



## **TOWN OF CLAREMONT**

### **Information Statement 2006**

**As required under the Freedom of Information Act 1992**



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## **Town of Claremont Contact Details**

The Town of Claremont administration offices and Public Library are located at 308 Stirling Highway, Claremont (corner of Stirling Highway and Bay View Terrace). There are visitors parking in the Council car park located off Bay View Terrace.

Town of Claremont

PO Box 54

CLAREMONT WA 6910

Ph (08) 9285 4300

Fax (08) 9285 4301

E-mail [toc@claremont.wa.gov.au](mailto:toc@claremont.wa.gov.au)

### **Hours**

Monday to Friday 8.00am to 5.00pm

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## 1. Introduction

The Western Australian *Freedom of Information Act 1992* gives individuals the right to apply for access to documents held by State Public Sector agencies which includes: Government Departments; Local Authorities; Statutory Authorities and Ministers.

The Town of Claremont is an agency within the meaning of the *Freedom of Information Act 1992*. Accordingly the requirements of the Act apply to the Town of Claremont from the commencement date of that legislation, being 1 November 1993.

The intention of the Act is to:-

- Confer upon persons a general right of access to information held by agencies;
- Confer upon individuals a right to apply to an agency for an amendment of personal information to ensure that it is accurate, complete, up to date and not misleading;
- Place an obligation on agencies to make publicly available certain information about their operations.

The Act also requires that agencies prepare and publish an Information Statement which conveys the maximum possible detail to the public about its operations and how access may be obtained to public documents.

Further enquiries may be made to the

By Post, address to:

FOI Co-ordinator

Town of Claremont

Po Box 54

CLAREMONT WA 6910

In Person at:

Town of Claremont

308 Stirling Highway

CLAREMONT WA 6010



## **2. Profile of the Town Of Claremont**

The Town of Claremont (The Town) is a body corporate, constituted under Section 2.5 of the *Local Government Act 1995*. Its general function is to provide for the 'good government of persons in its district'.

### **2.1 Historical Information**

In 1830, John Butler, recently arrived from Liverpool, speculated on the commercial qualities of the riverside area at Freshwater Bay, halfway between Perth and Fremantle. Here he set up his inn, attracting travellers on the road connecting the two anchor communities of the Swan River Colony. Growth of the Freshwater Bay settlement took off in 1850 when the Government allocated land on the foreshore and at Lake Claremont to nineteen 'Pensioner Guards' and their families.

Claremont Road Board was formed in 1893 from the western suburbs of the Perth Road Board. The Municipality of Claremont was set up in 1898. The Road Board was absorbed into the Municipality in 1932 and the Municipality became the Town of Claremont in 1961.

## **3. Strategic Focus**

### **3.1 Mission**

To develop a vibrant, harmonious and safe village. Embracing the future, respecting the past.

### **3.2 Vision**

We are proud of our Town and our achievements. We will continue to work to create a community to reflect the following vision:

- We will be a positive example to other communities of integration between built and natural environments. Additionally, we will continue to develop a beautiful, green environment which presents a clear identity for the Town.
- Our Town will be accessible and safe.
- We welcome diversity in our community and we will have a harmonious, enjoyable and active community where our residents will have a strong sense of belonging.



- We will encourage the business community to be vibrant, successful, and integrated into the life of the Town.
- We will be an open and accountable government which encourages community involvement and strives to keep its community well informed.
- We will develop and manage the assets of the Town to the best of our ability and preserve our heritage for the enjoyment of the community.
- We will be a dynamic, achievement oriented, forward looking and caring organisation that strives for excellence.
- We are committed to sound financial management.
- We will strive to create a community, based around a village concept.

### **3.3 Values**

The values are the underlying beliefs held by the Town which will support the achievement of our Mission and Vision. These values are:

***Integrity*** – we will be ethical and honest in the way we work, relate to and communicate with people.

***Quality Communication*** – we will keep our community involved in, and informed of, Council services and developments that may have an impact on them.

***Customer Services*** – we will deliver services that are valued by our community, whilst building positive relationships.

***Excellence*** – we will strive to achieve excellence in all that we do.

***Sustainability*** – the services we provide will be economically, socially and environmentally sustainable.

***Accomplishment*** – we will strive to finish everything we start, within budget and on time.

***Contribution to Society*** – we will enhance the sense of community.

### **3.4 Major Stakeholders**

The Town's major stakeholders are ratepayers, employees, contractors and residents of the town.



#### 4. Functions

The Town's functions and activities can be broadly described as per the State Records of New South Wales publication *Keywords for Councils* which describes and arranges in groups all of the business activities performed by Council, including specific council business and general administrative activities. The records of the Town are also classified using this method.

- **Commercial Activities** - the function of competing commercially or providing services to other local governments or agencies on a fee for service basis. Includes undertaking activities on a consultancy or contract basis.
- **Community Relations** - the function of establishing rapport with the community and raising and advancing the Council's public image and its relationships with outside bodies, including the media and the public.
- **Community Services** - the function of providing, operating or contracting services to assist local residents and the community.
- **Corporate Management** - the function of applying broad systematic planning to define the Town's corporate mission and determine methods of operation.
- **Council Properties** - the function of acquiring, constructing, designing, developing, disposing and maintaining facilities and premises owned, leased or otherwise occupied by the Town.
- **Customer Service** - the function of planning, monitoring and evaluating services provided to customers by the council.
- **Development and Building Controls** - the function of regulating and approving building and development applications for specific properties, buildings, fences, signs, antennae, etc. covered by the Building Code of Australia and the Environment Protection Authority (EPA).
- **Economic Development** - the function of improving the local economy through encouragement of industry, employment, tourism, regional development and trade.
- **Emergency Services** - the function of preventing loss and minimising threats to life, property and the natural environment, from fire and other emergency situations.



- **Environmental Management** - the function of managing, conserving and planning of air, soil and water qualities, and environmentally sensitive areas such as remnant bushlands and threatened species.
- **Financial Management** - the function of managing the Town's financial resources.
- **Governance** - the function of managing the election of Council representatives, the boundaries of the Town and the terms and conditions for Elected Members.
- **Government Relations** - the function of managing the relationship between the Council and other governments, particularly on issues which are not related to normal Council business such as Land Use and Planning or Environment Management.
- **Grants and Subsidies** - the function of managing financial payments to the Town from the State and Federal Governments and other agencies for specific purposes.
- **Information Management** - the function of managing the Town's information resources, including the storage, retrieval, archives, processing and communications of all information in any format.
- **Information Technology** - the function of acquiring and managing communications and information technology and databases to support the business operations of the Town.
- **Land Use and Planning** - the function of establishing a medium to long term policy framework for the management of the natural and built environments.
- **Laws and Enforcement** - the function of regulating, notifying, prosecuting, and applying penalties in relation to the Council's regulatory role.
- **Legal Services** - the function of providing legal services to the Town.
- **Parks and Reserves** - the function of acquiring, managing, designing and constructing parks and reserves, either owned or controlled and managed by Council.
- **Personnel** - the function of managing the conditions of employment and administration of personnel at the Town including consultants and volunteers.
- **Plant, Equipment and Stores** - the function of managing the purchase, hire or leasing of all plant and vehicles, and other equipment. Includes the management of the Town's stores.
- **Public Health** - the function of managing, monitoring and regulating activities to protect and improve public health under the terms of the Public Health Act, health codes, standards and regulations.



- **Rates and Valuations** - the function of managing, regulating, setting and collecting income through the valuation of rateable land and other charges.
- **Recreation and Cultural Services** - the function of the Town arranging, promoting or encouraging programs and events in visual arts, craft, music, performing arts, sports and recreation, cultural activities and services.
- **Risk Management** - the function of managing and reducing the risk of loss of Town properties and equipment and risks to personnel.
- **Roads** - the provision of road construction and maintenance of roads and associated street services to property owners within the Town area.
- **Traffic and Transport** - the function of planning for transport infrastructure and the efficient movement and parking of traffic. Encompasses all service/facilities above the road surface and includes all forms of public transport.
- **Waste Management** - the function of providing services by the Town to ratepayers for the removal of solid waste, destruction and waste reduction.

## 5. Enabling Legislation

The Town is established under the Local Government Act 1995.

### 5.1 Legislation and Regulations Administered by the Town of Claremont

Local Laws are enforceable rules made by the Town to apply within its district, which help to establish and maintain the quality of life in keeping with community expectations. Local Laws support higher legislation (Acts of Parliament) to control and manage the more basic matters that affect the community, which can be helpful to resolve disputes and are also used to achieve a good government.

The Town has Local Laws relating to Animals, Parking, Signs, Standing Orders, Trading in Public Places and those to amend or appeal local laws. Each Local Law has a 'fact sheet' that explains the requirements of the local law.

These are available for inspection at the Council offices or on the internet at [www.claremont.wa.gov.au/local\\_laws.html](http://www.claremont.wa.gov.au/local_laws.html)



## 5.2 Other Legislation Affecting the Town of Claremont

- Anti-Corruption Commission Act 1988
- Builders Registration Act 1939 / Building Code of Australia 1996 / Building Regulations 1989
- Dog Act 1976 / Dog Regulations 1976 / Dog (Restricted Breeds) Regulations 2002
- Electoral Act 1907
- Environmental Protection Act 1986 / Regulations 1987
- Evidence Act 1906 / Acts Amendment (Evidence) Act 2000
- Freedom of Information Act 1992 / Regulations 1993
- Health Act 1911
- Metropolitan Region Town Planning Scheme Act 1959
- Rates and Charges (Rebates and Deferments) Act 1992
- Residential Design Codes of WA 2002
- State Records Act 2000 (including Principles and Standards)
- Planning and Development Act 2005

## 6. Structure

### 6.1 Council

The Town of Claremont Council is made up of 10 Elected Members, being one Mayor and nine Councillors. Each member is generally elected for a four year term. Each ward is represented by three Councillors (East, West and South). Elections for all local government authorities have been held biennially on the first Saturday in May.

State legislation provides for a Council to decide whether its Mayor is elected by the vote of the ratepayers and residents or by the Councillors themselves, who would elect one of them as the Mayor. The Town of Claremont has chosen to have its Mayor elected by its residents and ratepayers. This method is commonly known as 'popular vote'.

The role of the **Mayor** (or Deputy Mayor if the Mayor is unavailable) is to:

- preside at Council meetings;
- provide leadership and guidance to the community;
- carry out civic and ceremonial duties on behalf of the Town;
- speak on behalf of the Town;
- perform such functions as specified in the Act or other written laws; and
- liaise with the CEO on the Town's affairs and the performance of its functions.



The role of **Council** is to:

- Direct and control the Local Government's affairs;
- Be responsible for the performance of the Local Government's functions;
- Oversee the allocation of the Local Government's finances and resources; and
- Determine the Local Government's policies

Council establishes policies and guidelines for the management of the district and makes all decisions in this regard, unless authority has been delegated to a committee or officers of Council. Councillors are required under the *Local Government Act 1995* to work for the district as a whole and not in isolation only for their individual wards.

Decisions of Council are made at Council Meetings. Ordinary Meetings are held on the first and third Tuesday of each month.

## **6.2 Council Committees**

There are also several **Committees** to assist Council in its role, the primary one of which is the Strategic Planning and Policy Committee, which meets on a quarterly basis. There are also several community Committees of which members of the community are invited to be members. These Committees are comprised of Council staff, Councillors and members of the public – they are:

### **6.2.1 Strategic Planning & Policy Committee Terms of Reference:**

1. To receive reports from the Chief Executive Officer and oversee the implementation of, and recommend action to Council on the Town of Claremont Strategic Plan and Town Planning Scheme.
2. To oversee the review of existing and consider new policies of Council and provide recommendations to Council.
3. To oversee the review of existing and consider new Local Laws of Council and recommend action to Council.
4. To monitor environmental, social, economic and legislative trends in the community, and advise on their implication on the Town's Strategic Plan, Policies and Local Laws.
5. To monitor, review and recommend action to Council on the performance of the Chief Executive Officer.



#### **6.2.2 Claremont Business Liaison Committee Terms of Reference:**

The brief of the Claremont Business Liaison Committee is:

1. To provide advice for the Planning and other relevant council committees with regard to matters that impact on the business community.
2. To facilitate discussion between Council and businesses operating within the Town of Claremont.
3. To assist in ensuring Council is aware of the needs and particular requirements of the business community.
4. To provide a reference point for Council with regard to matters that it believes consultation and advice from the business community would be mutually beneficial.

#### **6.2.3 Claremont Density Review Committee Terms of Reference:**

1. To examine residential densities and facilitate community consultation
2. To prepare a Local Housing Strategy

#### **6.2.4 Foreshore Committee Terms of Reference:**

Management of the Claremont Foreshore will be complementary to the Freshwater Bay Management Plan as adopted by the Swan River Trust Town of Claremont and the Claremont heritage Trust Advisory Committee 1977.

#### **6.2.5 Heritage Advisory Committee Terms of Reference:**

1. To provide advice to the Council on matters relating to:
2. To formulate a Heritage Management Plan;
3. To review heritage values and evaluate the criteria utilised in the existing Municipal Inventory;
4. To identify key heritage policy needs for the Town of Claremont.
5. To nominate special heritage projects;
6. To review Town Planning Scheme 3 provisions and make recommendations to Council as to the appropriate Heritage Management regulations;
7. To advise Council in respect of properties being included and/or removed from the Municipal Inventory;
8. To manage funds held in the Heritage Trust Fund.



Specific objectives are:

1. To enhance the identity and character of the foreshore;
2. To enhance the environment;
3. To protect and encourage wildlife;
4. To enhance the amenity for residents and visitors to the foreshore.

#### **6.2.6 Lake Claremont Committee Terms of Reference:**

To provide advice to Council on matters relating to:

1. The care and maintenance of Lake Claremont and its immediate environment;
2. The rehabilitation of Lake Claremont and its environs;
3. Plans for amenities proposed to Lake Claremont and its immediate environs;
4. Proposals for the Lake from the Friends Group.

#### **6.2.7 Museum Committee Terms of Reference:**

To provide advice to the Council on matters relating to:

1. Programs to be provided by the Museum;
2. Proposals for the Museum from the Friends group;
3. Museum education programs and links with current curriculum;
4. Exhibition planning;
5. Care of collection objects.

#### **6.2.7 Town Safety Committee Terms of Reference:**

The brief of the Town Safety Committee is:

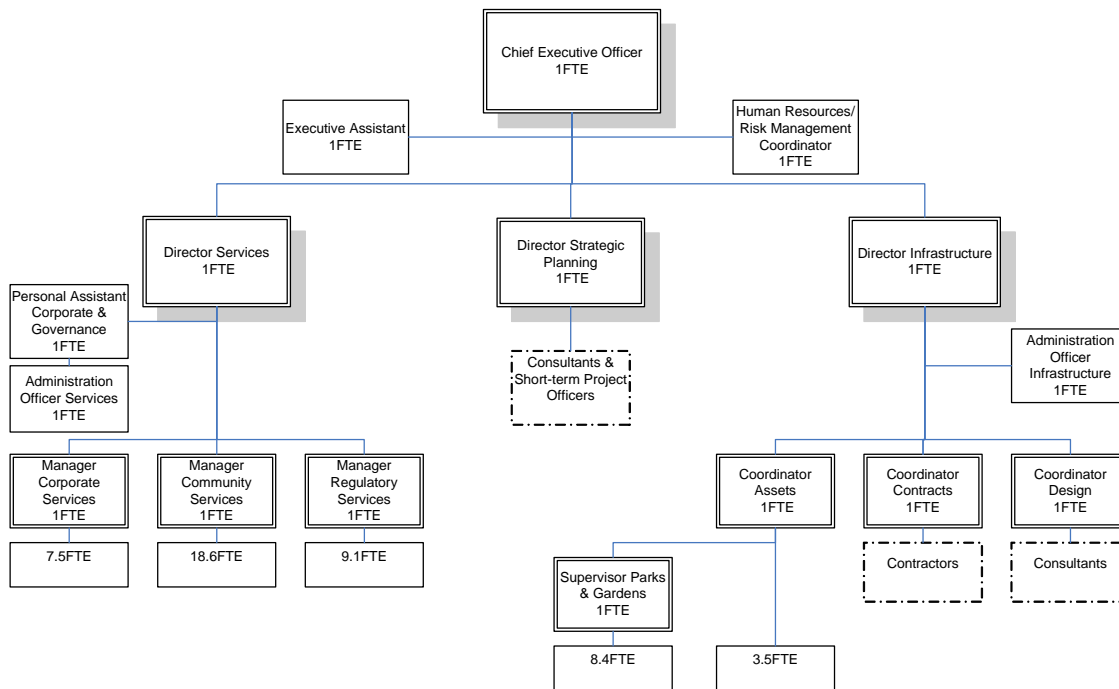
1. To develop a Town Safety Plan;
2. To monitor the completion of the recommendations in the Corpsec 1999 Report;
3. To develop mechanisms for safety issues to be brought to Council, the Police, and other relevant organisations for their action.

### **6.3 Council Administration**

The Town is managed by a Chief Executive Officer (CEO) and supported by an Executive Management Team and Middle Management Team. The Chief Executive Officer's role is to carry the ultimate responsibility for the efficient and effective utilisation of the organisation's resources in the achievement of Council's objectives.



The Directors, who are highly qualified professionals, assist the CEO in that role. The two directorates are **Corporate and Community Services** and **Technical Services**. The **Office of the CEO** is responsible for **Executive Services, Human Resources, Communications, Development Services, Environmental Health and Council Support**.



## 7. Public Participation

### 7.1 Dealing with Requests from Ratepayers

As the Council's role is to deal with strategic policy and not operational, day-to-day issues, wherever possible any matter raised by ratepayers is dealt with by administrative staff and not referred to Council. Examples are:

- Rates queries and objections;
- Objections to parking infringements;
- Requests for tree removals;
- Applications for advertising signs.

#### 7.1.1 Delegations Register

The Local Government Act 1995 stipulates which matters must be dealt with by Council. However, Council is able to delegate its decision-making role to the CEO for most decisions.



The areas that cannot be delegated are:

- Any decision that requires an absolute majority decision of Council. Examples are the:
  - Making or altering a local law;
  - Establishing Committees and the appointment of Committee members;
  - Adopting the annual budget.
- Accepting a tender over \$100,000;
- Appointing the auditor;
- Purchasing or selling any property over \$100,000;
- Setting Councillors' fees;
- Borrowing money;
- Hearing an objection from a person in regard to Council decisions (for example: in respect of a notice issued by Council for the removal of rubbish from private property);
- Any decision that requires approval of the Minister or Governor.

Details of decisions delegated to the CEO may be found in the Delegations Register which can be accessed via the Town's web site [www.claremont.wa.gov.au](http://www.claremont.wa.gov.au) or by visiting the administration offices – see [Town of Claremont Contact Details](#) on page 3 of this document.

### **7.1.2 Council Meetings**

Examples of subjects generated by ratepayers that are typically dealt with at Council meetings include:

- Applications for building developments that do not comply with the Town Planning Scheme, policies and/or where no objections have been received from adjoining owners;
- Applications for subdivisions of land;
- Applications to demolish buildings;
- Applications for traffic calming devices.

Every matter that is to be considered by Council must appear on an agenda and must have a report prepared by a staff member. The time frame for a matter to find its way onto a Council meeting agenda depends on the complexity and nature of the issue.



For example when a building development application is received, staff send letters to adjoining neighbours and, of course, this takes time. Therefore a development application may not appear on a Council agenda for several weeks or more.

Council meetings are held on the first and third Tuesdays of each month (except January) and staff write to interested parties following each meeting. Members of the public are welcome to attend all meetings of the Council and can ask questions about any item on the agenda.

### **7.1.3. Asking Questions: Standing Orders**

**Standing Orders** provides an opportunity for the public to ask questions or make submissions at Ordinary Council Meetings. A total of 15 minutes is set aside for questions and community submissions, which may be extended by resolution of Council.

With the consent of the Mayor, the public may speak on any matter on the meeting agenda. To ensure an equal and fair opportunity is provided to address Council, a period of three minutes per speaker will be allocated; however, this may be extended by a resolution of Council.

The Standing Orders Local Law may be obtained from the Town's web site [www.claremont.wa.gov.au](http://www.claremont.wa.gov.au) or by visiting the administration offices – see [Town of Claremont Contact Details](#) on page 3 of this document.

#### **7.1.3.1 Questions**

Questions are to be put to the Mayor and should be in writing and placed on the table near the microphone once presented. Questions sheets are available to assist the public and may be obtained from the Town's web site [www.claremont.wa.gov.au](http://www.claremont.wa.gov.au) or by visiting the administration offices – see [Town of Claremont Contact Details](#) on page 3 of this document.



#### **7.1.3.2 Responding to Questions**

Once a question is asked the Mayor may:

- Respond to the question asked;
- Refer the question to an officer for response;
- Take the question on notice, in which case a written response will be forwarded to the ratepayer and included in the agenda papers in the next Council Meeting.

#### **7.1.3.3 Community Submissions to Council**

Submissions are to be put to the Mayor and notice to speak must be provided in writing to the Chief Executive Officer by noon on the day of the meeting. The submission must be put prior to a decision being made on the matter by Council. Submission sheets are available to assist the public and may be obtained from the Town's web site [www.claremont.wa.gov.au](http://www.claremont.wa.gov.au) or by visiting the administration offices – see [Town of Claremont Contact Details](#) on page 3 of this document.

#### **7.1.3.4 Petitions**

The Town's Standing Orders provides an opportunity for the public to submit petitions at Ordinary Council Meetings. Petitions shall be respectful and temperate in language and shall be presented to the CEO or Council by a Member.

A petition must:

- (a) Contain the name, address and signature of each petitioner; and
- (b) Have the name of the person who lodged the petition with the Council shown at the top of each page thereof.

Submission sheets are available to assist the public and may be obtained from the Town's web site [www.claremont.wa.gov.au](http://www.claremont.wa.gov.au) or by visiting the administration offices – see [Town of Claremont Contact Details](#) on page 3 of this document.

#### **7.1.3.5 Agendas and Minutes**

Council Minutes are available 10 days after the Council Meeting. Once the Minutes have been confirmed they are posted the Town of Claremont's internet site at [www.claremont.wa.gov.au](http://www.claremont.wa.gov.au).



The Town's internet site contains Council Minutes from 1997. The Claremont Museum holds microfilm Council Minutes 1903 – October 1980.

Hard copy versions are available for viewing in the Town of Claremont Library or by visiting the administration offices – see [Town of Claremont Contact Details](#) on page 3 of this document or by visiting the administration offices.

#### **7.1.3.6 General Meeting Of Electors – Annual Report**

The Local Government Act 1995 requires Council to hold a General Meeting of Electors once a year. The purpose of this meeting is to discuss the Annual Report for the previous financial year, and then any other general business.

Annual Reports (including the Annual Financial Statements) are available for viewing on the Town's web site [www.claremont.wa.gov.au](http://www.claremont.wa.gov.au) or by visiting the Town of Claremont Library or administration offices – see [Town of Claremont Contact Details](#) on page 3 of this document.

### **8. Obtaining Access To Information**

#### **8.1 Documents Available for Inspection**

In the years since its establishment in 1898 the Town of Claremont has collected and maintained a vast store of information dating from 1898 through to the present day. Details of the various information sources and how you may access them for historical research and other purposes are listed below.

Council maintains records regarding its operational activities for public inspection free of charge. Public inspection may be made by visiting the administration offices – see [Town of Claremont Contact Details](#) on page 3 of this document.

##### **8.1.1 Town of Claremont Functional Records:**

The Town of Claremont manages a number of files relating to various functions of the Town as described below. All files are subject to disposal in accordance with the current Local Government Records Retention and Disposal Schedule.



Files less than 25 years old are generally not open for public inspection, in order to protect personal information and legally privileged material. Applications to view these files will be considered on case by case basis and information may be released in an edited form. Charges may apply to accessing these records as specified in the Freedom of Information Act (Regulations) 1993. Contact Records Services for more information on Ph (08) 9285 4300

#### **8.1.2 Current Electronic Records (2005–Present)**

These records are maintained in electronic format at the Council Administration Office and are searchable by file and documents details and the full text of internally generated electronic records.

#### **8.1.3 Current Hardcopy Records (2000-Present)**

These records are maintained in a hardcopy format at the Council Administration Building, with an electronic file and correspondence register available. The majority of files relate to specific property addresses, road and reserves/parks, however the Town also maintains subject files relating to organisations, events, services provided, special projects and general administrative issues.

#### **8.1.4 Archived Records**

These records are located at the Council Administration Building and off site storage facility with a manual index and electronic file register. The majority of these files relate to properties, specific roads, specific reserves/parks, but also includes subject files relating to other organisations, events, services provided, special projects and general administrative issues.

#### **8.1.5 Corporate Library**

The Town of Claremont Corporate Library provides a corporate information resource to the Town staff and Elected Members. The Corporate Library contains a variety of resources such as periodicals/journals, reports and other media published by the City and or of relevance to local government.



### **8.1.6 Council Minutes**

Under to Local Government Act 1995 the Council minutes are available for free inspection at the Town's administration building by any person.

## **8.2 Accessing Information Via Freedom of Information**

While the Freedom of Information Act 1992 provides for a general right of access to documents it also recognizes that some documents require protection, these include:

- personal information;
- information concerning trade secrets;
- other commercially valuable information;
- legal advice; or
- any other information concerning the business, professional, commercial or financial affairs of a third party who is not the applicant.

Access to the Town of Claremont's records (Personal or Non Personal), can be made by application to the

FOI Coordinator

Town of Claremont

PO Box 54

CLAREMONT WA 6910

The Town of Claremont aims to make information available promptly and at the least possible cost. Documents will be provided outside the FOI process whenever possible.

The Freedom of Information Act 1992 provides the right to apply for documents held by the City and enables the public to ensure that personal information in documents is accurate, complete, current and not misleading.

Under the provisions of the Act, applications may be made to

- gain access to a document;
- amend personal information; or
- review a previous FOI decision regarding access to, or amendment of document.



Access can be requested 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 Town of Claremont is unable to grant access in the form requested, access may be given in a different form.

### **8.2.1 Making an FOI Application**

FOI Application forms are available from the Council Office. It is not mandatory to use these application forms, however, as specified in the Freedom of Information Act, an application must be in writing and:

- give enough information to enable the requested document to be identified;
- specify an Australian address for correspondence;
- be accompanied by the prescribed application fee if the document requested is for non personal information; and
- specify the manner in which access is requested, e.g. provide a copy of a document, inspection of documents; viewing/hearing of films, videos or sound recordings. Provide a copy of film, video or sound recording; transcript of sound recording; transcript of shorthand notes or encoded information; computer printout and magnetic data e.g floppy disk.
- Give any other information required under the regulations.

Completed applications must be sent to the FOI Coordinator at the following address:

FOI Coordinator  
Town of Claremont  
PO Box 54  
CLAREMONT WA 6910



### **8.2.2 Notice of Decision**

As soon as possible but in any case within 45 days, applicants are provided with a notice of decision which will include: -

- 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 to review and the procedures to be followed to exercise those rights.

### **8.2.3 Refusal of Access**

Applicants who are dissatisfied with a decision of the Town of Claremont are entitled to ask for an **internal review**. 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. If applicants disagree with the result they can then apply to the Information Commissioner for an **external review**. Applicants will be advised of the procedure to request an external review when the internal review decision is issued.

### **8.2.4 Freedom of Information Appeals Process**

If an applicant is dissatisfied or aggrieved by a decision regarding access to documents or amendments of personal information, the applicant has a right to internal review of that decision. If, after an internal review has been completed, the applicant is still dissatisfied, then an appeal may be made to the Information Commissioner for an external review.

### **8.2.5 Freedom of Information Procedures for the Amendment of Personal Information**

The only records of a personal nature held by the Town of Claremont are staff records. Any person concerned that any records maintained by the Town of Claremont may contain personal information about themselves that may require amendment, can write or contact the FOI Coordinator.



### 8.2.6 Freedom of Information Charges

Details of fees and charges are listed below, and where required, the charge must be paid in full prior to access to non-exempt documents being permitted. These charges are in accordance with the charges specified in the *Freedom of Information Act (Regulations) 1993*.

TYPE OF FOI REQUEST	CHARGE APPLICABLE
Personal Information	No Fee
Amending personal information	No Fee
Application fee for non personal information	\$30
Access time supervised by staff (per hour or pro rata) Plus the actual additional cost of the agency of any special arrangements i.e.: Hire of facilities or equipment	\$30
Dealing with applications (per hour or pro rata)	\$30
Photocopying (per copy)	20c
Transcribing from tape, film or computer	\$30
Duplicating a tape, film or computer information	Actual Cost
Delivery, packaging and postage	Actual Cost
Internal Review	Nil

**Note:** A 25% reduction of charges applies for financially disadvantaged applicants or those in receipt of Health Benefits. This should be advised by the applicant at the time of the FOI request.



### **8.2.7 Estimate**

An estimate of charges may be requested by the applicant and will be provided whether requested or not if they are likely to exceed the prescribed amount.

### **8.2.8 Deposit**

A deposit of 25% of the estimated charge may be requested. A further advance deposit of up to 75% of the fee may be required should it be considered necessary to meet the charges for dealing with the application. The imposition of this charge is entirely at the discretion of the Town of Claremont.

Further information may be provided by:

FOI Co-ordinator

Town of Claremont

Po Box 54

CLAREMONT WA 6910

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