



TOWN OF
VICTORIA PARK



TOWN OF VICTORIA PARK

Information Statement 2022/2023



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1 Introduction

This document has been prepared in accordance with Part 5 Section 96 (1) of the *Freedom of Information Act 1992* (the FOI Act) which requires each government agency to prepare and publish an Information Statement annually.

This Information Statement must set out:

- the agency's mission statement
- details of legislation administered
- details of the agency structure
- details of decision-making functions
- opportunities for public participation in the formulation of policy and performance of agency functions
- documents held by the agency
- the operation of FOI in the agency.

This document has been created to comply with that requirement and is correct as at 1 July 2020.

1.1 Copies of Information Statement

Copies of this document may be obtained free of charge from:

Town of Victoria Park
Administration Centre
99 Shepperton Road
Victoria Park WA 6100

OR

Victoria Park Library
27 Sussex Street
East Victoria Park WA 6101

Further information in relation to the FOI Act and the Information Statement can be provided during business hours, by contacting:

Freedom of Information Coordinator
(08) 9311 8111
Monday to Friday 9am to 5pm

2 Vision, Values and Mission

Vision

The Town of Victoria Park: A dynamic place for everyone.

- We are Perth's most empowered and engaged community.
- We are Perth's premier place for entertainment and entrepreneurship.
- We lead in sustainability.
- We put people first in urban design and safety.
- We are inclusive and connected with a thriving community.

Values

- We will be **proactive** – We will look to cause positive things to happen rather than waiting to respond.
- We will have **integrity** – We will be honest, accountable and transparent in how we do things.
- We will be **innovative** – We will be courageous in introducing new ideas to meet community need and improve our services and project.
- We will be **caring** – We will display kindness and concern.

Mission

Our mission is based on the four pillars of sustainability. Each pillar has a number of accompanying strategic outcomes.

Mission

We will communicate with, empower and support the community and promote social, economic and environmental sustainability to create our vision.

Social – To promote sustainable, connected, safe and diverse places for everyone.

Economic – To promote sustainable, diverse, resilient and prosperous places for everyone.

Environment – To promote sustainable, liveable, healthy and green places for everyone.

Civic leadership – To show leadership by communicating with, empowering and supporting people in the community.

3 The Structure and Function of the Town of Victoria Park

The Town of Victoria Park, as a local government, commenced operations on 1 July 1994. It was constituted under the *City of Perth Restructuring Act 1993*.

It is divided into two wards - Jarrah and Banksia. Each ward comprises of four elected Council members. The Mayor and Councillors are elected for a period of four years. The Council acts as a community board, establishing policies and making decisions within the rules of the *Local Government Act 1995* on a wide range of issues affecting the community.

3.1 Meetings

The business of Council is conducted at Council meetings which are held in the Council Chambers every second Tuesday of the month commencing at 6.30pm except in January when the Council is in recess. Members of the public are welcome to attend these meetings. The dates of these meetings can be found on the Council's website at: www.victoriapark.wa.gov.au

The business to be conducted at Council meetings is contained in an agenda, which is available to the public at the Council's administration building and the Victoria Park Library on the Monday prior to the meeting. It is also available on the Town's website on the Friday afternoon prior to the meeting.

Meetings of Ordinary Council are conducted in accordance with standing orders - the local law relating to the conduct of proceedings and the business of the Council.

Elected Members Briefing Sessions (EMBS) are held on the first Tuesday of the month commencing at 6.30pm. These meetings offer an opportunity for the Elected Members to be briefed on various matters, including any issues that may be presented to the following Ordinary Council Meeting (OCM). Agendas for the EMBS and the OCM are available from the Council's administration building and the Victoria Park Library on the Monday prior to the meeting or can be accessed on the Town's website on the Friday afternoon prior to the meeting. Members of the public are welcome to attend. The dates of these meetings can also be found on the Town's website at www.victoriapark.wa.gov.au

The public have the opportunity to ask questions or make statements on any subject at both the Ordinary Council Meetings and the EMBS.

3.2 Committees, Project Teams and Consultative Groups

There are a number of committees and consultative groups whereby elected members, staff and the public are currently represented. Following is a list of these groups.

- Audit Committee
- Aboriginal Advisory Group
- Access and Inclusion Advisory Group
- Burswood Park Board
- Metropolitan Regional Road Group
- Mindarie Regional Council
- Public Art Advisory Group
- Tamala Park Regional Council
- Western Australian Local Government Association South East Zone

3.3 Organisational Structure

The community elects the members of the Council who make decisions on its behalf.

The Town of Victoria Park has an elected Mayor and eight Councillors:

- The Mayor.
- Four Councillors representing the Jarrah Ward.
- Four Councillors representing the Banksia Ward.

3.3.1 Role of the Mayor

- presides at meetings in accordance with the Local Government Act 1995
- provides leadership and guidance to the community in the district
- carries out civic and ceremonial duties on behalf of the Town of Victoria Park
- speaks on behalf of the town of Victoria Park
- performs such other functions as are given to the mayor by the Local Government Act or any other written law
- liaise with the CEO on the Town of Victoria Park's affairs and the performance of its functions.

3.3.2 Role of the Deputy Mayor

The Deputy Mayor performs the functions of the Mayor when authorised to do so under section 5.34 of the Local Government Act 1995.

3.3.3 Role of Councillors

- represents the interests of electors, ratepayers and residents of the district
- provides leadership and guidance to the community in the district
- facilitates communication between the community and the council
- participates in the Town of Victoria Park's decision-making processes at council and committee meetings
- performs such other functions as are given to a Councillor by the *Local Government Act 1995* or any other written law

3.3.4 Chief Executive Officer

- Human Resources and Organisational Development;
- Stakeholder Relations; and
- Governance.

3.3.5 Financial

The Chief Financial Officer is responsible for:

- Corporate Support;
- Business/Economic Development and Tourism;
- Centralised Administration Support;
- Business Services; and
- Ranger and Parking Services.

3.3.6 Operations

The Chief Operations Officer is responsible for:

- Project Management;
- Technical Services;
- Street Operations;
- Parks, Assets and Environment; and
- Properties.



3.3.7 Community Planning

The Chief Community Planner is responsible for:

- Environmental Health;
- Building Services;
- Urban Planning;
- General Planning Compliance;
- Strategic Town Planning;
- Community Development;
- Place Planning;
- Economic Development and Sustainability.

4 Public Participation

4.1 Council Meetings and Elected Members Briefing Sessions

Members of the public are permitted to speak, ask questions and make public statements on any subject including those on the agenda. There are two question time sessions, one at the beginning and one at the end of the meetings.

4.2 Deputations

With the permission of the Mayor or Chief Executive Officer, a member of the public can personally, or on behalf of a resident, or group of residents, address Council at an Elected Members' Briefing Session.

4.3 Petitions

Written petitions can be presented to Council through an Elected Member or by mail on any issue within the Council's jurisdiction. A petition to be accepted by the Council is to comply with the requirements of the *Town of Victoria Park Standing Orders Local Law 2011*.

4.4 Special Electors Meetings

In accordance with Section 5.28 (1)(a) and (b), a Special Electors Meeting may be called at the request of a minimum of 100 electors or 5% of the number of electors, whichever is the lesser number; or a third of the number of council members.

4.5 Electors Meetings

An Annual Electors Meeting is held by the Town of Victoria Park in November/December each year and electors are encouraged to attend.

4.6 Written Requests

Any member of the community may write to the Town of Victoria Park at any time on any matter. It will be considered by the administration and/or the Council and a decision and response will be provided.

4.7 Elected Members

Ratepayers may contact the Mayor or Councillors to discuss issues or obtain advice on matters relating to the Town of Victoria Park.

4.8 Community Consultation

Council consults with its residents on particular issues that affect their neighbourhood by way of advertising in local papers, calling public meetings and seeking responses to surveys and questionnaires. Policy GEN 3 and its accompanying procedure sets out in detail the provisions applying to community consultation.

4.9 Public Participation

Council engages with stakeholders as per Policy GEN 6 Public Participation. This sets a policy and procedure to guide decision making and allow the Town to be sufficiently informed in order to enable and empower community members to have greater positive influence in enhancing vibrant lifestyles in the Town. It supports a consistent, transparent and inclusive approach to gaining input on matters affecting the local community.

A full set of Council policies and procedures can be accessed from Town's website at www.victoriapark.wa.gov.au

5 Administration and Statutory Responsibilities

The Town's primary responsibilities are set out in the Local Government Act 1995. The Town is also subject to further obligations and responsibilities under other State legislation. The Parliamentary Counsel's Office maintains a register of all Western Australian legislation.

5.1 Local Laws

Under the Local Government Act the Town has the power to make and administer local laws in relation to matters which come under its functions as set out in the Act or other written law which expressly applies to local government. Local laws regulate and relate to activities which may be conducted within the area of the Town.

These laws include:

- Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000
- Dog Local Law 2018
- Fencing Local Law 2021
- Health Local Law 2003
- Local Government Property Local Law 2000
- Meeting Procedures Local Law 2019
- Penalty Units Local Law 2021
- Repeal Local Law 2019
- Rutland Avenue Street Alignment Local Law 1997
- Vehicle Management Local Law 2021

Local Laws can be viewed at www.victoriapark.wa.gov.au

6 Access to Council Documents

6.1 Information Services

Information Services holds current files and inactive files generated by staff and correspondents. Inwards correspondence is recorded in a computerised file and correspondence tracking system. A copy of Council minutes are held within Information Services and are also available on the Town's website at www.victoriapark.wa.gov.au

6.2 Victoria Park Library

The Victoria Park Library is open to the public (except Sundays, Public Holidays and the necessity for other timed closures which are advertised) and is located at 27 Sussex Street, East Victoria Park. Copies of all Council publications are added to the local history collection where they can be accessed.

7 Documents Held by the Town

The Town produces a number of documents available for public inspection at the administration centre. Section 5.94 of the Local Government Act sets out the documents that are to be made available for inspection at any local government and the limitation on their release.

Many of these documents may also be viewed through the Town's website at www.victoriapark.wa.gov.au

7.1 Documents Available for Inspection Under the Act

- any code of conduct;
 - any register of complaints referred to in section 5.121;
- any register of financial interests;
- any register of gifts;
- any annual report;
- any annual budget;
- any list of fees and charges imposed under section 6.16;
- any plan for the future of the district made in accordance with section 5.56;
- any proposed local law of which the local government has given local public notice under section 3.12(3);
- any local law made by the local government in accordance with section 3.12;
- any regulations made by the Governor under section 9.60 that operate as if they were local laws of the local government;
- any text that —
 - 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
 - would be adopted by a proposed local law of which the local government has given local public notice under section 3.12(3);
- any subsidiary legislation made or adopted by the local government under any written law other than under this Act;
- any written law having a provision in respect of which the local government has a power or duty to enforce;
- any rate record;
- any confirmed minutes of council or committee meetings;
- any minutes of electors' meetings;
- any notice papers and agenda relating to any council or committee meeting and reports and other documents that have been —
 - tabled at a council or committee meeting; or
 - produced by the local government or a committee for presentation at a council or committee meeting and which have been presented at the meeting;
- any report of a review of a local law prepared under section 3.16(3);
- any business plan prepared under section 3.59;
- any register of owners and occupiers under section 4.32(6) and electoral rolls;
- a report on a supplementary audit prepared under section 7.12AH(1);
- such other information relating to the local government —
 - required by a provision of this Act to be available for public inspection; or as may be prescribed.

7.2 Documents Available for Purchase

Request for reproductions of public documents may incur charges as per the Towns published Fees and Charges schedule.

7.3 Corporate Documents Held by the Town

The Town maintains comprehensive records of its dealings. These records generally relate to various properties and activities within the Town. These documents may include applications, approvals and notices, correspondence, file notes, reports, plans, maps, diagrams, photographs and recordings.

7.4 Historical Documents Held by the Town

The Town maintains certain documents of historical interest as part of its local history collection at its Victoria Park Library facility:

Victoria Park Library
27 Sussex Street
East Victoria Park WA 6101

7.5 Documents Held in Archives

The Towns archived records are located in offsite storage. Retrieval of these records may require research and time to locate. Requests for some archived records may result in costs to the applicant as outlined in the Towns published schedule of fees and charges or as stipulated in Schedule 1 to the Regulations under the State FOI Act.

7.6 Access to Information by Police Officers

Where a WA Police Officer requests access to Town documents, access will be provided upon production of the Order to Produce a Business Record or Court Order.

Documents released under these circumstances are considered confidential and must not be divulged or released to any third parties without prior consent of the Town.

7.7 CCTV

The Town's public areas CCTV systems focus only on publicly accessible spaces. All recorded CCTV footage is stored securely and is not available to the general public unless ordered by a legal ruling.

Authorised agencies, such as WA Police can request CCTV footage from the Information Management department, noting individual officers of the Town are not authorised to respond to such requests.

8 Freedom of Information Act 1992 (FOI Act)

The Freedom of Information Act 1992 (The FOI Act) provides a general right of access to documents held by the Town. It also enables the public to ensure that personal information held by the Town is accurate, complete and up to date.

The Town's aim is to be an open and friendly Council, promoting public participation in all decision making. The Town endeavours to seek ways certain documents concerning government operations can be made available to the public. Where appropriate and possible, documents may be provided outside of the Freedom of Information process.

8.1 Overview

The FOI Act enables people to participate more effectively in governing the State and to make state and local government more accountable to the public. This section is provided to give a brief understanding of its processes and is not all encompassing. Further details can be obtained from the Office of the Freedom of Information Commissioner.

8.2 Objects and Intent

The objects of the FOI Act are achieved in three ways:

1. by creating a general right of access to state and local government documents;
2. by providing means to ensure that personal information held by state and local governments is accurate, complete, up to date and not misleading; and
3. by requiring that certain documents concerning state and local government operations be made available to the public (information statements and internal manuals).

8.3 Principles of Administration

The Town of Victoria Park will administer the FOI Act in a way that:

1. assists people to obtain access to documents;
2. allows access to documents to be obtained promptly and at the lowest reasonable cost; and
3. assists people to ensure that personal information contained in documents is accurate, complete, up to date and not misleading.

8.4 Right of Access

A person has a right of access (subject to the FOI Act) to documents and that right is not to be affected by any reasons the person gives, or the Town's beliefs as to what the person's reasons are, for requiring access.

8.5 Application of the FOI Act

There are only a few State Government departments and authorities to which the FOI Act does not apply. It does not apply to Parliament or any other body listed in Schedule 2 of the FOI Act. It applies to courts only in respect of their administrative functions. It applies to all other agencies.

The FOI Act applies to documents in the possession of a Minister provided they relate to the affairs of an agency. Documents relating to party matters or to a Minister in his or her capacity as a Member of Parliament are not subject to the provisions of the FOI Act.

The FOI Act applies to all documents and records in the possession of an agency, whether written or electronically stored. The term record includes, but is not limited to, maps, plans, diagrams, graphs, drawings, photographs, films, videos, sound recordings and encoded information.

8.6 Consultation with Third Parties

The FOI Act recognises the need to balance access to information in the possession of government agencies against the need to protect both personal privacy and sensitive information relating to business or commercial affairs. Where an applicant requests access to a document which contains personal or business/commercial information relating to another person, the Town may not give access to the document unless it has taken steps to consult with the third party as to whether the document is exempt. The third party affected will offer views as to whether the document should be released. However, the decision lies with the agency. The decision maker must take into account the third party's views but is not bound by them. The third party can seek a review of the decision to give access.

8.7 Exemptions

Exemptions are based on what is essential to maintain the system of government and what is necessary for the protection of essential public interests and of private and business affairs of persons and organisations. The FOI Act makes provision for documents falling within the following categories to be protected from disclosure in certain circumstances:

- Cabinet and Executive Council;
- inter-governmental relations;
- personal information;
- commercial or business information;
- law enforcement, public safety and property security;
- deliberative processes;
- legal professional privilege;
- confidential communications;
- the State's economy;
- the State's financial or property affairs;
- effective operation of agencies;
- contempt of parliament or court;
- information as to adoption or artificial conception;
- information protected by certain secrecy provisions; and
- information as to precious metal transactions.

Exemptions will only be claimed where the relevant information is genuinely sensitive. Even if a document is technically exempt, access to it will not be refused automatically. This approach is consistent with the intent and spirit of the FOI Act.

9 Freedom of Information Application Procedure

9.1 How the Application is Made

It is the aim of the Town of Victoria Park to make information available promptly and at the least possible cost. Whenever possible, documents will be provided outside the FOI process.

If information is not routinely available, the FOI Act provides the right to apply for documents held by the Town and to enable the public to ensure that personal information in documents is accurate, complete, up-to-date and not misleading.

9.2 Freedom of Information Applications

To satisfy the requirements of section 12 of the FOI Act, an access application has to:

- be in writing;
- give enough information so that the requested information can be identified;
- give an address in Australia where notices can be sent; and
- be lodged with the FOI Coordinator at the Town of Victoria Park by either:

Mail

Town of Victoria Park
Locked Bag 437
Victoria Park WA 6979

OR

In person

Administration Centre
99 Shepperton Road
Victoria Park WA 6100

Applicants may choose to use an application form/s which are available at the Council administration building and the Towns' website to assist them in preparing a written access application or submit their own providing it complies with the abovementioned requirements.

Access applications will be acknowledged in writing and the applicant will be notified of the decision within 45 (calendar) days of Council receiving a properly completed application accompanied by an application fee (where the application is for non-personal information).

9.3 Freedom of Information charges

A scale of fees and charges are set under the FOI Act regulations. Apart from the application fee for non-personal information, all charges are discretionary. The charges are as follows.

Type of Fee	Amount
Personal information about the applicant.....	No fee
Application fee (for non-personal information).....	\$30.00
 Type of charge	
Charge for time dealing with the application (per hour, or pro rata).	\$30.00
Access time supervised by staff (per hour, or pro rata).....	\$30.00
Photocopying staff time (per hour, or pro rata).....	\$30.00
Per photocopy.....	20 cents
Transcribing from tape, film or computer (per hour, or pro rata).....	\$30.00
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 disadvantaged applicants or those issued with prescribed pensioner concession cards, the charge payable is reduced by 25%.

There are no fees or charges associated with FOI applications for personal information about the applicant. Fees and charges only apply for non-personal information.

9.4 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.

9.5 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;
- 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.

9.6 Refusal of Access

Applicants who are dissatisfied with a decision of the agency are entitled to ask for an internal review by the agency. Applications 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 the applicant disagrees with the result, the applicant can apply to the Information Commissioner for an external review and details would be advised to applicants when the internal review decision is issued.

10 FOI Responsibilities of the Town

10.1 Principal Officer

The Principal Officer is responsible for the internal review process. If the Principal Officer makes the initial decision, there is no right of internal review. Therefore, the applicant must make an application for external review to the Information Commissioner. The Principal Officer is the final decision-maker for the Town of Victoria Park.

10.2 FOI Coordinator Responsibilities

The FOI Coordinator manages and coordinates all FOI activities and liaises with the Principal Officers and decision makers. The FOI Coordinator shall:

1. record all work flow and time management details;
2. locate and collate all documents relating to an FOI request;
3. calculate projected costs, final costs and time spent processing the application, in conjunction with the decision maker;
4. keep statistics for the FOI Commissioner; and
5. prepare notice of decision which must include:
 - a) the date of the decision;
 - b) the name and designation of the decision maker;
 - c) reasons for deleting matter;
 - d) reasons for deferring access;
 - e) arrangements for giving access;
 - f) reasons for refusing access;
 - g) the amount and basis for calculation of any charge; and
 - h) rights of review.

10.3 Decision Makers Responsibilities

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. The decision maker can decide to:

1. give access;
2. give access to an edited copy;
3. refuse to deal with the application;
4. refuse access;
5. defer access;
6. give access to a suitably qualified person; and
7. impose a charge and advise the Coordinator.

10.4 Freedom of Information Management Structure

Principal Officers:	Chief Executive Officer, Chief Financial Officer, Chief Operations Officer and Chief Community Planner.
FOI Coordinator:	Information Management Coordinator
Decision maker:	Chief Financial Officer.

10.5 Review of a Decision

The FOI Act gives a person the right to apply for a review of a decision, internally by the Principal Officer in the first instance, then externally by the Information Commissioner. The application form is available from the Towns website.

10.6 Amendment of Personal Information Procedure

If the Town holds personal information about you which you believe is inaccurate, incomplete, out of date or misleading, you can apply for this to be amended. Applications must be made in writing and submitted to the FOI Coordinator. There is no application fee or charges associated with an application for personal information about the applicant, or the amendment of personal records.