



## **Freedom of Information Statement**

**2016/17**

*This information statement is published by the City of Fremantle in accordance with the requirements of the Freedom of Information Act 1992.*

*Council is pleased to comply with the legislation and welcomes enquiries.*

*An updated information statement will be published every twelve months.*

August 2017

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## Our Vision for Fremantle

A City that embraces culture and heritage, thrives on diversity and innovation and dares to be different.

### Core Values

- Strong Leadership
- Integrity
- Community Engagement
- Service
- Learning
- Valuing people
- Commitment to Fremantle
- Sustainability

### Strategic focus areas

#### **Economic development**

Diversify and strengthen Fremantle's economic capacity

#### **Environmental responsibility**

Develop environmentally sustainable solutions for the benefit of current and future generations.

#### **Transport and connectivity**

Enhance the connectivity throughout the City of Fremantle and other strategic economic hubs and population centres.

#### **Character, culture and heritage**

Sustain and grow arts and culture and preserve the importance of our social capital, built heritage and history.

#### **Places for people**

Create great spaces for people through innovative urban and suburban design.

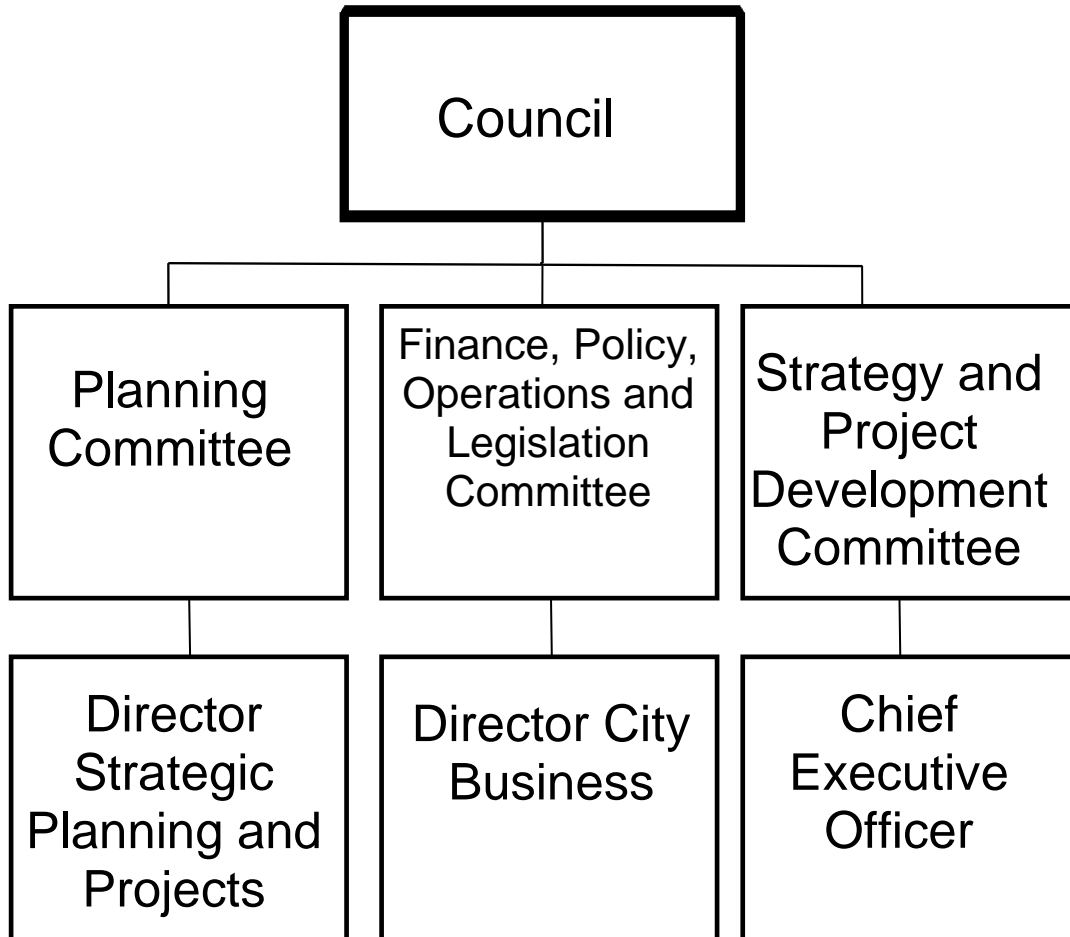
#### **Health and happiness**

Creating an environment where it is easy for people to lead safe, happy and healthy lives.

#### **Capability**

Provide strong leadership through good governance, effective communication and excellence in delivery.

Council Management Structure





## Structure and Functions of Council

### **Council**

The affairs of the residents of the City of Fremantle are managed by 13 people (Mayor and 12 Councillors) elected from the community who act in a voluntary capacity. The Council acts as a community board, establishing policies and making decisions within the rules of the Local Government Act on a wide range of issues affecting the community.

Ordinary meetings of Council are held monthly on the fourth Wednesday. Commencement of these meetings is 6.00pm and members of the public are welcome to attend.

### **Standing Committees**

Each standing committee consists of one member from each Ward. In addition, the Mayor may choose to be a member of any standing committee. Council has two standing committees, namely:

- Planning Services Committee
- Finance, policy, operations and legislation committee

These committees meet as follows:

### **Planning Services Committee**

6.00pm on Wednesday of week one of a monthly cycle. To exercise delegated authority and make recommendations to Council in relation to:

- (i) Planning Applications including extensions of terms and variations to approvals.
- (ii) Response to State Administrative Tribunal.
- (iii) Response to WA Planning Commission on planning applications, subdivision applications and subdivision clearances.
- (iv) Decisions relating to planning enforcement.

### **Finance, Policy, Operations and Legislation Committee**

6.00pm on Wednesday of week three of a monthly cycle. To exercise delegated authority in relation to:

- (i) Initiating advertising in relation to Council Policy, Strategies or Plans.
- (ii) Initiating advertising in relation to amendments to or new Local Laws.
- (iii) Determining appeals under Part 9 of the Local Government Act.
- (iv) Approving interstate travel for staff or elected members where it is within budget.
- (v) Approval of quarantined works to be commenced (removal of quarantine status) where within budget.
- (vi) Acceptance of Tenders where within budget.
- (vii) Approval of Road Closures.
- (viii) Appointment of Authorised Officers.

### **Agendas and Minutes**

Agendas of all Council and Standing Committee meetings are placed on public display prior to these meetings. A copy of the minutes is placed in the Library on display no more than 5 days after that meeting. The agendas and minutes are also published on the City's website.

### Sub-Committees and Consultative Groups

A number of sub-committees and working groups comprising of elected members, staff and the public have been established to investigate particular issues and report back to Council.

Currently, these are:

#### Advisory Committees

- Library Advisory Committee
- Design Advisory Committee

#### Management Groups

- Fremantle Markets Management Group

#### Working Groups

- Economic Development Working Group
- Cultural Development Working Group
- City Centre Strategic Sites Working Group
- South Terrace Improvements Working Group
- Cantonment Hill Master Plan Working Group
- Climate Change Mitigation and Adaptation Working Group
- Community Safety Working Group
- Differential Rate Working Group
- Booyeembara Park Working Group
- West End Working Group

#### Governance Committees

- Audit and risk management Committee
- Chief Executive Officer Committee

### Delegated Authority

The Chief Executive Officer and Senior Officers have delegated authority from the Council to make decisions on a number of specified administrative and policy matters. These delegations are listed in the Council Delegated Authority Register and are reviewed annually by the Council.

## Services to the Community

• Access for Disabled	• Public Participation
• Aged Care	• Mobile Playground
• Aquatic Centre	• Parking Bays/Closures
• Awards	• Parking Control
• Banners sites	• Parks and Reserves
• Bookings	• Pedestrian Crossings
• Building Control	• Pest Control (assist with)
• Bus Shelters	• Planning Controls
• Car Parks	• Playground Equipment
• Citizenship Ceremonies	• Public Library
• Community Arts	• Public Toilets
• Community Bus	• Recreational/Sporting Facilities
• Community Information Service	• Recycling
• Community Halls & Centres for Hire	• Road/ Footpaths/ Kerbing
• Community Safety Service	• Rubbish Collection
• Crane Permits	• Scaffolding Permits
• Crossovers	• Sister City Relationships
• Cycleways	• Stormwater Drainage
• Demolition Permits	• Street Sweeping
• Dog Control	• Street Tree Planting
• Drainage	• Street Lighting
• Environmental Health Matters	• Tourist Information/Visitor Centre
• Festivals	• Town Hall
• Fire Prevention	• Tree Pruning
• Home Assistance	• Traffic Control Devices
• Horticultural Advice	• Verges
• Justices of the Peace	• Welfare Service
• Litter Bins	• Women's Refuge
• Lodging Houses	• Worm Farms
• Media Releases	



### Council & Committee Meetings

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

These are:

- 1) Deputations - With the permission of the Committee Chairperson or the Mayor, a member of the public can address a Committee or Council personally or on behalf of a resident or group of residents.
- 2) Public Question Time - Members of the public are permitted to speak and ask questions on an item, provided that they make arrangements to do so by giving notice to the Chairperson prior to the meeting or by indicating their desire to do so at the beginning of the meeting when the Chairperson calls for such indications from members of the public.
- 3) Residents are notified of some Development Applications by advertising in the local newspaper, written notification or sign on-site requiring the approval of Council. A number of applications are exempt from public notification. When an application is publicly notified, residents have the opportunity both to write to Council expressing their views of the application and to subsequently personally address the Council before a decision is made.
- 4) Petitions - Written petitions can be addressed to Council on any issue within the Council's jurisdiction. It is a good idea to present your petition to your Ward Councillor, who then in turn can familiarise themselves with the issue and refer it to the relevant standing committee.
- 5) Written requests - A member of the public can write to Council on any Council policy, activity or service.
- 6) Elected Members - Members of the public can contact the Elected Members within their Ward of Council to discuss any issue relevant to Council.

### Community Engagement/Consultation

The City of Fremantle consults with its residents on particular issues that affect their neighbourhood by way of advertising in the local papers, calling public meetings, attending local Ward meetings, providing for comment on submissions via the internet, questionnaires.

### Complaints and Feedback

Any complaints or feedback/suggestion regarding any aspect of the Council, its operations, staff or policies will be accepted and dealt with under the Complaints Management System or Customer Service Charter, as appropriate. Further information can be obtained from the Service & Information Centre on 9432 9899 or in person at the Council offices.

## Access to Council Documents

### Documents available for inspection

The following documents are available for public inspection at the Council Offices, free of charge. Members of the public may obtain copies of these documents at a standard photocopying charge.

Committee Agendas  
Council Agenda  
Delegated Authority Register  
Minutes of Committee Meetings  
Minutes of Council Meeting  
Council Policies  
Annual Budget  
Annual Report  
Annual Financial Statements  
Local Laws  
Standing Orders Policy  
Staging an Event in Fremantle  
Any document put out for public comment

General listing of files held by the City of Fremantle

Administration	Finance	Urban Management
Strategic Planning	Conservation	Physical Planning
Development Initiatives	Statutory Planning	Development Control
Advice to the Public	Departmental Management	Commercial Enterprises
Integrated Patrols	Physical Services	Parks and Recreation
Community Services	Environmental Health	City Works
Human resources		
Customer files	Subject based files	Property Files

Access to information held in the above listed files is subject to the provisions of the Local Government Act 1995 and the Freedom of Information Act 1992.

## Details of Legislation Administered

Legislation & Regulations administered by the City of Fremantle & Other Legislation Affecting the City (underlined)

- Agriculture and Related Resources Protection Act 1976
- Building Act 2011
- Building Regulations 2012
- Bush Fires Act 1954
- Bush Fires Regulations 1954
- Bush Fires (Infringements) Regulations 1978
- Caravan Parks and Camping Grounds Act 1995
- Caravan Parks and Camping Grounds Regulations 1997
- Carers Recognition Act 2004
- Cemeteries Act 1986
- City of Fremantle (Free Literacy Institute) Act 1948
- 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
- Dog Regulations 1976
- Dog (Restricted Breeds) Regulations (No 2) 2002
- Environmental Protection Act 1986
- Environmental Protection (Noise) Regulations 1997
- Environmental Protection Regulations 1987
- Equal Employment Opportunity Act 1984
- Equal Opportunity Regulations 1986
- Evidence Act 1906
- Freedom of Information Act 1992
- Freedom of Information Regulations 1993
- Hairdressing Establishment Regulations 1972
- Health Act 1911
- Health (Air Handling and Water Systems) Regulations 1994
- Health (Aquatic Facilities) Regulations 2007
- Health (Asbestos) Regulations 1992

- Health (Cloth Materials) Regulations 1985
- Health (Garden Soil) Regulations 1998
- Health (Pesticides) Regulations 2011
- Health (Poultry Manure) Regulations 2001
- Health (Public Buildings) Regulations 1992
- Health (Construction Work) Regulations 1973
- Health (Skin Penetration Procedure) Regulations 1998
- Health (Temporary Sanitary Conveniences) Regulations 1997
- Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974
- Heritage of Western Australia Act 1990
- Heritage of Western Australia Regulations 1991
- Industrial Awards
- Industrial Relations Acts (State and Federal)
- Interpretation Act 1984
- Land Administration Act 1997
- Library Board of Western Australia Act 1951
- Limitation Act 1935
- Limitation Act 2005
- Litter Act 1979
- Litter Regulations 1981
- Liquor Licensing Act 1988
- Local Government Act 1995
- Local Government (Miscellaneous Provisions) Act 1960
- Local Government Grants Act 1978
- Local Government Regulations
- Main Roads Act 1930
- Metropolitan Region Scheme (Fremantle) Act 1994
- Occupational Safety and Health Act 1984
- Occupational Safety & Health Regulations 1996
- Parks and Reserves Act 1895
- Parliamentary Commissioner Act 1971
- Planning and Development Act 2005
- Planning and Development (Consequential and Transitional Provisions) Act 2005
- Police Act 1892
- Public Interest Disclosure Act 2003
- Public Works Act 1902
- Radiation Safety Act 1975
- Radiation Safety Regulations
- Rates and Charges (Rebates and Deferments) Act 1992
- Records – General Disposal Authority for Local Governments 2010
- Rights in Water and Irrigation Act 1914
- Residential Tenancies Act 1987
- Retirement Villages Act 1992
- Road Traffic Act 1974
- State Administrative Tribunal Act 2004
- State Records Act 2000
- Strata Titles Act 1985
- Swan and Canning Rivers Management Act 2006
- Tobacco Products Control Act 2006

- Transfer of Land Act 1893
- Transport Co-ordination Act 1966
- Trustees Act 1962
- Valuation of Land Act 1978
- Waterways Conservation Act 1976
- Workers' Compensation and Injury Management Act 1981

Note: This list may not be exhaustive, but is correct at date of document.

#### City of Fremantle Local Laws

- Activities in thoroughfares public places and Trading local law
- Alfresco dining local law
- Dog local law
- Extract keeping of poultry and parrots local law
- Health
- Library advisory committee local law
- Parking local law
- Prevention and abatement of sand drift local law
- Property local law
- Short stay accommodation local law
- Signs, hoardings and bill posting local law

#### Standards and Codes of Practice Affecting the City

- Australian Accounting Standards
- Australian Records Management Standard ISO/AS 15489-2002 Parts 1 & 2
- Disability Services Commission Standards
- General Disposal Authority for Local Government Records RD 99004
- HACCC National Service Standards 1998
- National Competition Policy
- Residential Design Codes of WA 2002
- SAAP Act (Supported Accommodation Assistance Program)
- SAAP Minimum Service Standards
- Schedule 4 of the Quality of Care Principles 1997
- State Records Principles & Standards

Note: This list may not be exhaustive, but is correct at date of document.

# Freedom of Information

## Procedures and Access Arrangements

### FOI Operation within City of Fremantle

It is the aim of the City of Fremantle to make information available promptly and at the least possible cost, and whenever possible, documents will be provided outside of the FOI process.

If information is not routinely available, the *Freedom of Information Act 1992* provides the right to apply for documents held by the agency and to enable the public to ensure that personal information in documents is accurate, complete, up to date and not misleading.

### FOI 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, and
- be lodged at the agency with any applicable fee payable.

FOI applications and enquiries should be addressed to:

<b><i>Freedom of Information Decision Maker</i></b>	<i>Telephone:</i> (08) 9432 9999
<i>City of Fremantle</i>	<i>Facsimile:</i> (08) 9430 4634
<i>PO Box 807</i>	<i>TTY:</i> (08) 9432 9777
<i>Fremantle WA 6959</i>	

FOI Application forms, if applicant wishes to use one, are available on the Council website, at the Service & Information Centre, Ground Floor, 8 William Street, Fremantle, or can be emailed or posted out free of charge upon request.

Applications will be acknowledged in writing and responded to as soon as possible but within 45 days of receipt, together with any appropriate application and administrative fees.

### FOI Charges

Listed below is a scale of fees and charges set under the FOI Act Regulations. Apart from the application fee for non-personal information all charges are discretionary. The charges are as follows:

- |   |             |
|---|-------------|
| • Personal information about the applicant                      | No fees     |
| • Application Fee (for non-personal information)                | \$30.00     |
| • Charge for time dealing with application (per hour, pro rata) | \$30.00     |
| • Access time supervised by staff (per hour, pro rata)          | \$30.00     |
| • Photocopying staff time (per hour, pro rata)                  | \$30.00     |
| • Per Photocopy   | 20 cents    |
| • Transcribing form tape, film or computer (per hour, pro rata) | \$40.00     |
| • Duplicating a tape, film or computer information              | Actual Cost |
| • Delivery, packaging and postage                               | Actual Cost |

### 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%
- For financially disadvantage applicants or those issued with prescribed pensioner concession cards, the charge payable can be reduced by 25%

### 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 recording, shorthand or encoded document from which words can be produced.

### 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 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 of review and the procedures to be followed to exercise those rights.

### Refusal of Access

Applicants who are dissatisfied with a decision of the City of Fremantle are entitled to request an internal review. Application should be made in writing within 30 days of receiving the notice of decision.

You will be notified in writing of the outcome of the review within 15 days. If you disagree with the result you can then apply to the Information Commissioner for an external review, and the details would be advised to the applicant when the internal review decision is issued.

**CITY OF FREMANTLE**  
**APPLICATION FOR ACCESS TO DOCUMENTS**  
(under Freedom of Information Act 1992, S.12)  
**DETAILS OF APPLICANT**

Surname: .....  
Given Names: .....  
Australian Postal Address: .....  
Post Code: ..... Telephone Number(s): .....

**DETAILS OF REQUEST**                       Personal                       Non-Personal  
(Please tick)                                      documents                                      documents

I am applying for access to documents(s) concerning: .....

**FORM OF ACCESS**

I wish to inspect the documents(s)                       Yes                       No  
I require a copy of the document(s)                       Yes                       No  
I require access in another form                       Yes                       No  
(specify) .....

**FEES AND CHARGES**

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

Payment by credit card (0.5% surcharge) is also available via the front counter at 8 William St or by ringing the cashier on 9432-9999. Please record the receipt number upon payment.

*In certain cases a reduction in search fees and charges may apply - see section on 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 of this form and support your application for a fee reduction.*

I am requesting a reduction in search fees and charges                       Yes                       No  
(Please tick appropriate box)

APPLICANT'S SIGNATURES .....                      DATE \_\_\_\_/\_\_\_\_/\_\_\_\_

(Office Use only)

FOI Reference Number  
Received on \_\_\_\_/\_\_\_\_/\_\_\_\_                      Deadline for response \_\_\_\_/\_\_\_\_/\_\_\_\_  
Acknowledgment sent on \_\_\_\_/\_\_\_\_/\_\_\_\_

**Proof of Identity (if applicable)**

Type .....                      Signed .....

**NOTES**



## FOI Applications

- ◆ Please provide sufficient information to enable the correct document(s) to be identified.
- ◆ The City of Fremantle may request proof of your identity.
- ◆ If you are seeking access to a document(s) on behalf of another person, the City of Fremantle will require authorisation in writing.
- ◆ Your application will be dealt with as soon as practicable (and, in any case, within 45 days) after it is received.
- ◆ Further information can be obtained from the FOI Co-ordinator. The Freedom of Information Act is available for purchase from the State Government Bookshop, 815 Hay Street, Perth. Telephone: (08) 9222 8216.

## 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 form, or a written document in the case of a document from which words can be reproduced in written form.

Where the City of Fremantle is unable to grant access in the form requested, access may be given in a different form.

## Fees and Charges

- ◆ \$30.00 application fee (non personal information ONLY).
- ◆ An applicant who is the holder of a currently valid concession card issued on behalf of the Commonwealth Government under the Rates and Charges (Rebates and Deferments) Act 1992 may be eligible for a reduction of 25% in the charges associated with the application. The concession does not refer to \$30 application fee
- ◆ No reduction is applicable to the application fee.

## Lodgement of Applications

Applications may be lodged -

- ◆ By post addressed to -
  - FOI Co-ordinator
  - City of Fremantle
  - PO Box 807
  - FREMANTLE WA 6959
- ◆ In person at -
  - Service and Information Centre
  - Ground Floor
  - 8 William Street
  - FREMANTLE WA 6160

**CITY OF FREMANTLE**  
**APPLICATION FOR INTERNAL REVIEW OF A DECISION**

(under Freedom of Information Act 1992, S.40 or 54)

*DETAILS OF APPLICANT*

Surname: \_\_\_\_\_

Given Names: \_\_\_\_\_

Australian Postal Address: \_\_\_\_\_

Post Code: \_\_\_\_\_ Telephone Number(s): \_\_\_\_\_

FOI Ref No. \_\_\_\_\_

I am unhappy with a decision made by your agency and therefore seek a review of this decision because:

- I have submitted an application for access to documents in accordance with the Freedom of Information Act and:
  - I have been given access to an edited copy
  - The agency has refused to deal with my access application
  - I have been refused access to a document
  - I have been given access to a document but access has been deferred
  - I have been given access via a suitably qualified person under S.28 or access has been withheld by that person
  - I consider that I have been charged too much

**OR**

- I am a third party specified in the documents and:
  - I have not been consulted about giving access and disagree with the decision to give access to the documents
  - I have been consulted but I disagree with the decision to give access to the documents.

**OR**

- I have submitted an application for amendment of personal information and:
  - The agency has refused to make the requested amendment
  - The agency has refused to make a notation or attachment to the information

**COMMENTS**

You may include any additional comments you wish to be considered in the review of the decision (include additional pages if necessary).

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Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**ADVICE OF DECISION**

The City of Fremantle will undertake an internal review and advise you of its decision within 15 days of receipt of this application.

**LODGEMENT OF APPLICATIONS**

Applications may be lodged -

By post addressed to -

Freedom of Information  
Co-ordinator  
City of Fremantle  
PO Box 807  
FREMANTLE WA 6959

In person at -

Service and Information Centre  
City of Fremantle  
Ground Floor  
8 William Street  
FREMANTLE WA 6160