

PUBLIC PARTICIPATION

Members of the public have a number of opportunities to put forward their views on particular issues before Council. These are:

Presentations and Deputations - with prior notification and approval by the Chief Executive Officer, members of the public can address Council on any matter on the Council Meeting Agenda.

A member of the public can also apply to address Council personally or on behalf of a group of residents. The application must be requested prior to the meeting in writing addressed to the Chief Executive Officer and approved by the presiding member.

Residents are notified of some Development Applications requiring the approval of Council. When an application is publicly advertised, members of the public can write to Council expressing their view of the application.

Petitions - written petitions can be addressed to Council on any issue within Council's jurisdiction. Petitions are required to be addressed to the Shire President.

Written Requests—a member of the public can write to the Shire on any Council policy, activity or service.

Public Question Time – Time is made available at every Council Meeting for members of the public to ask questions and have them responded to by Council unless the question is outside the legislation or deemed unreasonable.

Elected Members—members of the public can contact Elected Members to discuss issues relevant to Council.

Notifications/Advertising – Residents may be notified of issues through advertisements in the local newspaper, written notification or an onsite sign. Residents then have the opportunity to write to the Shire expressing their views.

Public correspondence and applications on any matters to be considered by Council must be received at the Shire Office 14 working days prior to the Council Meeting and should be addressed to the Chief Executive Officer.

Community Consultation - the Shire consults with local residents on particular issues as determined from time to time in accordance with its Community Strategic Plan to ensure all the community's needs and expectations are met.

Information for community consultation 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.

ACCESS TO COUNCIL DOCUMENTS

The Shire holds records relating to various functions of the Shire as described below:

- Strategic Community Plan
- Corporate Business Plan
- Asset Management Plan
- Long Term Financial Plan
- Workforce Plan
- Policy Manual
- Disability Access and Inclusion Plan
- Municipal Heritage Inventory
- Local Laws and Local Law Enforcement
- Risk Management
- Recordkeeping Plan
- Local Emergency Management Arrangements
- Town Planning Scheme
- Council Records – Agendas/Minutes

Documents Available for Inspection

The following documents are available for public inspection at the Shire Office, free of charge to ratepayers. Copies of these documents may be purchased, and charges will be incurred as per the Shire of Cunderdin's Schedule of Fees and Charges. Alternatively, some of these documents are also available on the Shire's website.

Subject to the limitations imposed by section 5.95 of the Local Government Act 1995, any person may inspect the following documents during office hours, these include:

- Code of Conduct;
- Register of Complaints referred to in section 5.121;
- Register of Financial Interests;
- Register of Gifts;
- Annual Report;
- Annual Budget;
- Schedule of Fees and Charges;
- Plan for the Future of the district;
- Proposed local laws of which the local government has given state-wide public notice;
- Local laws made by the local government in accordance with section 3.12 of the Local Government Act 1995;
- Regulations made by the Governor under section 9.60 of the Local Government Act 1995 that operate as if they were local laws of the local government;
- 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 statewide public notice under section 3.12(3) of the Local Government Act 1995;
- Subsidiary legislation made or adopted by the local government under any written law other than under the Local Government Act 1995;
- Any written law having a provision in respect of which the local government has a power or duty to enforce;
- Rates records;
- Confirmed minutes of Council or Committee meetings;
- Minutes of Electors' meetings;
- Notice papers and agendas relating to any 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 which have been presented at the meeting;
- Report of a review of a local law prepared under section 3.16(3) of the Local Government Act 1995;
- Business Plan prepared under section 3.59 of the Local Government Act 1995;
- Register of owners and occupiers under section 4.32(6) of the Local Government Act 1995 and electoral rolls;
- Such other information relating to the local government:
 - a) as required by a provision of the Local Government Act 1995 to be available for public inspection; or
 - b) as may be prescribed, in the form or medium in which it may for the time being be held by the local government.

AMENDMENT OF PERSONAL INFORMATION

Individuals who are concerned that the Shire of Cunderdin holds information about them that is inaccurate, incomplete, out of date or misleading are encouraged to contact the Shire first to discuss whether the information can be corrected without the need for a formal application under the Freedom of Information Act 1992 (WA).

Personal information, as defined in the Freedom of Information Act 1992 (Schedule 2), means information or an opinion, whether true or not, and whether recorded in a material form or not, about an individual, whether living or dead:

- whose identity is apparent or can reasonably be ascertained from the information or opinion; or
- who can be identified by reference to an identification number or other identifying particular such as a fingerprint, retina print or body sample.

If dissatisfied with the Shire's response, an application can be made to the Freedom of Information Coordinator to correct or amend any documents containing an individual's personal information.

The application must be in writing and provide information or evidence to establish that the personal information sought to have amended is inaccurate, incomplete, out of date or misleading. Furthermore, applicants must indicate whether they wish the amendment of the information to be made by altering, striking out or deleting the information or inserting information or a note in relation to the information.

The Shire of Cunderdin will inform the applicant of its decision, within 30 days of receiving a valid application together with rights of review should the applicant be dissatisfied with the decision. There are no fees or charges associated with an application for amendment of personal information under the Freedom of Information Act 1992 (WA).

Enquiries and/or applications to amend personal information can be directed to:

Freedom of Information Coordinator
Shire of Cunderdin,
PO Box 100
Cunderdin, WA 6407
Telephone: (08) 9635 2700
Email: admin@cunderdin.wa.gov.au

FREEDOM OF INFORMATION PROCEDURES AND ACCESS ARRANGEMENTS

Freedom of Information legislation may be used to request access to information that is not available by any other means. The Shire is to administer the Freedom of Information Act 1992 in a way that assists the public to obtain access to documents promptly and at the lowest reasonable cost.

Documents which are not available for public access include personal information and information concerning the business, professional, commercial or financial affairs of a third party who is not the applicant.

Freedom of Information applications can be discussed with the Shire's Freedom of Information Coordinator (currently the Deputy Chief Executive Officer).

Refer: Appendix 1 Flowchart - Dealing with an FOI application

Freedom of Information Operations

It is the aim of the Shire to make information available promptly and at the least possible cost; whenever possible, documents will be provided outside the Freedom of Information process.

If information is not routinely available, the Freedom of Information Act 1992 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

Freedom of information applications must:

- be in writing;
- give enough information so that the documents requested can be identified (be as specific as possible; include dates or date ranges; include keywords; include as much details as possible to identify the requested documents);
- give an Australian address to which notices can be sent (preferably including a contact telephone number);
- be lodged with the Shire of Cunderdin; and
- be accompanied by the application fee (if one is applicable).

Applications may be lodged:

- In person at the Shire Administration Office 37 Lundy Ave, Cunderdin WA 6407
- Mailed to
Freedom of Information Coordinator
Shire of Cunderdin,
PO Box 100
Cunderdin, WA 6407
- Emailed to admin@cunderdin.wa.gov.au

Freedom of Information Charges

The scale of fees and charges are set under the Freedom of Information Regulations 1993. 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:

1. Personal information about the applicant	No fee
2. Application fee (for non-personal information)	\$30.00
3. Charge for time dealing with the application (per hour)	\$30.00
4. Access time supervised by staff (per hour)	\$30.00
5. Photocopying staff time (per hour)	\$30.00
6. Per photocopy (dependent upon size and colour)	\$1.20 - \$2.20
7. Transcribing from tape, film or computer (per hour)	\$30.00
8. Duplicating a tape, film or computer information	Actual cost
9. Delivery, packaging and postage	Actual cost

An estimate of charges will be provided if the cost is expected to exceed \$25.00. For financially disadvantaged applicants or those issued with prescribed pensioner concession cards, any charges payable are reduced by 25%.

Deposits

- Advance deposit of the estimated charges may be required 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, 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 the applicant will be provided with a notice of decision which will include details such as -

- The date which the decision was made
- The name and the designation of the officer who made the decision

Information on the right to review and the procedures to be followed to exercise those rights as soon as possible, but within 45 days of an application being deemed valid, applicants will be provided with a Notice of Decision. This notice is designed to enable the applicant to understand what information was taken into account when making the decision and will include details such as:

- the date on which the decision was made;
- the name and designation of the officer who made the decision;
- details of any charges;
- If access is refused, the reasons for claiming the document is exempt (or the fact that access is given to an edited document); and
- Information on the rights of review and the procedures to be followed to exercise the review rights.

Refusal of Access

Not all documents held by the Shire of Cunderdin will be able to be released with access being refused on a range of grounds. These grounds are set out in the Freedom of Information Act. If this is the case the Notice of Decision will provide the reason for refusal of access.

Applicants who are dissatisfied with a decision of the Shire are entitled to ask for an internal review by the agency. Application should be made in writing within 30 days of receiving the Notice of Decision. Applicants will be notified of the outcome of the review within 15 days.

Right of Review

Applicants have the right of review if they do not agree with a decision made by the Shire's decision maker.

In the first instance, Shire will conduct an internal review. There are no fees or charges for requesting an internal review.

A request for an internal review must be received within 30 days of the receipt of the Notice of Decision and must set out the parts of the decision to be reviewed.

An independent decision maker will deal with the application for internal review. The outcome of an internal review may result in a confirmation, variation or reversal of the initial decision under review. Applicants will be advised of the outcome of the review within 15 days.

If the applicant disagrees with the result of the internal review, an applicant can request an external review from the Information Commissioner. There are no fees or charges for requesting an external review.

All review rights and procedures to exercise those rights are set out in the Notice of Decision.

Delivery of Documents

Arrangements for access to the documents are negotiable between the Shire of Cunderdin and the applicant. Where a large number of documents are to be released and there is no charge for photocopying, the documents may be provided on a USB drive.

Further information

Further information on FOI can be found on the Office of the Information Commissioner's website www.oic.wa.gov.au or by contacting the office.

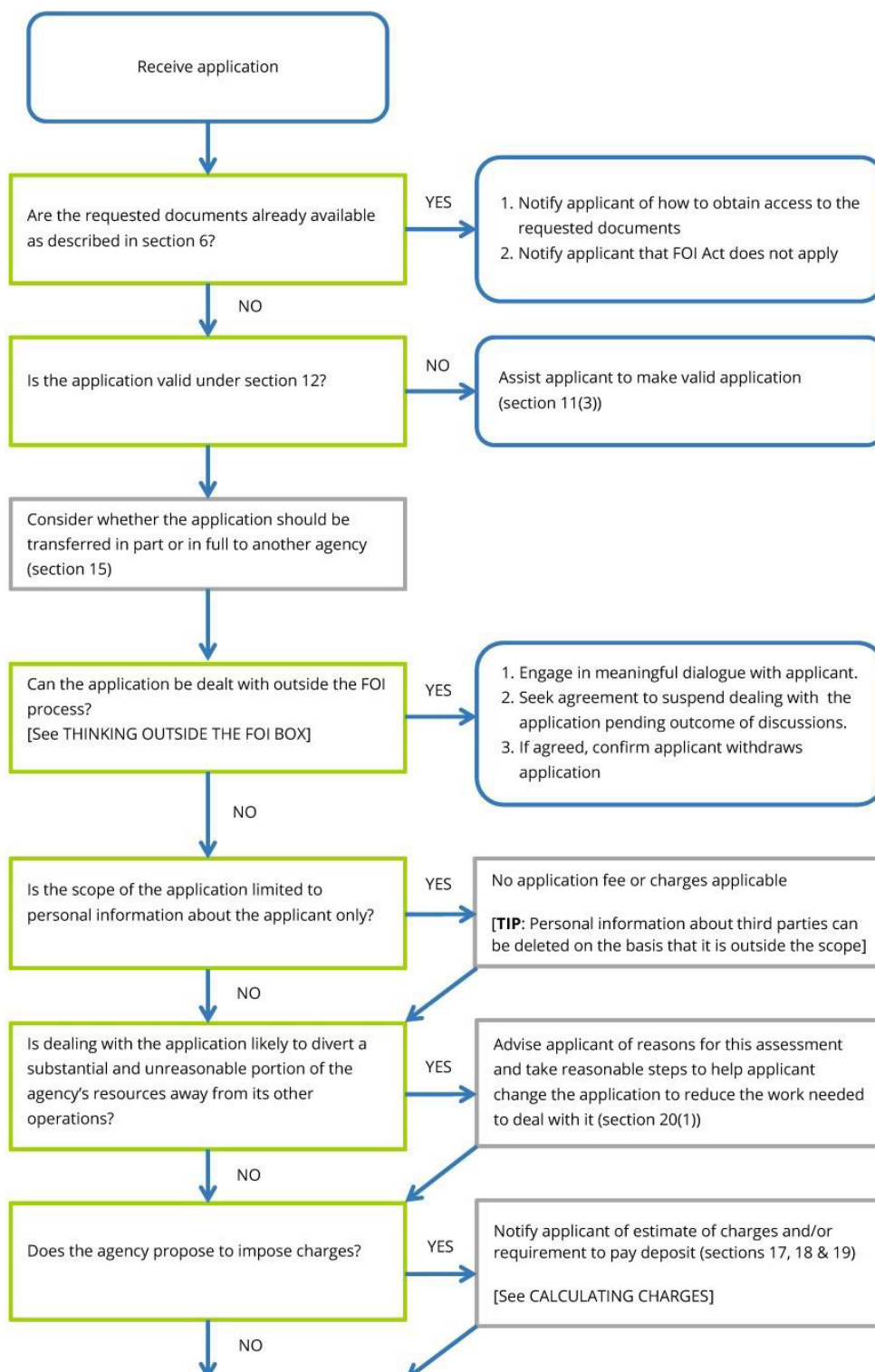
Office of the Information Commissioner
Albert Facey House, 469 Wellington Street, Perth WA 6000
Telephone: (08) 6551 7888
Email: info@foi.wa.gov.au

APPENDIX 1 FLOWCHART - DEALING WITH AN FOI APPLICATION



Office of the Information Commissioner

Freedom of information for Western Australia



APPENDIX 1 FLOWCHART - DEALING WITH AN FOI APPLICATION



Office of the Information Commissioner

Freedom of information for Western Australia

