

FREEDOM OF INFORMATION STATEMENT

This information statement is published by the Town of Cottesloe in accordance with the requirements of the Freedom of Information Act 1992.

An updated information statement will be published at least every twelve months (with the attachment "Fees and Charges" from the budget).

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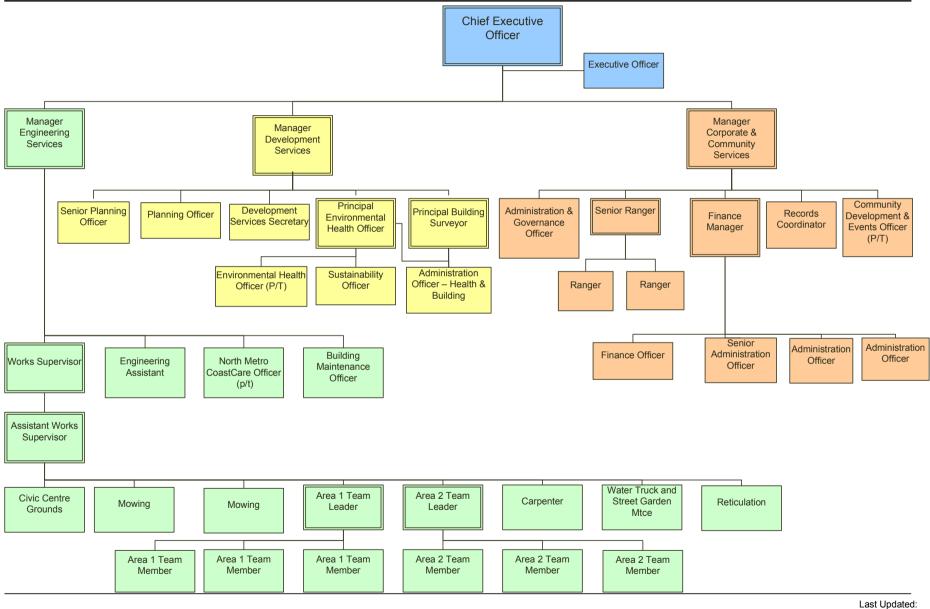


MISSION STATEMENT

To preserve and improve Cottesloe's natural and built environment and beach lifestyle by using sustainable strategies in consultation with the community.



ORGANISATION CHART



Cast Updated: October 2012

1. STRUCTURE AND FUNCTIONS OF COUNCIL

1.1 **Council**

The affairs are managed by the Mayor and 8 Councillors who are elected from the community and 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 and other legislation, on a wide range of issues affecting the community.

Ordinary meetings of Council are held on the fourth Monday of each month at 7.00 p.m. and members of the public are welcome to attend.

1.2 Committees

Membership of each Committee is determined by election at a special Council meeting held after the May local government elections each alternate year. The Mayor may choose to be a member of any standing committee. Council has four standing committees, namely:

- Development Services Committee
- Works & Corporate Services Committee
- Strategic Planning Committee
- Audit Committee

These committees meet as follows:

(1) <u>WORKS AND CORPORATE SERVICES COMMITTEE</u> 7.00 p.m. on the Tuesday week prior to Council meeting.

Make recommendations to Council on long term strategies, policies and plans in relation to:

- overall development, management and coordination of services,
- financial management;
- administrative support;
- ranger services, including parking and foreshore management;
- financial strategies, plans and budgets;
- parks and recreation management;
- maintenance and development of the Town's infrastructure;
- waste management;
- traffic management and street control.

(2) <u>DEVELOPMENT SERVICES COMMITTEE</u>

6.00 p.m. on the Monday week prior to the Council meeting.

Makes recommendations to Council on long term strategies, policies and plans in relation to:

- environmental health;
- strategic and statutory Town Planning;
- conservation and heritage issues;
- development and building control.

(3) <u>STRATEGIC PLANNING COMMITTEE</u> Meetings are arranged when required

Makes recommendations to Council on overall long term strategies and policies of Council

(4) <u>AUDIT COMMITTEE</u> Meetings are arranged when required

Makes recommendations to Council on its requirements in relation to its audit and other financial management matters as required.

1.3 Agenda and Minutes

The agenda for all Council and committee meetings is placed on public display at the library and Council offices at least three days prior to the scheduled meeting day.

The minutes for all Council and committee meetings is placed on public display at the library and Council offices no more than ten days after the meeting day.

These documents are also available from Council's website.

1.4 Sub-Committees and Consultative Groups

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

- Design Advisory Panel
- The Aged Persons Support Service (TAPSS)
- Combined Councils Aged Support Service
- Wearne Board of Management
- Local Government Association of WA (Inc.), Central Metro Zone
- Western Metropolitan Regional Council (Waste Management)
- Western Suburbs LEMAC
- Western Suburbs Regional Organisation of Councils (WESROC)
- The Grove Project Control Group
- The Grove Library Management Committee
- Disability Services Advisory Committee
- Community Safety and Crime Prevention Committee

1.5 **Delegated Authority**

The Chief Executive Officer and other officers of Council have the delegated authority to make decisions on a number of specific administrative and policy matters. These delegations are listed and available for public inspection and are reviewed annually by Council.

In keeping with the legislative requirements, Council:

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

Decisions are also made to determine whether or not approval is to be granted for applications for residential and commercial development.

2. SERVICES TO THE COMMUNITY

Some of the services provided by Council include:

- Aged Care
- Animal Control
- Beach Patrols
- Building Control
- Bus Shelters
- Car Parks
- Citizenship Ceremonies
- Community Information Service
- Community Halls & Centres for Hire
- Crossovers
- Cycleways
- Cultural Music for Pleasure
- Demolition Permits
- Environmental Health Matters
- Fire Prevention
- Litter Bins
- Media Releases
- Parking Bays/Road Closures
- Parking Control
- Parks & Reserves
- Pedestrian Crossings
- Pest Control
- Planning Controls
- Playground Equipment
- Public Library
- Public Toilets
- Recreational/Sporting Facilities

- Recycling and Waste management
- Roads/Footpaths/Kerbing/Drainage
- Street Parade Permits
- Street Sweeping
- Street Tree Planting
- Street Lighting
- Traffic Control Devices
- Verge Maintenance
- Distribution of Information Monthly Newsletter (Civic Centre News), web site etc.

3. **PUBLIC PARTICIPATION**

3.1 Public input to Council Meetings

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

3.1.1 **Deputations**

A member of the public can personally, or on behalf of a resident, or group of residents, address a Committee of Council, or Full Council at its meeting.

3.1.2 Public Question Time

Members of the public are permitted to ask questions at Council and committee meetings on any matter affecting the Town of Cottesloe or the functions of any committee.

3.1.2 Public Statement Time

Members of the public are permitted to comment on any item listed in a meeting agenda during public statement time.

3.1.3 Petitions

Written petitions can be presented to Council through an elected member on any issue with the Council's jurisdiction. The Councillor may refer the petition through to the relevant standing committee.

3.1.4 Written Requests

A member of the public can write to Council on any Council policy, activity or service.

3.1.5 Elected Members

Members of the public can contact the elected members of Council to discuss any issue relevant to Council.

3.2 Community Consultation

Council consults with its residents on particular issues that affect their neighbourhood by way of advertising in the local papers, its website, calling public meetings and seeking responses to surveys and questionnaires.

4. FREEDOM OF INFORMATION APPLICATION PROCEDURE

Requests for information will, if appropriate, be considered in accordance with the Freedom of Information Act. Under this legislation, an application fee must be forwarded with the request in writing.

Freedom of Information Request should be addressed to:

Freedom of Information Coordinator Town of Cottesloe 109 Broome Street COTTESLOE WA 6011

Applications will be processed as soon as possible within 45 days of Council receiving the properly completed request form, together with the application and search fees.

4.1 How the Application is Made

Applications must be made in writing, give enough information to identify the requested documents, provide an address in Australia to which correspondence can be directed and be accompanied by the application fee where applicable.

4.2 Freedom of Information Responsibilities

(1) **Principal Officer**

The Principal Officer is responsible for the internal review process. If the Principal Officer makes the initial decision to refuse access to documents there is no further right of internal appeal. The applicant may then make an external appeal to the Information Commissioner.

The Principal Officer shall appoint decision makers by formal direction, either by minutes or instrument.

(2) FOI Coordinator

This officer manages and coordinates all FOI activities, liaises with the Principal Officer and decision makers.

The FOI Coordinator shall:

- record all work flow and time management details
- calculate projected costs, final cost and time spent processing application
- give access
- give access to an edited copy
- refuse to deal with the application
- refuse access
- defer access; or give access to a suitably qualified person.

(3) FOI Liaison Officer

- Ensures that all applications are classified and registered.
- Provides support to decision makers in locating all necessary information.
- Collates and prepares for copying or viewing.

(4) **Decision Makers**

Decision makers need to be identified by name and designation in the Notice of Reasons and are accountable for these decisions. Officers cannot review their own decisions, or decisions to which they have been a party.

5. FREEDOM OF INFORMATION MANAGEMENT STRUCTURE

Principle Officer:Chief Executive OfficerFOI Coordinator:Manager, Corporate ServicesFOI Liaison Officers:Records Officer, Customer Services OfficersDecision Makers:Departmental Managers

6. TOWN OF COTTESLOE LOCAL LAWS

The following is a list of Council's Local Laws:

Beaches & Beach Reserves Dogs Fencing Parking & Parking Facilities Signs, Hoardings and Billposting Standing Orders Town of Cottesloe Local Government Properties Activities on Thoroughfares & Trading in Thoroughfares & Public Places Special Events

7. <u>LEGISLATION AND REGULATIONS WHICH EMPOWER THE TOWN OF</u> <u>COTTESLOE</u>

7.1 <u>Local Government (Miscellaneous Provisions) Act 1960 Local</u> <u>Government Act 1995 and Associated Regulations</u>

The Local Government Act 1995 and the Local Government (Miscellaneous Provisions) Act 1960 are the primary legislative acts under which the Town of Cottesloe operates. The purpose of these Acts is to provide for the good rule and government, convenience, comfort and safety of persons in municipal districts.

7.2 Building Regulations 1989

The Regulations set out procedures for making building applications, classification of buildings and precautions to be followed during construction and demolition.

7.3 Bush Fires Act 1954

An Act to make better provision for diminishing the dangers resulting from bush fires, for the prevention, control and extinguishment of bush fires.

7.4 Conservation and Land Management Act 1984

An Act to make better provision for the use, protection and management of certain public lands and waters and the flora and fauna thereof, to establish authorities to be responsible therefore, and for incidental or connected purposes.

7.5 Construction Safety Act 1972

An Act to make provision for the Safety and Welfare of persons engaged in construction and other work and for incidental and other purposes.

7.6 Control of Vehicles (Off Road Areas) Act 1978

An Act to prohibit the use of vehicles in certain places, to make provision as to the use of vehicles otherwise than on a road, to provide for areas where the use of off-road vehicles shall be permitted, for the registration of off-road vehicles, and for related purposes.

7.7 Disability Discrimination Act 1992

An Act to protect the rights and responsibilities of persons with disabilities as fully participating members of society.

7.8 Dividing Fence Act 1961-1969

An Act relating to the construction and repair of dividing fences between certain lands and for incidental and other purposes.

7.9 Dog Act & Regulations 1976

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.

7.10 Environmental Protection Act 1986

An Act to provide for an Environmental Protection Authority, for the prevention, control and abatement of environmental pollution, for the conservation, preservation, protection, enhancement and management of the environment and for matters incidental to, or connected with, the foregoing.

7.11 Equal Opportunity Act

An Act to provide for fair and equitable treatment in the workplace in relation to training and work conditions and to provide that appointments, promotions and advancement are based on an employee's merit and skills and extraneous factors such as sex, race, disability, marital status etc. are irrelevant to employment and should not be taken into consideration.

7.12 Explosives and Dangerous Goods Act 1961-1967

An Act to consolidate and amend the law relating to explosives, to regulate the storage of dangerous goods, and for other incidental purposes.

7.13 Explosives and Dangerous Goods Act Amendment Act 1974

An Act to amend the Explosives and Dangerous Goods Act 1961-1967.

7.14 Freedom of Information (FOI) Act 1982

An Act to provide for public access to documents and to enable the public to ensure that personal information in documents is accurate, complete, up to date and not misleading, and for related purposes.

7.15 Health Act 1911

An Act to consolidate and amend the law relating to Public Health.

7.16 Heritage of Western Australia Act 1990

An Act to provide for, and to encourage, the conservation of places which have significance to the cultural heritage in the State, to establish the Heritage Council of Western Australia, and for related purposes.

7.17 Interpretations Act

An Act to amend and consolidate the law relating to the construction, application, interpretation and operation of written law; to provide for the exercise of statutory powers and duties; and to provide for connected or incidental purposes.

7.18 Justices Act 1902

An Act to consolidate and amend the Laws relating to Justices of the Peace and their Powers and Authorities.

7.19 Justices Amendment Act 1988

An Act to amend the Justices Act 1902.

7.20 Library Board of Western Australia Act 1951-1983

An Act to provide for the Constitution and Functions of a Library Board and for other purposes.

7.21 Liquor Licensing Act 1988

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 repeal the Liquor Act 1970, and for related matters.

7.22 Litter Act 1979-1981

An Act to make provision for the abatement of litter, to establish, incorporate and confer powers upon the Keep Australia Beautiful Council (WA), and for incidental and other purposes.

7.23 Local Government Uniform General (Parking for Disabled Persons) By-laws 1988

Provides a means of penalising persons unlawfully parking in a parking bay set aside for disabled persons.

7.24 Main Roads Act 1930

An Act to consolidate and amend the law relating to and making provision for the construction, maintenance and supervision of highways, main and secondary roads, and other roads, the control of access to roads and for other relative purposes.

7.25 Metropolitan Region Town Planning Scheme Act 1959-1986

An Act to provide for and relating to the Planning and Development of land within the Metropolitan Region, and to regulate the assessment of a Metropolitan Improvement Tax and for incidental and other purposes.

7.26 Occupational Safety & Health Act 1984

An Act administered in part by Local Government to promote and improve standards for occupational health, safety and welfare and to co-ordinate the administration of the laws relating to occupational health, safety and welfare and for incidental and other purposes.

7.27 Anti-Corruption Commission Act 1988

An Act to enable reporting of official corruption without discrimination.

7.28 Parliamentary Commissioner Act 1971

An Act to provide the appointment of a Parliamentary Commissioner for Administrative Investigations for the investigation of administrative action taken by or on behalf of certain government departments and other authorities and for incidental purposes.

7.29 Police Act 1892-1982

An Act to consolidate and amend the law relating to the Police in Western Australia.

7.30 Public Works Act 1902

An Act to consolidate and amend the laws relating to public works.

7.31 Residential Planning Codes of Western Australia 1991

The Planning Codes form part of Council's Town Planning Scheme No. 2 by reference and apply to different forms of residential development in those zones where residential development is permitted. The Codes are the means by which Council effects control of residential development.

7.32 Road Traffic Act 1974

An Act to consolidate and amend the law relating to road traffic, to repeal the Traffic Act 1919-1974 and for incidental and other purposes.

7.33 West Australian Planning Commission Act 1985

An Act to establish a body with responsibility for urban, rural and regional land use planning and land development and related matters in the State, and to provide for a planning council for the metropolitan region and a planning council for the remainder of the State, and for connected purposes.

7.34 State Transport Co-ordination Act 1966

An Act to make better provision for the direction and coordination of Transport, to repeal certain Acts and for incidental and other purposes.

7.35 Strata Titles Act 1985 & Amendments 1995

An Act to facilitate the subdivision of land into cubic spaces and the disposition of titles thereto, to provide for incidental and connected purposes and to repeal the Strata Titles Act 1966.

7.36 Planning and Development Act 2005

An Act relating to the planning and development of land for urban, suburban, and rural purposes.

7.37 Town of Cottesloe Town Planning Scheme No. 2

The intent of this scheme is to direct and control the development of the scheme area (hereinafter referred to as the District) in such a way as shall promote and safeguard the health, safety and convenience, economic and general welfare of its inhabitants and the amenities of every part of the district.

7.38 Workers Compensation and Assistance Act 1981

An Act to amend and consolidate the law relating to compensation for, and the rehabilitation of, workers suffering disability by accident or disease in the course of their employment.

7.39 Food Act 2008

An act providing for the safety and suitability of food for human consumption, and for related purposes.

7.40 Building Act 2011

An Act that introduces a new Building Services Levy, private design certification services provided by registered building surveying contractors and consent requirements for work affecting other land.

8. DOCUMENTS HELD BY THE TOWN OF COTTESLOE

8.1 Records Department

The Records Department holds current files and inactive files generated by staff and correspondents.

All documents are contained within an alpha-numeric filing system. There are two file types:

- Property based
- Subject.

Documents can be accessed, by authorised staff, via a file index and/or a computerised file and correspondence tracking system.

An extensive library of Council minutes are bound and held within the Records Department.

8.2 Grove Library

The Library is open to the public (except Sundays and Public Holidays) 10.00am to 6.00pm Monday, Wednesday and Friday. 10.00am to 8.00pm Tuesday and Thursday and 9.00am to 12.30pm on Saturday. The Library is located on the corner of Leake Street and Stirling Highway Peppermint Grove.

The Library endeavours to either acquire, or have access to, through the Library and Information Services of WA Network, any known available publications. Information is held in various formats, including CD Rom.

9. ACCESS TO COUNCIL DOCUMENTS

Documents Available for Inspection

The following documents are available for public inspection at the Council Office, free of charge:

Committee Agenda Council Agenda Minutes of Committee Meetings **Minutes of Council Meetings Policy Manual** Annual Budget Annual Report **Annual Financial Statements** Local Laws Town Planning Scheme No. 2 Strategic Plan **Principal Activities Plan** Disability Access and Inclusion plan Equal Opportunity Statement Primary Returns - Staff and Elected Members Certain Staff Contracts and Duty Statements Contracted Service Agreements.

Members of the public may obtain copies of these documents. A list of all fees and charges under Council's jurisdiction is available under separate cover.

Access to information in alternative formats may be requested.

10. COUNCIL POLICIES

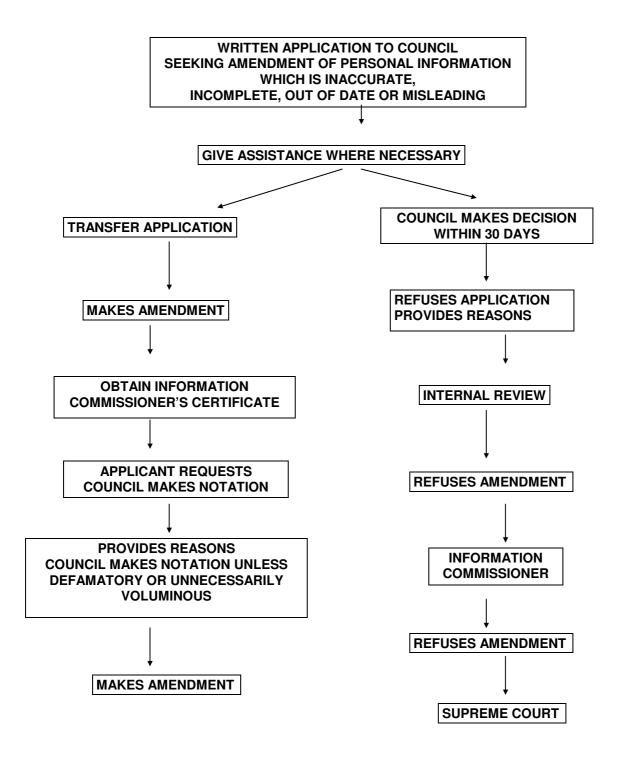
Council has adopted policies on the following subject matters:

Accounting Policy Acquisition of Artworks Policy Annual Financial Planning and Reporting Policy Asset Management Policy Australia Day Awards Policy Beach Policy **Civic Centre Hall Bookings Policy** Climate Change (Human Enhanced) Policy Code of Conduct Policy **Communication Policy** Community Consultation Policy Conferences Seminars and Training Policy **Cottesloe Council News Policy Crossover Construction Policy Defence Reservist Leave Policy Design Advisory Panel Policy** Determination of Natural Ground Level Policy **Differential Rating Policy Disability Access and Inclusion Plan Policy Disposal of Abandoned Vehicles Policy** Disposal of Surplus Goods and Equipment Policy **Donations Policy Donations Refuse Services Policy Email Management Policy** Engineering Program - Long Term Policy Equal Employment Opportunity Policy **Expenditure Variations Policy Fireworks Policy** Footpath Replacement - Residential Streets Policy Fringe Benefits Tax Policy Graffiti Policy Information Technology Use - Elected Members Policy Investments Policy Leave Deferment Policy Legal Proceedings Policy Legal Representation Policy Liquor Licensed Premises Policy Loans - Self Supporting Policy Marmion Street Community Centre - User Policy Media Policy Music Recitals or Concerts at the Civic Centre Policy

New Footpath Construction Policy **Occupational Safety & Health Policy Open Committee Meetings Policy** Outdoor Concerts and Large Events Policy Parking Residential Policy **Playground Equipment Donations Policy** Policy - Investment of Surplus Funds - August 2012 **Professional Membership Fees Policy** Purchase Orders Policy Purchasing Policy **Rangers Uniforms Policy** Rates Recovery Policy **Records Management Policy Recruitment and Selection Redundancy Policy Regional Cooperation Policy Reserve Accounts Policy Residential Verges Policy August 2012 Rights of Way - Laneways Policy** Sale of Assets with Realisable Value Policy Sale of Council Property Policy Severence Pay Policy Staff Education and Study Assistance Staff Gift Policy Staff Superannuation Policy Standing Committee Roles Policy Street Trees Policy Streetscape Design Policy StreetscapeDesign Sundry Debtors Policy **Telecommunications - Elected Members Policy Traffic Management Policy** Uniforms - Office Staff Vehicle Fleet Administration Policy Windfall Gains Policy

AMENDMENT OF PERSONAL INFORMATION PROCEDURE

The Act gives a person the right to apply for amendment of personal information which is inaccurate, incomplete, out of date, or misleading. The Council may make the amendment by altering, striking out or deleting, or inserting information, or inserting a note in relation to the information. The Council is not to make the amendment by obliterating, or removing information, or destroying a document unless the prejudice or disadvantage to the person outweighs the public interest in maintaining a public record. The Library Board of Western Australia must be notified before a record is obliterated or destroyed.



APPLICATION FOR ACCESS TO DOCUMENTS

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

| DETAILS OF APPLICANT | | | | | |
|---|-----------------------|---|---------------------|--|--|
| Surname: | urname: Given Names | | | | |
| Postal Address: | | | | | |
| Telephone Numbers: (W) | (H) | | Postcode | | |
| If application is on | | | n) | | |
| DETAILS OF REQUEST: | Personal Documents | - | -Personal uments | | |
| 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 documents(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. 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.

In certain cases a reduction in fees and charges may apply - see Section on fees and charges. 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 fees and charges | | | YES | | NO |
|---|-------------------|---|-----|---|------|
| | | / | / | | |
| APPLICANT'S SIGNATURE | | | | - | date |
| | (Office Use Only) | | | | |
| FOI Reference Number | | | | | |
| Received on | / / | | | | |
| Acknowledgment sent on | / / | | | | |
| Proof of Identity (if applicable) | | | | | |
| Туре | Sighted | | | | |

FEES AND CHARGES

FREEDOM OF INFORMATION

| (1) | | e Of Fee ication Fee under Section 12(1)(e) of the Act\$30.00 | |
|---------------------|-----------------|---|--|
| (2) | Type of Charges | | |
| | (a) | <u>Time Taken By Staff Dealing With The Application</u> Per hour (or pro rata for a part of an hour)\$30.00 | |
| | (b) | Access Time Supervised By Staff Per hour (or pro rata for a part of an hour) | |
| | (c) | <u>Photocopying</u> : Per hour (or pro rata for a part of an hour of staff time)\$30.00 Per copy\$0.30 | |
| | (d) | <u>Staff Time Taken Transcribing From a Tape Or Other Device</u> Per hour (or pro rata for a part of an hour)\$30.00 | |
| | (e) | Duplicating A Tape, Film Or Computer Information Actual Cost | |
| | (f) | Delivery, Packaging and PostageActual Cost | |
| $\langle 0 \rangle$ | A also | | |

(3) Advance Deposits

| (a) | Advance Deposit which may be required by the Town of Cottesloe under Section 18(1) of the Act, expressed as a percent of the estimated charges which will be payable in excess of the Application Fee | 5% |
|-----|---|----|
| (b) | Further Advance Deposit which may be required by the Town of Cottesloe under Section 18(4) of the Act, expressed as a percentage of the estimated charges which will be payable in excess of the Application Fee | 5% |