



CITY OF VINCENT

FREEDOM OF INFORMATION

STATEMENT

Updated October 2023

1. Introduction

This Freedom of Information statement (FOI Statement) has been prepared in accordance with section 96 of the [Freedom of Information Act 1992 \(FOI Act\)](#). The purpose of the FOI Statement is to enable members of the public to be more familiar with the functions, structures and operation of the City of Vincent (**City**), the types of documents held by the City and the procedures for accessing documents.

The City is committed to transparency and accountability and seeks to provide members of the public with access to information in the most time efficient and low-cost methods, while ensuring the privacy of staff and the public is protected. This position has been formalised in the City's Policy No. 4.1.1 '*Freedom of Information Requests*'.

The Town of Vincent was formed on 1st July 1994 and, pursuant to the *District of Vincent (City Designation) Order 2011*, declared to be a City effective 1st July 2011. Any documents prior to 1st July 1994 relating to the information of the City are held by the City of Perth with the exception of certain planning correspondence. Building Licences issued by the City of Perth prior to 1994 can be accessed through the City of Vincent with written consent of the owner(s) of that property.



David MacLennan
CHIEF EXECUTIVE OFFICER

October 2023

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2. Administrative information

Address: 244 Vincent Street
Leederville WA 6007

Postal Address: PO Box 82
Leederville WA 6902

DX: DX 63107

Telephone: (08) 9273 6000

Email: mail@vincent.wa.gov.au

Internet: <https://www.vincent.wa.gov.au/>

Chief Executive Officer: Mr David MacLennan

Mayor: Mayor Emma Cole

Deputy Mayor: Cr Susan Gontaszewski

Elected Members:

North Ward: Cr Dan Loden
Cr Alex Castle
Cr Ron Alexander
Cr Suzanne Warner

Includes all of Mount Hawthorn, and parts of Leederville and North Perth.

South Ward: Cr Jonathan Hallett
Cr Susan Gontaszewski
Cr Ross Ioppolo
Cr Ashley Wallace

Includes all of Highgate, and parts of East Perth, Mount Lawley, Coolbinia, North Perth, Leederville, West Perth and Perth.

3. The structure and function of the City of Vincent

3.1 Basis on which the Council is constituted

On 1 July 1994, in accordance with the *City of Perth Restructuring Act 1993*, the City of Perth was divided into four local government districts, being a significantly reduced City of Perth, the Town of Victoria Park, Town of Cambridge and Town of Vincent.

The Town of Vincent commenced operations on 13 February 1995. In 2011 the Town of Vincent was designated as a City and its name was changed accordingly.

The City services a population of approximately 38,923 and is forecast to grow to 49,081 by 2041 (Source: Forecast.id 2023) <https://forecast.id.com.au/vincent>) and covers 11.3 square kilometres, of which 106.4 hectares are comprised of parks and gardens.

The City is divided into two wards, North Ward and South Ward, each with four elected members. Under the leadership of the Mayor, a further elected role, the elected members serve the community for a term of four years.

3.2 Major functions and powers

The City's functions and powers are set out in the *Local Government Act 1995* (WA). The City's operations are also governed by a number of other acts and regulations, as specified in Appendix 2, and are available at <https://www.legislation.wa.gov.au/legislation/statutes.nsf/home.html> or from:

State Law Publisher
Ground Floor
10 William Street
PERTH WA 6000
Phone: (08) 9321 7688
Facsimile: (08) 9321 7536
Email: sales@dpc.wa.gov.au

The Act provides that the City may make local laws to govern its functions as set out in the Act, and also in other legislation, including the *Health Act 1911 (as amended)*, *Food Act 2008*, *Food Regulations 2009* and *Environmental Protection Act 1986*,

The City make policies which act as guidelines for the City's position on certain issues.

3.3 City's priorities

The City's Strategic Community Plan 2022-2032 specifies the City's objectives, priorities and vision and is available at

[strategic-community-plan-2022-2032 \(vincent.wa.gov.au\)](https://www.vincent.wa.gov.au/strategic-community-plan-2022-2032)

The following are the key priorities:



ENHANCED ENVIRONMENT

The natural environment contributes greatly to our inner-city community. We want to protect and enhance it, making best use of our natural resources for the benefit of current and future generations.



ACCESSIBLE CITY

We want to be a leader in making it safe, easy, environmentally friendly and enjoyable to get around Vincent.



CONNECTED & HEALTHY COMMUNITY

We are a diverse, welcoming and engaged community. We want to celebrate what makes us unique and connect with those around us to enhance our quality of life.



THRIVING PLACES

Thriving Places are integral to our identity, economy and appeal. We want to create, enhance and promote great places and spaces for everyone to enjoy.



SENSITIVE DESIGN

Design that 'fits in' to our neighbourhoods is important to us. We want to see unique, high quality developments that respect our character and identify and respond to specific local circumstances.



INNOVATIVE & ACCOUNTABLE

The City of Vincent has a significant role to play in supporting our community to realise its vision. To achieve this, we will be an innovative, honest, engaged and responsible organisation that manages resources well, communicates effectively and takes our stewardship role seriously.

3.4 Organisational structure

In accordance with the *Local Government Act 1992* the City’s community elects four elected members for each ward. The role of the Council is to make decisions on the community’s behalf and in accordance with statutory framework.

The Chief Executive Officer is appointed by the Council and is responsible for the overall management of the City and acts as the chief advisor to the Council.

The Mayor is elected at large by the community and is the presiding member at Council meetings.



3.5 Resources

The City of Vincent has a budgeted revenue of \$68,432,869 for the year 2023/2024. It receives approximately \$42,302,811 from rates income and the balance from other sources. The [annual budget](#) contains complete details of the City’s financial information.

The City of Vincent has 257.55 full time equivalent employees (source: [Corporate Business Plan](#) 2022/23 - 2025/26).

4. **The effect of the agency’s function on members of the public**

The Council establishes policies and guidelines for the management of the City and makes all decisions in this regard unless authority has been delegated to officers of the Council.

5. **Arrangements in place that allow for public participation in the formation of policy and performance**

5.1 Public address at Council meetings

All Council meetings are open to the public unless required to be closed in accordance with Section 5.23(2) of the *Local Government Act 1995*. Public address at Council meetings and briefings is strictly limited to three minutes per member of the public, and the address must relate to matters affecting the City. Furthermore, public address at a Council Briefing must relate to an item on the Briefing Agenda. The City does not operate the committee system of decision-making.

5.2 Deputations

Deputations can be made to Council by prior arrangement, in accordance with the City's Meetings Procedure Local Law 2008, which is available [here](#).

Requests to make a deputation must be emailed to:
governance@vincent.wa.gov.au

5.3 Petitions

Petitions will be accepted by Council provided they comply with the legislative and Meeting Procedures Local Law 2008 requirements. Information on submitting a petition, including a template, is available [here](#).

A template is also attached at Appendix 4.

5.4 Electors meetings

In accordance with Section 5.28 of the *Local Government Act 1995*, an annual electors meeting is held by the City of Vincent and all residents are encouraged to attend. A special electors meeting may be called under Section 5.28 (1) of the *Local Government Act 1995* by submitting a petition on the correct Form 1 as prescribed by the *Local Government (Administration) Regulations 1996* and signed by a minimum of 100 electors. See Appendices.

5.5 Written requests

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

Correspondence should be addressed to:-

mail@vincent.wa.gov.au

or

Chief Executive Officer
City of Vincent
PO Box 82
LEEDERVILLE WA 6902

5.6 Elected members

Residents and ratepayers may contact their elected members or the Mayor to discuss issues or obtain advice on matters relating to the City. Details for contact is available [here](#).

5.7 Community consultation

The Council has adopted a comprehensive policy to provide guidelines for consultation, details are available [here](#).

6. Description of the types of documents held by the City

6.1 Publicly available documents

Appendix 6 details the access and availability of documents in an easy to read chart.

Council agendas and minutes

Details matters listed for discussion at Council meetings and the resultant minutes of those meetings. These are available for viewing at the Administration and Civic Centre, the Library and Local History Centre and available online [here](#).

Local Laws

These are the laws that Council makes to enable it to fulfil its functions and copies of these are available [here](#).

Publicly available registers

In the interests of openness and transparency, Council has decided to make publicly available a range of Registers on its website, including -

- [Register of Common Seal Usage](#)
- [Register of Complaints](#) referred to under Section 5.121 of the *Local Government Act 1995*
- [Council Member Contact with Developers Register](#)
- [Elected Members Professional Development Register](#)
- [Register of Freedom of Information \(FOI\) Requests](#)
- [Register of Gifts](#)
- [Register of Interests Disclosed at Council Meetings](#)
- [Lease Register](#)
- [Contracts Register](#)
- [Annual Returns Reporting - 2023](#)
- [Community Funding Grant Register for the 2022/23 Financial Year](#)

Policies

These detail Council policy on various issues and are available [here](#).

Delegation of authority

The City has a Council delegations register, which details the powers delegated by Council to the Chief Executive Officer, and a CEO delegations register, detailing the delegation of the Chief Executive Officer's powers and functions and is available [here](#).

Governance Framework

At its 18 August 2020 Ordinary Council meeting, Council adopted the City's first Governance Framework. The framework highlights the City's commitment to providing good governance by defining systems, policies, processes and a methodology for ensuring accountability, probity and openness in the conduct of City business and is available [here](#).

6.1.1 Finance

Annual budget

This document gives details of the budget approved by Council within a financial year.

Annual report

This document is produced by the City to detail the Council's activities for the year.

Monthly financial statement

These statements detail the financial dealings of the City on a monthly basis and are tabled at ordinary meeting of Council.

6.1.2 Information

Freedom of Information statement

In accordance with the FOI Act, this statement includes detailed information on the structure and nature of the City.

Freedom of Information procedure manual

A manual designed to ensure the correct application of the FOI Act. It details the related procedures, policies and rules adopted by the City.

Recordkeeping Plan (RKP)

A manual written to enable employees within the City to abide by the policies and procedures, endorsed by the Chief Executive Officer, to ensure the safekeeping of records within its care.

Local Government retention and disposal schedule

A manual released by the State Records Office to ensure conformity and the safekeeping of records within local government. It is a detailed document which determines how long a document must be kept.

There is a general right of access to the City's records within limits and [exemptions](#) subject to the FOI Act.

The FOI Act is intended to make Government, its agencies, and officers more accountable. It is not intended to open the private and professional lives of its citizens to public scrutiny without the consent of the individuals concerned, where there is no demonstrable benefit to the public interest in doing so.

6.2 Community & Business Services Directorate

Communications and Engagement

Public Relations, Marketing and Communications, Events and Citizenship Ceremonies, Graphic Design, Digital Marketing and Community Engagement.

Financial Services and Project Management Office

Guidelines for Contract Management, Procurement and Purchasing and Project Management.

Human Resources

Guidelines for Recruitment, Learning and Developments and Work, Health and Safety.

Information and Communications Technology

Guidelines for ICT Operations, Systems Access, Software Purchasing, Information Management, Data Classification and Cyber Security.

6.3 Strategy & Development Directorate

Statutory Planning

Policies, Development Parking Requirements, Local Planning Scheme, Residential Design Codes.

Urban Design and Strategic Projects

Strategic Planning, Place Management, Town Centres.

Built Environment and Wellbeing

Health, Building and Compliance Services.

6.4 Infrastructure & Environment Directorate

Library and local history centre

Various publications are available to the public through these centres.

Rangers' manual

Contains detailed instructions on the manner and method of dealing with enquiries relating to animal control, abandoned vehicles and nuisance problems.

Administration

Works requests for parks and engineering, reinstatements and recoverable works, sale of second-hand slabs, infrastructure protection bonds and crossovers.

Engineering

Street name plates, stormwater run-off and drainage, asset and fleet management, rights of way, requests for additional and/or repair of existing streetlights.

Works

General maintenance of roads and footpaths, including cleaning, and stormwater flooding of private properties.

Waste & Recycling

Waste minimisation and removal services including general, recycling and bulk verge collections.

Parks

Street trees, verge planting and beautification, graffiti removal, pruning, verge and right of way clearing and mowing, parks and reserves fertilising programs and weed control, playgrounds, reticulation systems including water monitoring and cleaning, chemical use and storage, park security/flood/decorative lighting, public litter bins and plant equipment including maintenance and repairs.

7. Freedom of Information procedures, contacts, and access arrangements

7.1 Freedom of Information enquiries

Freedom of Information inquiries may be made in person, by telephone, e-mail or by mail. The City's employees will endeavour to make the information available rather than requiring an applicant to lodge a formal Freedom of Information application. The Information Commissioner encourages agencies to disclose information outside the FOI Act whenever that can properly be done. It often results in faster access and less work for agencies.

The City also has [Council Policy 4.1.4](#) which states:

"If the determination is such that the information can be provided:

- 1. with less than one hour of officer time; and*
- 2. unedited or edited to the extent that identification of a third party is protected;*

then the fee, as prescribed by the Council, will be waived."

7.2 Freedom of Information applications

Under the the FOI Act, the access application has to –

- a) be in writing; and
- b) give enough information to enable the requested documents to be identified; and
- c) give an address in Australia to which notices under this Act can be sent; and
- d) give any other information or details required under the regulations; and
- e) Be lodged at an office of the City with any application fee payable under the regulations.

Address for service of an application is as follows:

Email: mail@vincent.wa.gov.au or

By post: Chief Executive Officer
City of Vincent
PO Box 82
LEEDERVILLE WA 6902

or in person at 244 Vincent Street, Leederville.

7.3 Freedom of Information charges

An application fee of \$30.00 is required for non-personal information, in accordance with the [Freedom of Information Regulations 1993](#). An access application is not valid until the application fee of \$30.00 has been received by the City, in accordance with the regulations.

Other charges are as follows.

- 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
- Transcribing from tape, film or computer information (per hour or pro rata) \$30.00
- Duplicating a tape, film or computer information Actual
- Delivery, packaging and postage Actual

Advance deposit may be required at a rate of 25% of the estimated charges. Further advance deposit may be required at a rate of 75% to meet the charges for dealing with the application. For financially disadvantaged applicants or those issued with prescribed pensioner concession cards, the charge payable is reduced by 25%. All charges, apart from the application fee, are discretionary and there is no application fee or charges for providing an applicant with access to personal information about the applicant.

7.4 Access arrangements

When access has been granted according to the Act, documents are provided electronically via a secured Microsoft® SharePoint® link. Access to documents can also be granted by way of inspection, a copy of a document, a copy of an audio or video tape, on USB, a transcript of a recorded, shorthand or encoded document from which words can be reproduced. The applicant has the right to request a specific format.

7.5 Document viewing

When access has been granted according to the Act, documents may be viewed at a mutually suitable time at the Council.

7.6 Notice of decision

As soon as practicable and, 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;
- if a redacted version of a document is provided, the reasons for the redaction; and
- information on the right to review and the procedures to be followed to exercise those rights.

7.7 Right to review

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 and must include the particulars to be reviewed. Applicants will be notified of the outcome of the internal review within 15 days.

An applicant that is not satisfied with the outcome of the internal review may apply in writing to the Information Commissioner (within 60 days) for an external review. Third parties have 30 days within which to apply for an external review. There is no application fee or other charge for reviews.

8. **Amendment of personal information**

Any person concerned that any records maintained by the City may hold personal information about themselves that may require amendment, can write or contact:

Email: mail@vincent.wa.gov.au or

By post: Chief Executive Officer
City of Vincent
PO Box 82
LEEDERVILLE WA 6902

There is no charge for providing an applicant with access to personal information about the applicant and the City does not require a formal application. Fees and Charges may apply.

9. **Privacy rights and legislation**

The City of Vincent views privacy compliance as an integral part of its commitment to accountability and integrity in all its activities and programs. The City is committed to compliance with the laws that deal with personal and health information about individuals that is stored or received by it. Consequently, we will:

- Only use personal information provided by an individual for the purposes for which it was collected and for any other authorised use;
- Only disclose personal information to any third party (including other authorities) where authorised or as required/allowed under the [Australian Privacy Principles](#) or relevant legislation; and
- Take all necessary measures to prevent unauthorised access or disclosure.

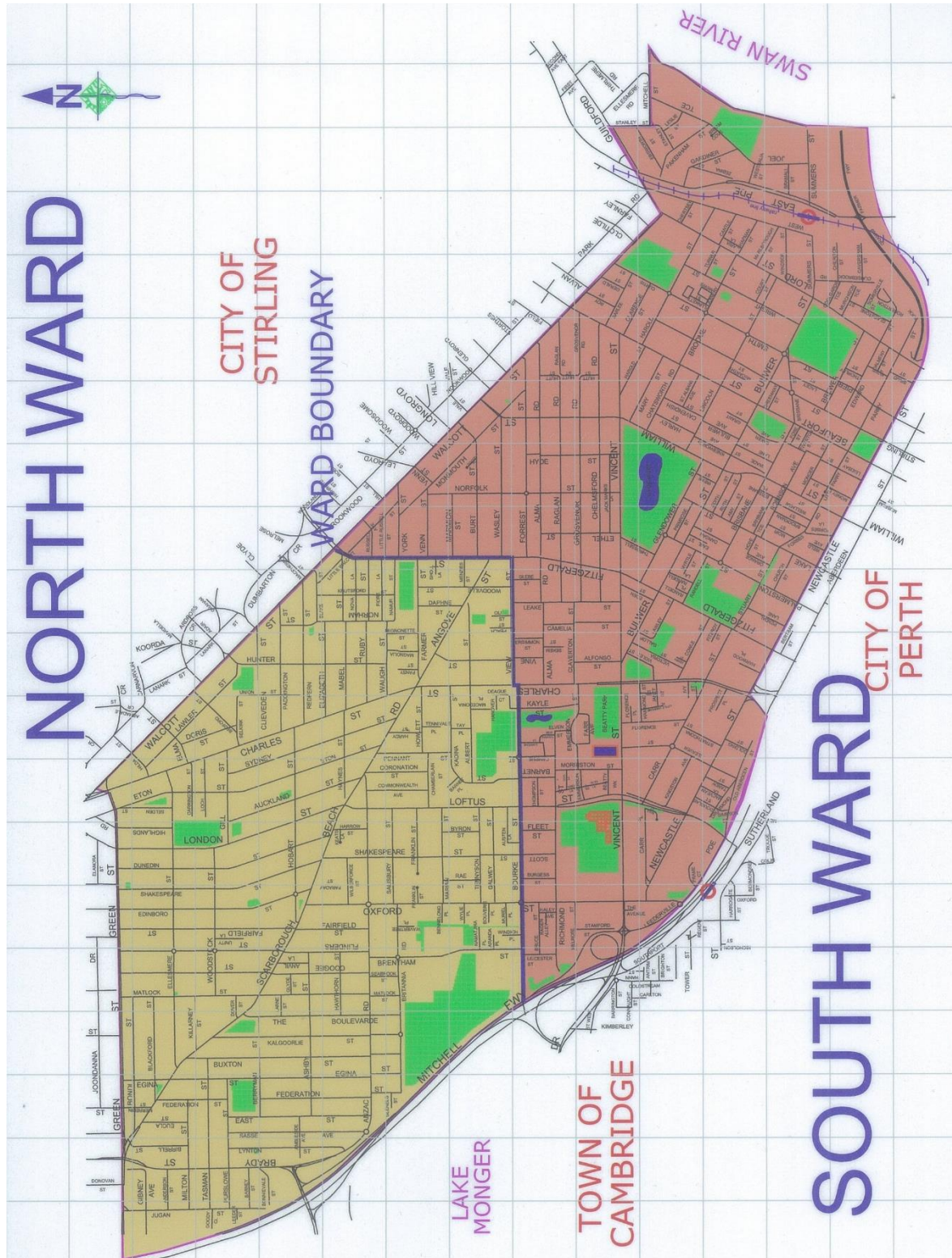
9.1 Code of conduct

On 23 March 2021, the City adopted a new Code of Conduct for Council Members, Committee Members and Candidates. The code provides Council Members, Committee Members, and candidates in the City of Vincent with the minimum standard of professional conduct and behaviour in carrying out their functions and responsibilities. The code addresses ethical responsibility and encourages greater transparency and accountability. It encourages a commitment to ethical and professional behaviour and outlines principles upon which individuals and collective local government behaviours are to be based.

9.2 Privacy policy

The City has a [privacy management policy](#) to:

- ensure personal information is collected, accessed, used, stored and disposed of in accordance with the *Privacy Act 1988* and [Privacy Amendment Act 2004](#) and
- to provide guidelines for the City when dealing with information.



Acts of Parliament and associated regulations to which are applicable to the operation and management of the City:

Aboriginal Heritage Act 1972
Building Act 2011 and Associated Regulations
Bush Fires Act 1954 and Associated Regulations
Cat Act 2011
Commonwealth Work Health and Safety Act 2011
Criminal Procedure Act 2004 (as amended)
Dividing Fences Act 1961
Dog Act 1976
Electronic Transactions Act 2011
Emergency Management Act 2005
Environmental Protection Act 1986
Evidence Act 1906 and the Acts Amendment (Evidence) Act 2000
Financial Management Act 2006
Food Act 2008
Food Regulations 2009
Freedom of Information Act 1992 and Associated Regulations
Health Act 1911 (as amended) and Associated Regulations
Heritage of Western Australia Act 1990 (as amended)
Justices Act 1902 and Justices Amendment Act 1989 (WA)
Liquor Control Act 1988 and Associated Regulations
Litter Act 1979 and Associated Regulations
Local Government Act 1995 and Associated Regulations
Metropolitan Region Scheme
Oaths, Affidavits and Statutory Declarations Act 2005
Occupational Safety and Health Act 1984 (as amended)
Occupational Safety and Health Amendment Bill 2010
Planning and Development Act 2005 and Associated Regulations
Planning and Development (Consequential) Regulations 2006
Public Sector Management Act 1994
State Administrative Tribunal Act 2004
State Records Act 2000 and Associated Regulations
Strata Titles Act 1985 and Amendment Act 1996
Tobacco Control Act 1990 and Amendment Act 2009
Town Planning (Local Government Planning Fees) Regulations 2000
Town Planning Regulations 1967 (as amended)
Valuation of Land Act 1978 (as amended)

Organisational structure

The City's CEO and executive comprises:



Schedule 1 - Forms

Form 1

[reg. 16]

Local Government Act 1995
Local Government (Administration) Regulations 1996
REQUEST FOR A SPECIAL MEETING OF ELECTORS

TO: The ⁽¹⁾ Mayor/President of ⁽²⁾

1. Under section 5.28 of the *Local Government Act 1995* , the electors of ⁽³⁾ whose names, addresses and signatures are set out in the attached list and who comprise ⁽¹⁾ 100 electors/5% of the number of electors request that a special meeting of the electors of the district be held.

2. The details of the matter to be discussed at the special meeting are -

3. This request is served on behalf of the listed signatories by -
 Name
 Signature
 Contact details
 Date

- (1) delete the one that does not apply
- (2) insert name of local government
- (3) insert name of district

Form 1 continued: form of each page of listed signatories

We, the undersigned, request that a special meeting of the electors of the district be held.

Full name of elector*	Address which entitles you to vote in the elections of the local government affected by this request	Signature of elector	Date

* An elector may be one of the following -

- a resident owner or occupier enrolled to vote at State elections;
- an owner of rateable property (e.g. an absentee land owner or an owner of business premises, vacant land or other non-residential property);
- an occupier of rateable property (e.g. a tenant of business premises or other non-residential property).

Documents available to external stakeholders:

Each of the following documents is available for viewing on the City's website or in person at our offices. Where photocopies are available or made, there is or may be a small charge to cover this.

None of these documents require a request under the FOI Act.

DESCRIPTION OF DOCUMENTS
<u>COUNCIL MINUTES AND AGENDAS</u>
<u>LOCAL LAWS</u>
<u>DELEGATION AUTHORITY REGISTER</u>
<u>REGISTER OF INTERESTS</u>
<u>COUNCIL POLICIES</u>
<u>ANNUAL REPORT</u>
<u>ANNUAL BUDGET</u>
<u>CORPORATE PLANS AND STRATEGIES</u>
<u>FREEDOM OF INFORMATION STATEMENT</u>
<u>CODE OF CONDUCT</u>
<u>CUSTOMER SERVICE CHARTER</u>
<u>DISABILITY ACCESS AND INCLUSION PLAN 2022- 2027</u>
<u>BUSINESS SUPPORT TOOLS</u>
<u>HERITAGE PLACES AND RESOURCES</u>
<u>MUNICIPAL HERITAGE INVENTORY</u>

<u>PLANNING AND BUILDING POLICY MANUALS</u>
<u>WASTE STRATEGY</u>
<u>SUSTAINABLE ENVIRONMENT STRATEGY</u>
<u>SAFER VINCENT PLAN</u>
<u>CORPORATE BUSINESS PLAN</u>
<u>LONG TERM FINANCIAL PLAN</u>
<u>ASSET MANAGEMENT STRATEGY</u>
<u>PUBLIC HEALTH PLAN</u>

Many more documents are available on the City's website [here](#).



CITY OF VINCENT

In Person: 244 Vincent Street,
LEEDERVILLE 6007
By Post: PO Box 82, LEEDERVILLE WA
6902
By Facsimile: (08) 9273 6099
By Email: mail@vincent.wa.gov.au

APPLICATION FOR ACCESS TO DOCUMENTS
(pursuant to the *Freedom of Information Act 1992*, S.12)

SURNAME:		GIVEN NAME(S):	
AUSTRALIAN POSTAL ADDRESS:			
			Postcode
TELEPHONE NUMBER: <i>(optional)</i>			
EMAIL ADDRESS: <i>(optional)</i>			
<i>If application is on behalf of an organisation</i>			
ORGANISATION NAME AND ADDRESS:			Postcode
DETAILS OF REQUEST (Please Tick) Personal information <input type="checkbox"/> Non-Personal information <input type="checkbox"/>			
I hereby request access to the following document(s);			
FORM OF ACCESS (please tick appropriate box)			
I wish to inspect the document(s) Yes <input type="checkbox"/> No <input type="checkbox"/>			
I require a copy of the document(s) Yes <input type="checkbox"/> No <input type="checkbox"/>			
I require access in another form Yes <input type="checkbox"/> No <input type="checkbox"/>			
Please specify			
FEES AND CHARGES			
I acknowledge that an Application for non-personal information is not valid until the application fee of \$30.00 has been received by the City of Vincent and will be dealt with as soon as practicable and within 45 days after the Application is received. Attached is a cheque, credit card authorisation or cash in the amount of \$30.00. I understand that before I obtain access to documents I may be required to pay processing charges in respect of this application, in which case I will be provided with an estimate of charges.			
Note: There is no fee payable for Applications for Amendment of personal information.			
APPLICANTS SIGNATURE:			DATE: dd/mm/yy
I further request to be given access to edited copies of the documents, with the exempt matter deleted pursuant to Section 24 of the <i>Freedom of Information Act 1992</i> (please see over).			
Yes <input type="checkbox"/> No <input type="checkbox"/> <i>(Please tick appropriate box)</i>			
The City keeps an online Register of all Freedom of Information requests. Your name and the details of the request will be published in the Register. If you do not want your name being published, please indicate below.			
I consent <input type="checkbox"/> I do not consent <input type="checkbox"/> <i>(Please tick appropriate box)</i>			