



FREEDOM OF INFORMATION STATEMENT

This Information Statement is published by the Town of East Fremantle in accordance with the requirements of the *Freedom of Information Act 1992 (WA)* "the FOI Act"

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

A review of this Information Statement will take place at least every twelve months.

The Statement was reviewed and updated on 10 June 2025

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1. Structure and Functions of the Council

1.1 Overview

The Town of East Fremantle was created in 1897, when it separated from the Fremantle Municipal Council. We are an area of 3.2 square kilometres with a population of approximately 8,000 residents. Bordering the Swan River, our Town has a strong cultural heritage and supports a large range of sporting clubs and community organisations.

Green open space, and access to the river is highly valued in our Town, and we want to protect these features for future generations. Our community has a strong desire to maintain our heritage buildings and takes pride in our historic streetscapes. We recognise the need to plan effectively for population growth, whilst ensuring the unique character of our community and its heritage is not lost.

1.2 Council

The Council consists of the Mayor and eight (8) Council Members representing the Town of East Fremantle. The Mayor and Council Members are chosen democratically by the community and act in a voluntary capacity to represent the whole district of the Town of East Fremantle.

The Council Members form a corporate body working for the community and do not have the authority to act or make decisions as individuals. Decisions are made as a consensus of the Council in accordance with the Local Government Act 1995.

Ordinary meetings of Council are held on the third Tuesday of the months February through to November and on the second Tuesday during December. Commencement of these meetings is 6:00pm and members of the public are welcome to attend as observers in the Gallery.

The main business of these meeting is to consider and make decisions / resolutions on the recommendations on all matters presented to Council.

1.3 Agendas and minutes

Agendas and Minutes of the Council Meetings are available for inspection in the Town Hall during normal office hours, as well as being available on the Town's website at <http://www.eastfremantle.wa.gov.au>.

1.4 Delegated authority

The Chief Executive Officer has the delegated authority to make decisions on a number of specified 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:

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- 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 and financial controls for the operations of the Council.

The Council makes decisions which direct and / or determine its activities and functions. Such decisions include the approval of works and services to be undertaken, and the allocation of resources for works and services.

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

2. Enabling Legislation

The general function of a local government is to provide for the good government of people living and working within its district and includes legislative and executive powers and responsibilities.

Using its legislative powers, local governments make local laws prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed for it to perform any of its functions under the Local Government Act.

The local government's executive powers involve administering its local laws and doing other things that are necessary or convenient to be done for, or in connection with, performing its functions under the *Local Government Act 1995*, including the provision of services and facilities.

3. Services to the Community

Council makes decisions on policy issues relating to services that are provided for members of the public.

These services currently include:

Aged Care	Animal Control / Licensing
Awards	Building Control
Bus Shelters	Car Parks
Citizenship Ceremonies	Community Information Service
Community Arts	Crossovers

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Cultural	Cycleways
Demolition Permits	Drainage
Environmental Health Services	Fire Protection
Litter Bins	Media Releases / Newsletters
Neighbourhood Watch	Parking Control / Bays / Rd Closures
Parks and Reserves	Pedestrian Crossings
Pest Control	Planning Controls
Playground Equipment	Pollution Control
Public Library	Public Toilets
Recreational / Sporting Facilities	Recycling
Roads / Footpaths / Kerbing	Rubbish Collection
Stormwater Drainage	Street Lighting
Street Sweeping	Tip Passes
Traffic Control Devices	Verge Maintenance
Waste management	Water Sampling

4. Public Participation

4.1 Council meetings

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

Deputations: with the permission of the Presiding Member or the Mayor, a member of the public can personally, or on behalf of a resident, or group of residents, address a Committee of Council or Council at its meeting.

Public question time: members of the public are permitted to speak and ask questions on an item without prior notice.

Development application advertising: including a single story dwelling or extensions thereto, the Council may require that the adjoining owners be advised that the plans for the proposal are available for inspection at the Town Hall during normal business hours. In special instances Council may require the applicant to:

- (a) erect a sign in a position that is visible and readable from the street; and / or

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- (b) place a notice one or more times in the local newspaper circulating within the district.
- (c) use any other methods or media to ensure widespread notice of the proposal, or
- (d) give written notice to affected owners or occupiers of the proposal.

Petitions: written petitions can be presented to Council on any issue within the Council's jurisdiction.

Written requests: a member of the public can write to Council on any Council policy, activity or service.

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

4.2 Community consultation

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

Requests for other information will be considered in accordance with the *Freedom of Information (FOI) Act 1992 (WA)* "the FOI Act". Under this legislation, fees and charges do apply.

5. FOI Application Procedure

5.1 Introduction

The FOI Act describes the Town's obligations in providing access to a member of the public to all documents which the Town holds.

If access is sought to documents other than those detailed in Section 6 of this document, then it may be necessary to lodge an application under the Act. The application should be lodged with the Town via the Town's web form and detail the documents that are sought.

To ascertain whether an FOI Application is required, people seeking access to a document/s held by the Town of East Fremantle are encouraged to telephone the Town and speak to the Freedom of Information Coordinator prior to lodging an Application.

5.2 Freedom of Information applications

The FOI Act specifies that an application has to:

- Be in writing

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- Give enough information to enable the requested documents to be identified
- Give an address in Australia to which notices may be sent
- Give any other information or regulations that may assist to locate the required document
- Be lodged at the Town Hall with application payment of the prescribed amount as set in the *Freedom of Information Regulations 1993*.

The Town has prepared an application form to assist applicants in making an application and a copy of this form can be obtained by contacting the Town or on the Town's website: www.eastfremantle.wa.gov.au.

Applications may also be lodged;

By post, addressed to Freedom of Information Officer
Town of East Fremantle
PO Box 1097
FREMANTLE WA 6959

Or

In person at The Town of East Fremantle
135 Canning Highway
EAST FREMANTLE WA

5.2.1 Important information

The Local Government is an Agency under the FOI Act.

Agencies are to give effect to the FOI Act in a way that:

- Assists the public to obtain access to documents;
- Allows prompt access to documents at the lowest reasonable cost; and
- Assists the public to ensure that personal information contained in documents is accurate, complete, up to date and not misleading.

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What constitutes a document?

The FOI Act defines the word 'document' to mean any 'record' or any part or copy of the record. The word 'record' is defined as all forms of recorded information including papers, plans, maps, drawings, audio and video recordings and computer records.

The FOI Act also creates two special categories of document which agencies are obliged to make available to members of the public: an Information Statement and internal resources which guide the agency in the day to day performance of its FOI responsibilities.

Forms of Access

The Town may give access to documents in a variety of ways and these reflect the carrying nature of document. The methods include:

- physical inspection;
- providing a copy of a document;
- providing a copy of any audio or video tape;
- providing a transcript of an audio recording;
- providing a print out of computer stored information;
- a viewing of visual images; and
- listening to an audio recording.

Where access to documents by way of inspection is requested, it is the condition of the Town to provide supervision by staff and where the Town is unable to grant access in the form requested, access may be given in a different form.

Notice of Decision

Within forty five (45) calendar days from the date the Town accepts a valid application and payment, the applicant will be provided with a Notice of Decision, which will include such details as:

- The date which the decision was made;
- The name and the designation of the officer who made the decision;
- If the document(s) is classified 'exempt' or 'edited' the reason for classifying the document(s) as such is supplied; and

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- Information on the Right to Review and the procedures to be followed to exercise those rights.

Applicants who are dissatisfied with a decision of the Town are entitled to ask for an Internal Review by the Town. An Application for Internal Review are to be made in writing within thirty (30) days of receiving the Notice of Decision.

The applicant will be notified of the outcome of the Internal Review within fifteen (15) days.

If the applicant disagrees with the result, they can apply to the Information Commissioner for an External Review. The Town will provide details on this process with the outcome of the Internal Review.

5.3 Freedom of Information responsibilities

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 right of Internal Review and in this case the applicant must make an External Review request to the Information Commissioner.

Freedom of Information (FOI) Coordinator

The FOI Coordinator manages and coordinates all FOI Activities and liaises with the Principal Officer and decision makers. The FOI Coordinator:

- Records all work flow and time management details;
- Calculates projected costs, final cost and time spent processing the application;
- Gives access;
- Gives access to an edited copy;
- Refuses to deal with an application;
- Refuses access; or
- Defers access;

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6. Access to Documents

The Town is required to adhere to the *State Records Act 2000 (WA)* and this means that any right a person may have to be given access to any record the Town holds is to be determined under the Freedom of Information Act.

However, the *Local Government Act 1995 (WA)*, Section 5.94 *Public can inspect certain local government information*, provides local governments with direction on what documents a local government is permitted to provide the public with access to outside of the Freedom of Information Act.

6.1 Documents available for inspection

In accordance with *Local Government Act 1995 (WA)*, Section 5.94, the following documents are available for public inspection (free of charge) at the Town Administration Centre.

- Annual Report
- Annual Financial Statements
- Local Laws
- Standing Orders
- Annual Budget
- Long Term Financial Plan
- Strategic Community Plan
- Council / Committee Meeting Agendas and Minutes
- Town Planning Scheme Number 3
- Emergency Management Plan
- Disability Access and Inclusion Plan
- Council Policy and Procedures
- Freedom of Information Statement
- Register of Delegations
- Register of Financial Interests
- Tender Register

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- Code of Conduct
- Rate Records
- Register of Owners and Occupiers under *Section 4.32 (6) of the Local Government Act 1995 (WA)* and Electoral Rolls.

Some documents listed the above section under the *Local Government Act 1995 (WA), Section 5.94* may not be easily accessible and members of the public should contact the Town to arrange a time to view these documents.

Members of the public may obtain copies of these documents. A list of all charges are included in the Town's Schedule of Fees and Charges.

Retention and disposal of the Town of East Fremantle records

All of the Town's records are retained in accordance with the *State Records Act 2000 (WA), Local Government Retention and Disposal Schedule*. This schedule stipulates how long a record must be kept and be available for inspection.

6.2 Documents held by the Town of East Fremantle

Correspondence Files

The Town of East Fremantle manages a number of correspondence file series as described below. All files are subject to disposal in accordance with the current Local Government Records Retention and Disposal Schedule.

Current Files

These files are located at the Town Hall, with an electronic file and correspondence register available. The majority of files relate to specific property / street addresses, roads and reserves/parks, with a number of subject files relating to organisations, events, services provided, special projects and general administrative issues also forming part of the current filing system.

Archived Files

These files are located at the Town Hall and in an offsite storage facility. The majority of these files are subject files relating to other organisations, events, services provided, special projects and general administrative issues.

Council Minutes

Under the *Local Government Act 1995 (WA)* Council minutes are available for free inspection at the Town Hall by any person. A hard copy of the current minutes is available for viewing only.

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Council Minutes are available 10 days after the Council Meeting. Once the Minutes have been confirmed they are posted on the Town's website at www.eastfremantle.wa.gov.au. The Town's web site contains Council Minutes from 2007 to present.

Rates Books

Currently the Town of East Fremantle information is listed by Assessment Number or property address. When searching for historical rates information the property address, and lot number where possible are required to retrieve the relevant information.

Rates Books are stored in hard copy only at an offsite storage facility. Fees apply for the retrieval of Rates Books.

Landgate is the official custodian of land ownership information. It is recommended that a title search be conducted through Landgate if this type of information is sought.

Building / Development applications

As the authority responsible for granting planning approval for development and issuing building licenses, the Town of East Fremantle has a vast record of drawings and plans of buildings within the area. The drawings and plans can include site plans, floor plans, elevations and in some cases perspective drawings.

Access to this information is available subject to the consent of the current owner of the property. Information about the year of construction, builder details and cost of construction can also be obtained. Charges apply for obtaining this information and the availability of plans in all instances cannot be assured. Contact the Town for more information.

Municipal Heritage Inventory

Under the *Heritage of Western Australia Act 1990 (WA)* the Town of East Fremantle is required to prepare a Municipal Heritage Inventory. This is an inventory of all places within the Town of East Fremantle boundaries that are or may become of cultural heritage significance to the community. Details in the inventory include property address, ownership, description, statement of significance, bibliography, listing status and an image of each place.

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State Records Office

The State Records Office is located on the Ground Floor of the Alexander Library Building, Perth Cultural Centre. The State Records Office is the official repository for all state archives, with the State Records Office taking responsibility for the management and access to information transferred from government agencies such as the Town of East Fremantle.

State Records Office staff can assist you to locate archival material relevant to your search, with various indexes available at their offices. The State Records Office Search Room is open as per details on their website and access to information held by the State Records Office is free of charge. Contact the State Records Office on Ph: (08) 9427 3600 for more information.

6.3 Amendment of personal information

The FOI Act gives a person the right to apply for amendment of personal information which is inaccurate, out of date, or misleading. The Town may make the amendment by altering, striking out or deleting, or inserting information, or inserting a note in relation to the information.

The Town 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 Information Commissioner of Western Australia must be notified before a record is obliterated or destroyed.

Amendment of Town Records

A member of the public may gain access to the Town of East Fremantle documents to seek amendments concerning their personal affairs by making a request under the FOI Act. A member of the public may then request a correction to any information about themselves that is incomplete, incorrect, misleading or out of date.

To gain access to these Town of East Fremantle records, a member of the public must complete a Freedom of Information Application form, outlining the records they wish to inspect.

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7. Fees and Charges

Fees and charges applicable to Freedom of Information Applications are legislated and are covered in the FOI Act and *Freedom of Information Regulations 1993 (WA)*.

	Description	\$
1.	Application Fee (set under Section 12(1) of the Act)	\$30.00
2.	<u>Types of Charges (FOI Regulations, Schedule 1)</u>	
(a)	Charge for time taken by staff dealing with the application (per hour, or pro rata for a part of an hour)	\$30.00
(b)	Charge for access time supervised by staff (per hour, or pro rata for a part of an hour) plus the actual additional cost to the agency for any special arrangements (eg hire of facilities or equipment)	\$30.00
(c)	Charge for photocopying:-	
	(i) per hour, or pro rata for a part of an hour of staff time	\$30.00
	(ii) per copy (A4) black and white only	\$ 0.20
(d)	Charge for time taken by staff transcribing information from a tape or other device (per hour, or pro rata for part of an hour)	\$30.00
(e)	Charge for duplicating a tape, film or computer information	Actual cost
(f)	Charge for delivery, packaging and postage	Actual cost
3	<u>Advance Deposits</u>	
(a)	Advance deposit which may be required by an agency under Section 18(1) of the Act, express as a percentage of the estimated charges which will be payable in excess of	25%

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	Description	\$
	the application fee	
(b)	Further advance deposit which may be under Section 18(1) of the Act, express as a percentage of the estimated charges which will be payable in excess of the application fee	75%
4	<u>NB:</u>	
(a)	<i>There will be no fees applicable for access applications relating to personal information and amendment of personal information</i>	
(b)	<i>A 25% reduction of charges apply for financial disadvantaged applicants or those in receipt of Health Benefits</i>	

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Appendix 1 - FOI Application Form



Freedom of Information Application

Pursuant to the *Freedom of Information Act 1992 (WA)* you have the right to access documents held by the Town of East Fremantle subject to some limitations.

335 Canning Highway, East Fremantle
admin@eastfremantle.wa.gov.au
9339 9339

DETAILS OF APPLICANT			
SURNAME:		GIVEN NAMES:	
POSTAL ADDRESS:			
CONTACT NUMBER(S):		CONTACT EMAIL:	

If this application is on behalf of an organisation, please advise details below:

NAME:			
POSTAL ADDRESS:			
CONTACT NUMBER(S):		CONTACT EMAIL:	

[A signed authority from the above must accompany your application]

DETAILS OF REQUEST – SELECT ONE

- Personal Documents Only – this can include your name, identifying details, contact information, personal images, or other identifying matter. Proof of identity may be required.
- Non-Personal Documents – documents which contain information relating to third parties. This incurs an application fee of \$30 and additional charges may apply.

Date Range: If applicable, please indicate date range of requested document(s):

Start Date: / / End Date: / /

I am applying for access to document(s) concerning*:

*If insufficient space provided please attach details on separate sheet

Reason for Request (optional):

Please provide a reason for this request as it may assist with context and enable a better identification of documents.

*If insufficient space provided please attach details on separate sheet

ACCESS METHOD (Specify)

- I wish to inspect the document(s) Yes No
I require a copy of the document(s) Yes No

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AUTHORISATION AND CONSENT

Please note: if you select any of the boxes below, the Town of East Fremantle may not need to consult third parties, which means your application may be dealt with quicker and incur lower charges.

- I consent to all 'personal information' of third parties being deleted from the requested document(s).
(This includes: names, contact details, signatures, and identifying information of third parties that are not state and local government officers)
- I consent to all 'personal information' and 'prescribed details' of WA state and local government officers being deleted from the requested document(s).
(This includes: names, position titles, contact details and signatures of WA state and local government officers, including the Town of East Fremantle)
- I consent to my name being disclosed to a third party consulted by the Town of East Fremantle in relation to this application.
(Providing this information to third parties who ask for it enables the consultation process to be finalised more efficiently and quickly, as third parties are generally more willing to consent to the release of personal and/or business information if the applicant is known)

FEES AND CHARGES

I understand that before I obtain access to documents, I may be required to pay processing charges relating to this application and that I will be supplied with a statement of charges if appropriate. **NB Payment by credit card/EFTPOS is available, please contact the Town of East Fremantle to arrange on 08 9339 9339.*

In certain cases, a reduction in fees and charges may apply (see notes attached). If you consider you are entitled to a reduction, submit a request with documents satisfying the relevant criteria outlined in the attached notes.

I am requesting reduction in fees and charges: (please tick) Yes No

APPLICANT(S) SIGNATURE:		DATE:	
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OFFICE USE ONLY

FOI REFERENCE NUMBER:			
Received On		Deadline for response:	
Acknowledgement sent on			
Proof of identity type (if applicable):		Sighted by:	

Appendix 2 – FOI Notes



FOI Application Notes

- Please provide sufficient information to enable the correct document(s) to be identified.
- The agency may request proof of your identity if you are seeking access to personal information. (Any two of: Passport, Birth Extract Driver's Licence, Credit Card or similar).
- If you are seeking access to a document(s) on behalf of another person, the Town will require authorisation in writing from that person.
- Your application will be dealt with as soon as practicable (and, in any case within 45 days), after its received.
- Further information can be obtained from the Office of the Information Commissioner, Office of the Information Commissioner, Albert Facey House 469 Wellington Street, PERTH 6000 (PO Box Z5386, St George's Terrace, PERTH WA 6831).

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 agency is unable to grant access in the form requested, access may be given in a different medium.

FEES & CHARGES

(In accordance with FOI Regulations – these fees are not subject to GST)

- No fees for access application relating to personal information and amendment of personal information.
- 25% reduction of charges if the applicant is: (a) impecunious, in the opinion of the agency to whom the application is made; or (b) the holder of a currently valid pensioner concession card issued on behalf of the Commonwealth to that person, or any other card which may be prescribed as being a pensioner concession card under the Rates and Charges (Rebates and Deferments) Act 1992;
- Application Fee \$30.00
- Charges for dealing with the application \$30.00 per hour
- Charge Supervision Access \$30.00 per hour
- Photocopying \$30.00 per hour
- Plus \$0.20c per copy
- Delivery, package & postage Actual cost
- Advance Deposit 25% of estimated charges

LODGEMENT OF APPLICATIONS

Applications may be lodged –
By post, addressed to:
Freedom of Information Coordinator
Town of East Fremantle
PO Box 1097
FREMANTLE WA 6959

In person at:
Town of East Fremantle
135 Canning Highway
EAST FREMANTLE 6158

Via email to:
admin@eastfremantle.wa.gov.au