



# City of Rockingham

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## Information Statement

As required by Section 96 of the Freedom of Information Act 1992  
Reviewed and updated 22 February 2018

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Copies of this document may be obtained from:

Governance and Councillor Support  
City of Rockingham  
Civic Boulevard  
ROCKINGHAM WA 6168  
Or  
[www.rockingham.wa.gov.au](http://www.rockingham.wa.gov.au)

**Enquiries may be made to Governance Coordinator on 9528 0333 Monday to Friday from 8:30am to 4:30pm, or by email at [customer@rockingham.wa.gov.au](mailto:customer@rockingham.wa.gov.au), subject – Information Statement – Governance and Councillor Support. We look forward to assisting you with the information you require.**

**Disclaimer:**

The City has taken due care to ensure that the information provided is accurate and current. However, as the statement is reviewed and updated only once each year, the City cannot warrant that the information is necessarily current and a person should not rely exclusively on the information contained within this document. The City does not accept responsibility for any loss or damage suffered as a result of any person relying on the information contained in this statement. If you are intending to rely on the information contained within the statement then you should research and investigate the accuracy of the information. It is your responsibility to ensure that the information is accurate for your purposes. If you are uncertain you should obtain independent legal advice.

## 1. INTRODUCTION

The objectives of the *Freedom of Information Act 1992* (the Act) are to:

- (a) enable the public to participate more effectively in the governing of the State; and
- (b) make the persons and bodies that are responsible for State and local government more accountable to the public.

To ensure these objectives are met, Section 94 of the Act requires the City of Rockingham to provide an information statement, updated annually.

### Section 94 - Information statements

A reference in this Act to an **information statement**, in relation to an agency, is a reference to a statement that contains —

- (a) a statement of the structure and functions of the agency;
- (b) a description of the ways in which the functions (including, in particular, the decision making functions) of the agency affect members of the public;
- (c) a description of any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the performance of the agency's functions;
- (d) a description of the kinds of documents that are usually held by the agency including —
  - i) which kinds of documents can be inspected at the agency under a written law other than this Act (whether or not inspection is subject to a fee or charge);
  - ii) which kinds of documents can be purchased; and
  - iii) which kinds of documents can be obtained free of charge;
- (e) a description of the agency's arrangements for giving members of the public access to documents mentioned in paragraph (d)(i), (ii) or (iii) including details of library facilities of the agency that are available for use by members of the public;
- (f) a description of the agency's procedures for giving members of the public access to the documents of the agency under Part 2 including —
  - i) the designation of the officer or officers to whom initial inquiries as to access to documents can be made; and
  - ii) the address or addresses at which access applications can be lodged;
- (g) a description of the agency's procedures for amending personal information in the documents of the agency under Part 3 including —
  - i) the designation of the officer or officers to whom initial inquiries as to amendment of personal information can be made; and
  - ii) the address or addresses at which applications for amendment of personal information can be lodged.

## **2. ABOUT CITY OF ROCKINGHAM**

### **Council's Values**

Council's decisions, services and allocation of resources will be guided according to the following values:

- Commitment to Services
- Accountability
- Trust
- Honesty
- Communications

### **Our Community's Vision For the Future**

The community was very clear about what the City should be like 15-20 years from now. These thoughts have been captured in our vision statement which will provide ongoing guidance as the City travels towards this goal.

In 2030 our City will:

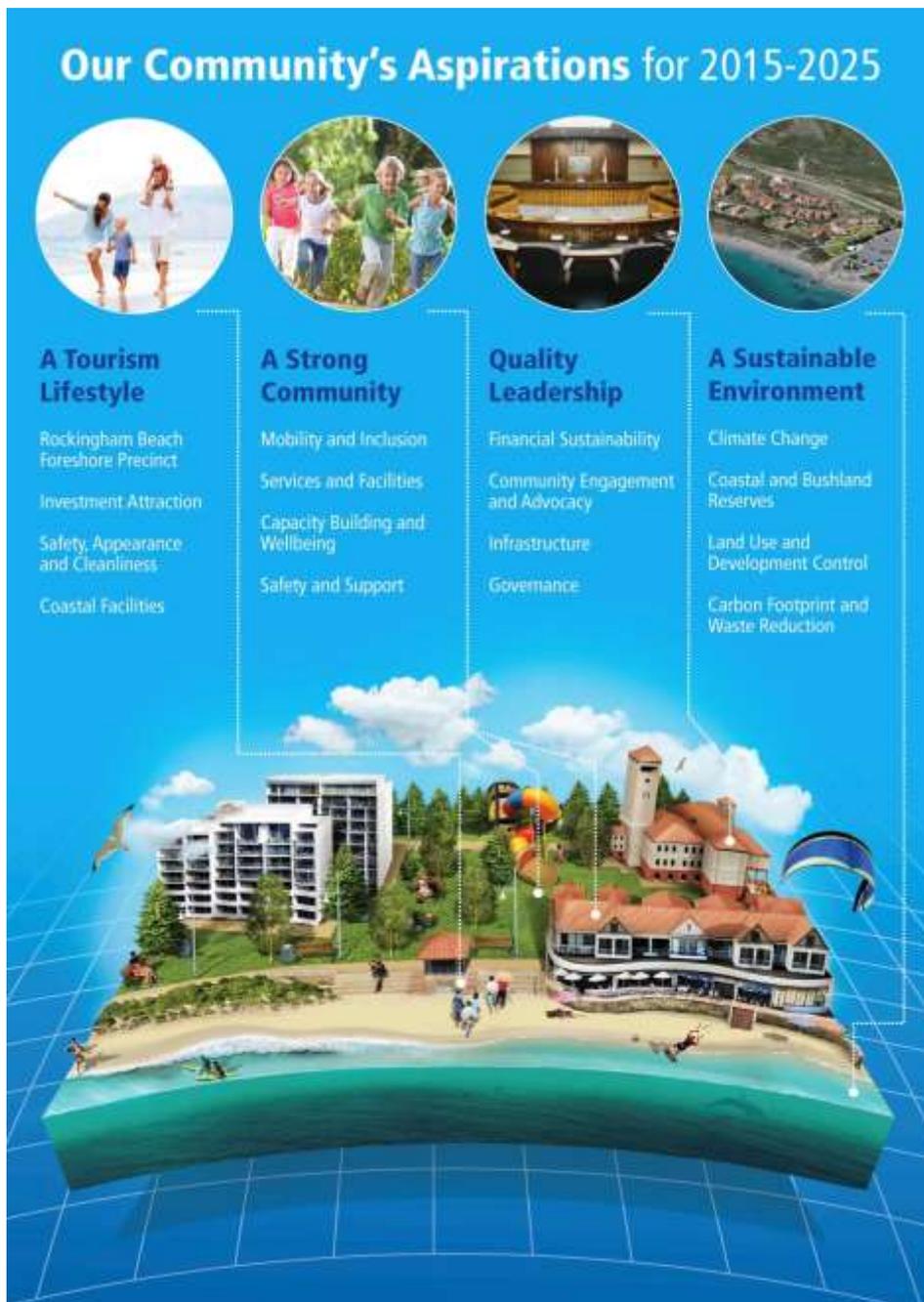
- be recognised and admired as a contemporary and vibrant regional destination, renowned for its thriving City Centre and Waterfront Village, natural beauty and world class coastal and marine environments;
- enjoy a safe, relaxed and friendly tourism lifestyle, underpinned by a diverse range of community facilities, services and cultural activities all linked with a world class public transport system;
- prosper from significant investment and employment opportunities, created by a diverse and robust economic base including retail, services, tourism, education, defence, horticulture and light and heavy industrial activity;
- acknowledge that the climate is changing, continue to reduce its carbon footprint and the generation of waste, and manage and use its land and marine environments in a manner that preserves them for future generations;
- be home to a proud, welcoming and inclusive community that understands, respects and preserves its unique sense of purpose and place.

### 3. CITY OF ROCKINGHAM 2015-2025 STRATEGIC COMMUNITY PLAN

Approximately 250 randomly invited members of the community attended seven different workshops. Three additional workshops were held for specific sectors of the community – two for youth participants, and one with the Aboriginal community. To ensure the outcomes were completely objective the sessions were led by a professional facilitator, and no City staff members were involved in the workshops.

Participants had lively and creative discussions about some of the City’s priority areas, including community life and recreation, foreshore development, accessibility, amenity and attractions for locals and tourists, and protecting and enhancing the natural environment

Based on the outcomes from these workshops a Vision and Aspirations document was drafted, then refined by the Manager Strategy and Corporate Communications, and CEO.



### 3.1 Community Plan Aspirations for 2015-2025

## A Tourism Lifestyle

### ***Rockingham Beach Foreshore Precinct:***

A world-class foreshore precinct capitalising on its unique location and aspect, delivering a quality leisure tourism experience through contemporary design, best practice facilities and seamless linkage between beach, parkland and tourism-based commercial, retail and food and beverage outlets.

### ***Investment Attraction:***

A strategic and focussed approach to attracting major investment to the City's coastal nodes, City Centre and inland settlements that promotes quality retail, commercial and residential development, improved civic infrastructure and leisure tourism experiences for residents and visitors.

### ***Safety, Appearance and Cleanliness:***

Attractive, appealing and welcoming foreshores, beaches and public spaces that are clean, safe and litter-free.

### ***Coastal Facilities:***

A range of quality and contemporary leisure tourism facilities including a "major brand" hotel, marinas, boat ramps, jetties, boardwalks and foreshore parks that contribute to the City's reputation as the premier metropolitan coastal tourism destination.

## A Strong Community

### ***Mobility and Inclusion:***

Community services, programs and infrastructure that effectively cater for all residents including seniors, youth and vulnerable populations.

### ***Services and Facilities:***

Community facilities and services that accommodate contemporary community expectation and are justified, well used, cost effective and, where appropriate, multi-functional.

### ***Capacity Building and Wellbeing:***

A healthy community that volunteers, embraces lifelong learning and cultural awareness, and is involved with a diverse range of vibrant and sustainable community, sporting, cultural and artistic organisations and pursuits.

### ***Safety and Support:***

A community that feels safe and secure in home, work and leisure environments, and has access to a range of effective support services and partnerships when encountering challenging or difficult times.

## Quality Leadership

### ***Financial Sustainability:***

A City that understands the importance of sustainable revenue streams, long term resource planning and allocation, and the need to prioritise spending on core services and strategic asset management programs.

### ***Community Engagement and Advocacy:***

An engaged and informed community that participates in local decision making and can rely upon the Council to advocate on its behalf when important issues challenge the best interests of the City and its residents.

### ***Infrastructure:***

Civic buildings, sporting facilities, public places and transport infrastructure planned, designed, constructed and maintained using best practice principles and life cycle cost analysis, and implemented in line with informed population growth analysis.

### ***Governance:***

Governance systems that enable Council to make informed and considered decisions, effectively supported by an executive informing and implementing those decisions; all within an accountable, legally compliant, transparent and ethical environment.

## A Sustainable Environment

### ***Climate Change:***

Planning systems, infrastructure standards and community awareness programs that acknowledge, mitigate and adapt to the impacts of climate change.

### ***Coastal and Bushland Reserves:***

Coastal and bushland reserves that are well used and sustainably managed preserving them for future generations to enjoy.

### ***Land Use and Development Control:***

Planning for population growth and guiding development and land use to ensure that future generations enjoy a sustainable city and a genuinely desirable lifestyle.

### ***Carbon Footprint and Waste Reduction:***

Carbon footprint reduction and waste minimisation programs focussed on community education and awareness, and the use of new technologies proven to be environmentally acceptable and financially sustainable.

## 4. CITY'S PROFILE

### History

|                                      |                  |
|--------------------------------------|------------------|
| Constituted as Rockingham Road Board | 21 May 1897      |
| Renamed Shire of Rockingham          | 1 July 1961      |
| Proclaimed City of Rockingham        | 12 November 1988 |

### Current Facts and Statistics

**Location: 40 kilometres south/west of Perth CBD**

**Population: 128,962 (ABS ERP 2015)\***

**Number of Electors: 78,629 as of July 2017**

**Area: 260 square kilometres**

### Suburbs and Localities

- Baldivis
- Cooloongup
- East Rockingham
- Garden Island
- Golden Bay
- Hillman
- Karnup
- Peron
- Port Kennedy
- Rockingham
- Safety Bay
- Secret Harbour
- Shoalwater
- Singleton
- Waikiki
- Warnbro

### Tourist Attractions

- Penguin Island
- Shoalwater Islands
- Rockingham Museum
- WA Water Ski Park
- Peel Estate Winery
- Baldivis Estate Winery
- Rockingham Shopping Centre
- Point Peron Lookout
- Churchill Park
- Bell Park
- Numerous Beaches
- Art Gallery
- Community Theatre
- Restaurants
- Salt Lakes, Naragebup
- Environment Centre
- Aqua Jetty
- Rockingham Aquatic Centre
- Archery Park
- Golden Ponds
- Swim with the Dolphins
- Surfing, Baldivis Water Ski

### Local Industries

- Nickel refinery
- Light industry
- Cray fishing
- Fishing
- Farming
- Tourism
- Forestry
- Market gardening
- Boat building
- Structural Engineering
- Horticulture
- Ceramics
- Viticulture
- Grain silos
- Building service industries
- Wineries
- Building and construction
- Restaurants
- Entertainment and leisure
- Retail and commerce
- Mussel farming

\*Population forecast provided by forecast.id

## **5. MAYOR AND COUNCILLORS**

The Council comprises of 10 Councillors including the Mayor. The Councillors are elected by the Community and act in a voluntary capacity to represent the whole district of the City of Rockingham.

The Mayor is elected by Council from amongst their members. The Councillors form a corporate body working for the community and do not have the authority to act or make decisions as individuals. Decisions are made by Council in accordance with the *Local Government Act 1995 (the Act)*.

### **Role of the Council**

The roles of the Council and Elected Members are as follows:

The Council:

- (i) directs and controls the local government's affairs;
- (ii) is responsible for the performance of the local government's functions;
- (iii) is to oversee the allocation of the local government's finances and resources;
- (iv) is to determine the local government's policies.

### **Role of the Mayor**

The Mayor:

- (i) presides at meetings in accordance with this Act;
- (ii) provides leadership and guidance to the community in the district;
- (iii) carries out civic and ceremonial duties on behalf of the local government;
- (iv) speaks on behalf of the local government;
- (v) performs such other functions as are given to the mayor or president by this Act or any other written law;
- (vi) liaises with the Chief Executive Officer on the local government's affairs and the performance of its functions.

### **Role of Councillors**

A Councillor:

- (i) represents the interests of electors, ratepayers and residents of the district;
- (ii) provides leadership and guidance to the community in the district;
- (iii) facilitates communication between the community and the Council;
- (iv) participates in the local government's decision-making processes at council and committee meetings;
- (v) performs such other functions as are given to a councillor by the *Local Government Act 1995* or any other written law.

## 5.1 COUNCILLORS

The Mayor and Councillors, with their wealth of experience and commitment, serve to meet the requirements of the community at all times and are readily available to residents. Councillors represent one of the City's four wards: Baldivis Ward, Comet Bay Ward, Rockingham Ward and Safety Bay Ward.

### Baldivis Ward



**Cr Lee Downham**

[ltdownham@gmail.com](mailto:ltdownham@gmail.com)

Mobile: 0477 177 772

(Term 2015-2019)



**Cr Matthew Whitfield**

PO Box 4072

BALDIVIS WA 6171

[matthew@baldiviscouncillor.com](mailto:matthew@baldiviscouncillor.com)

Mobile: 0405 637 894

(Term 2017-2021)

### Comet Bay Ward



**Cr Chris Elliott**

1 Treasure Road

SINGLETON WA 6175

[chriselliott388@yahoo.com.au](mailto:chriselliott388@yahoo.com.au)

Phone: (08) 9537 1096

Mobile: 0420 924 494

(Term 2015-2019)



**Cr Mark Jones**

[cometbaycouncillor@inet.net.au](mailto:cometbaycouncillor@inet.net.au)

Mobile: 0410 844 880

(Term 2017-2021)

## Rockingham Ward



**Mayor Barry Sammels**

PO Box 2142

[barry.sammels@rockingham.wa.gov.au](mailto:barry.sammels@rockingham.wa.gov.au)

Phone: (08) 9592 2344

Fax: (08) 9527 8476

(Term 2017-2021)



**Cr Joy Stewart**

Unit 19/17 Rockingham Beach Road

ROCKINGHAM WA 6168

[crjoystewart@gmail.com](mailto:crjoystewart@gmail.com)

Phone: (08) 9592 4948

Mobile: 0421 021 711

(Term 2015-2019)



**Cr Andrew Burns**

[burns.andy.n@gmail.com](mailto:burns.andy.n@gmail.com)

Mobile: 0467 511 867

(Term 2017-2019)

## Safety Bay Ward



**Deputy Mayor Deb Hamblin**

2 Mersey Road  
SHOALWATER WA 6169  
[deb.hamblin@gmail.com](mailto:deb.hamblin@gmail.com)  
Mobile: 0404 895 046

(Term 2017-2021)



**Cr Leigh Liley**

6 Pembroke Court  
WARNBRO WA 6169  
**Please leave a telephone message**  
Phone/ Fax: 9593 8362

(Term 2017-2021)

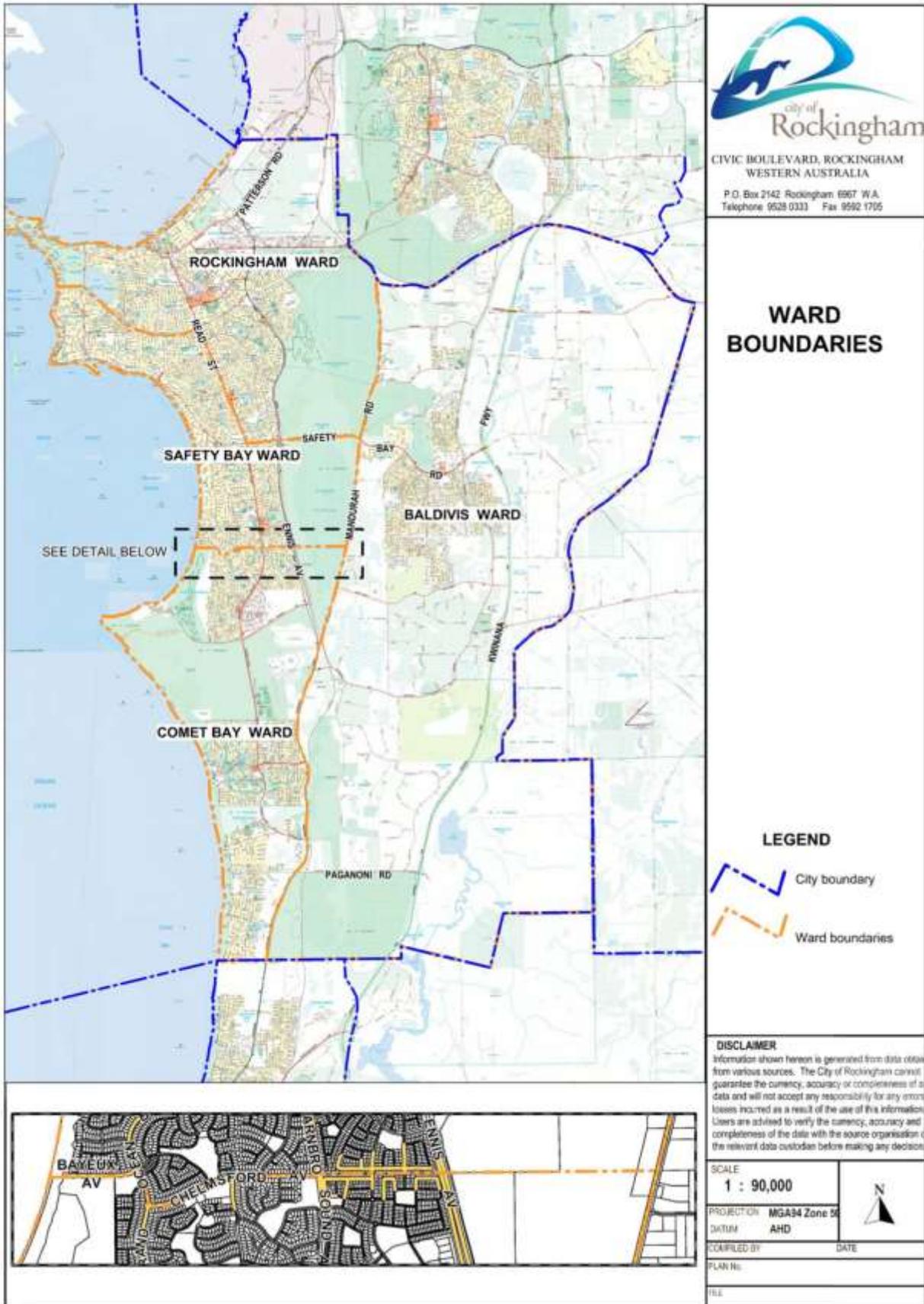


**Cr Katherine Summers**

[kathsummers@outlook.com](mailto:kathsummers@outlook.com)  
Mobile: 0434 938 662

(Term 2015-2019)

**6. CITY OF ROCKINGHAM BOUNDARIES AND WARD BOUNDARIES**



## 7. STRUCTURE AND FUNCTIONS OF THE CITY OF ROCKINGHAM

### 7.1 City of Rockingham Organisational Structure

The Council of the City of Rockingham is the overall decision making body. The Council employs a Chief Executive Officer who is charged with the responsibility of putting into effect the decisions of the Council. The organisation is structured into five directorates:

- Community Development;
- Engineering and Parks;
- Planning and Development Services;
- Corporate Services; and
- Legal Services and General Counsel.

The five Directors together with the Chief Executive Officer comprise the Executive Management Team.



#### **Chief Executive Officer – Andrew Hammond**

- General Management Services
- Governance and Councillor Support
- Economic Development
- Strategy Coordination
- Human Resource Development



#### **Director Planning and Development Services – Bob Jeans**

- Strategic Planning and Environment
- Statutory Planning
- Building Services
- Health Services
- Ranger Services
- Emergency Services
- Rockingham City Centre Developments



#### **Director Corporate Services – John Pearson**

- Financial Services
- Customer and Corporate Support
- Information Systems
- Waste and Landfill Services
- Facility Leasing



**Director Community Development – Michael Holland**

- Community Infrastructure Planning
- Community Support and Safety Services
- Library and Information Services
- Community Capacity Building
- Community and Leisure Facilities



**Director Engineering and Parks Services – Sam Assaad**

- Parks Development and Parks Operations
- Asset Management
- Capital Projects
- Engineering Operations and Engineering Services



**Director Legal Services and General Counsel – Peter Doherty**

- Strategic and Operational Legal Advice
- Oversight of Statutory Compliance
- Litigation and Tribunal Management
- Legal Training and Capacity Building

## **7.2 City of Rockingham Functions**

### **Enabling Legislation**

The City of Rockingham is constituted as a district by the *Local Government Act 1995*. 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, a local government may make local laws. These laws may be made in order for the City of Rockingham to perform any of its functions under the *Local Government Act 1995*.

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.

### **How Council Makes Decisions**

#### Council Meetings

Ordinary Council meetings are the principal forum in which decisions are made by the Council, the peak decision making body of the City of Rockingham. Meetings are conducted on the fourth Tuesday of the month commencing at 6pm and held in the City of Rockingham Civic Administration Centre.

Agendas for the meetings are to be distributed to elected members no later than 2pm on the Friday immediately preceding the meeting.

Conduct at ordinary Council meetings must comply with the City of Rockingham Standing Orders Local Law and minutes will be recorded in accordance with the provisions of Section 5.22 of the Local Government Act 1995. The meetings are open to the public unless dealing with confidential matters as prescribed in the Act.

#### Standing Committee System

Standing committee meetings are the forum in which elected members consider all issues going before the Council and after consideration of officers reports make recommendations for full Council consideration.

#### *Standing Committee Membership Concept*

Where practicable, each councillor will be member of one of the standing committees and deputy for the other. In the interest of representational equity, where possible each standing committee will comprise a councillor elected from each of the Wards of the City.

### **7.3 City of Rockingham Standing Committees**

#### **Corporate and Community Development Committee (5 Councillors, 5 Deputies)**

Areas of consideration:

- Finance
- Information Technology
- Customer Service
- Human Resource Development
- Economic Development
- Strategic Development
- Governance and Councillor Support
- Community Capacity Building
- Community Infrastructure Planning
- Welfare Services
- Community Facilities
- Libraries
- Community Safety

The Planning and Engineering Standing Committee meets on the third Monday of the Month.

#### **Planning Services Committee (5 Councillors, 5 Deputies)**

Areas of consideration:

- Strategic Planning
- Statutory Planning
- Building Control
- Environmental Health
- City Centre Development
- Engineering
- Parks
- Capital Works
- Asset Management
- Waste Services
- Emergency Services

The Corporate and Community Development Standing Committee meets on the third Tuesday of the Month.

## **8. PUBLIC PARTICIPATION**

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

### **Deputations**

With the consent of the committee presiding member, a member of the public can personally, or on behalf of a resident or group of residents, address one of its committees on a matter on the agenda.

### **Public Question Time**

Members of the public are able to ask questions (preferably in writing) on any matter affecting the City in the time set aside for this purpose at meetings of the Council in accordance with the City's Standing Orders Local Law 2001.

Public question time is also available at the Corporate and Engineering Services Committee, Planning Services Committee and Community Development Committee. These questions will be limited to matters that fall within the respective Committees responsibilities.

### **Petitions**

Written petitions can be presented to the Council through the Chief Executive Officer or an Elected Member on any issue within the Council's jurisdiction.

### **Written Requests**

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

### **Elected Members**

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

### **Community Consultation**

The Council consults with its residents on particular issues that affect their neighbourhood by way of advertising in the local papers, calling public meetings, using social media platforms and seeking responses to surveys and questionnaires. The residential and business communities in the City can contribute ideas and suggestions and raise the issues they feel are important in the City.

## 9. ACCESS TO COUNCIL DOCUMENTS

The following documents are available for inspection by electors and residents of the City of Rockingham only at the Council Administration Office.

- Register of Delegated Authority;
- Tender Register, under Regulation 17 of the *Local Government (Functions and General) Regulations 1996*;
- Register of financial interests;
- Regulations made by the Governor under Section 9.60 of the *Local Government Act 1995* that operate as if they were local laws of the local government;

Texts that:-

- are 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 State wide public notice under section 3.12 (3) of the *Local Government Act 1995*;
- Subsidiary legislation made or adopted by the local government under any written law other than under the *Local Government Act 1995* ;
  - Rates records;
  - 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;
  - Register of owners and occupiers under Section 4.32 (6) of the *Local Government Act 1995* and electoral rolls;
  - 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;in the form or medium in which it may for the time being be held by the local government.

The following documents are available on the [website](#) and are available for inspection at the Council Administration Office by electors and residents of the City of Rockingham.

- Annual financial statement - at least seven days prior to the Annual General Meeting;
- Annual Budget;
- Annual Report;
- FOI Information Statement;
- City's Town Planning Scheme;
- Schedule of fees and charges;
- Community Plan;
- Proposed local law of which the local government has given State wide public notice under Section 3.12 (3) of the *Local Government Act 1995*;
- Local laws made by the local government in accordance with Section 3.12 of the *Local Government Act 1995*;
- Minutes of council or committee meetings;
- Minutes of electors' meetings;
- Report of a review of a local law prepared under Section 3.16 (3) of the *Local Government Act 1995*;
- Business plan prepared under Section 3.59 of the *Local Government Act 1995*;
- Media Releases

## **Available for a Fee**

Details of documents available for purchase by the general public for a fee are included within the 'Schedule Of Fees And Charges' available on the [website](#) and is contained within the City's annual budget.

While the City endeavours to respond to information requests informally; Freedom of Information legislation may be used to request access to information not available by any other means.

The City is to administer the Freedom of Information Act 1992 in a way that:

- assists the public to obtain access to documents;
- allows access to documents to be obtained promptly and at the lowest reasonable costs; and
- assists the public to ensure that personal information contained in documents is accurate, complete, up to date and is not misleading.

## **Retention and Disposal of Council Records**

All of the Council's records are retained in accordance with the State Records Advisory Council approved Local Government Retention and Disposal Schedule. This schedule stipulates how long a record must be kept and is available for inspection.

## **10. DOCUMENTS HELD BY THE CITY OF ROCKINGHAM**

In the years since its establishment in 1897 the City of Rockingham has collected various records. Details of the various information sources and how you may access them for historical research and other purposes are listed below.

### **Correspondence Files**

The City of Rockingham 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*.

Files 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 a case by case basis and information may be released in an edited form. Charges may apply to accessing these records. Contact Governance and Councillor Support for more information.

### **Current files**

These files are located at the Council's Administration Centre and at the City's offsite facility, 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 City's offsite facility.

Please note that considerable research may be required in order to locate some information and the search may result in a considerable number of files being retrieved.

### **Council Minutes**

Under the *Local Government Act 1995* the Council minutes are available for free inspection at the City's offices by any person. They can also be inspected freely on the City's [website](#).

Hard copies of the Council Minutes and Council Minute searches conducted by City of Rockingham staff will incur charges; contact Governance and Councillor Support for more information.

### **Rates Books**

Currently City of Rockingham Rates information is listed by Assessment Number or property address.

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 licences, the City of Rockingham has a vast record of drawings and plans of buildings within the City area. The drawings and plans can include site plans, floors 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 Building Services for more information.

## **Municipal Heritage Inventory**

Under the *Heritage of Western Australia Act 1990* the City of Rockingham is required to prepare a Municipal Heritage Inventory. This is an inventory of all buildings within the City of Rockingham boundaries that are or may become of cultural heritage significance to the community. Details in the inventory include; property address, ownership, description, historical information, architectural information, bibliography, listing status, and an electronic image of each building.

Contact Planning Services for details of property listed on the Municipal Inventory.

## **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 City of Rockingham.

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 Monday to Friday 9.30 am to 4.30 pm and access to information held by the State Records Office is free of charge. Contact the State Records Office (Ph: (08) 9427 3360) for more information.

## 11. CITY OF ROCKINGHAM LOCAL LAWS

- Activities in Thoroughfares and Public Places 2001
- Bush Fire Control and Bush Fire Brigades 2001
  - amended in *Government Gazette* on 10 September 2010
- Cemeteries 2000
  - amended in *Government Gazette* on 19 November 2010
- Dogs 2000
  - amended in *Government Gazette* on 19 November 2010 and 6 May 2011
  - amended by Council at 28 October 2014 Council Meeting Item PDS-077/14
- Extractive Industries 2000
  - amended in *Government Gazette* on 2 December 2011
- Fencing 2000
  - amended in *Government Gazette* on 1 November 2002
  - amended in *Government Gazette* on 19 November 2010
  - amended in *Government Gazette* on 6 May 2011
- Health 1996
  - amended in *Government Gazette* on 24 August 2001
  - amended in *Government Gazette* on 7 September 2007
- Local Government Property 2001
  - amended in *Government Gazette* on 8 January 2002
- Parking and Parking Facilities 2004
  - amended in *Government Gazette* on 29 December 2006
- Pests and Plants 2000
  - amended in *Government Gazette* on 10 September 2010
- Sand Drift Prevention and Abatement 2000
- Signs, Hoardings and Bill Posting
  - partially repealed in *Government Gazette* on 7 November 2001
- Standing Orders 2001
- Street Verandahs 2000
- Repealed Local Laws
  - Repeal 2000
  - Repeal 2001
  - Repeal 2004

## **12. FREEDOM OF INFORMATION**

### **What is the Freedom of Information Act all about?**

- It gives you the legally enforceable right to access records held by both State and Local Government agencies. You do not need to demonstrate any connection to or reason for seeking access to these records.
- It gives you the right to apply to have personal information we hold that you believe is inaccurate to be altered. (At no cost)
- It obliges the City of Rockingham to make available certain information about the way it operates.

### **Amendment of Personal Information**

The Act gives a person the right to apply for amendment of personal information which is inaccurate, incomplete, and out of date or misleading. The agency may make the amendment by altering, striking out or deleting or inserting information or inserting a note in relation to the information. The agency is not to make the amendment by obliterating or removing information or destroying a document. Such an application must be approved by the Commissioner. The State Records Commission must be issued with a certificate issued by the FOI Commissioner before a record is obliterated or destroyed.

All other information is considered non-personal information.

### **What are considered to be Records?**

The Act defines records as:-

- any paper based records, e.g. memos, correspondence, maps, plans, photos, etc.
- any sound based records, e.g. sound cassettes, Dictaphone tapes.
- any image based records, e.g. roll films, micrographics, video tapes, optical disks, etc.
- any digital based records, e.g. computer tapes, floppy disks, etc.

### **What are the costs involved?**

The costs may vary from one application to another, dependent upon the information required. An initial application fee of \$30 for non-personal requests is payable on lodgement of the application form or written application. Charges also apply at the rate of \$30 per hour for processing, supervision, transcribing and photocopying time. Photocopying charges of 20 cents apply for each copy. Additional charges may apply in respect of the provision and delivery of information.

The City may require an advance deposit on charges payable.

### **Who can I contact to make enquiries?**

You may ring the City of Rockingham Governance Coordinator on (08) 9528 0333 between the hours of 8:30am to 4:30pm Monday to Friday if you have any queries. Alternatively you can send an e-mail to [customer@rockingham.wa.gov.au](mailto:customer@rockingham.wa.gov.au) with the subject as – Freedom of Information.

## How do I lodge an application?

You must lodge your application in writing which must be accompanied by the \$30 Application Fee (fee only applicable for non-personal information application),

### By post:

Governance Coordinator  
City of Rockingham  
PO Box 2142  
ROCKINGHAM DC WA 6967

### In Person:

Customer Service Counter  
Ground Floor  
Administration Building  
Civic Boulevard ROCKINGHAM

See section 14 for a copy of an FOI Application Form. Use of this form is optional.

## Freedom of Information Applications

- Please provide sufficient information to enable the correct document(s) to be identified.
- Proof of your identify may be required, e.g. current drivers' licence.
- If you are seeking access to a document(s) on behalf of another person, the City of Rockingham will require authorisation, usually in writing.
- Your application will be dealt with as soon as practicable (but in any case, within 45 days) after it is received.
- Further information can be obtained from the City of Rockingham Governance Coordinator on (08) 9528 0333 or [www.foi.wa.gov.au](http://www.foi.wa.gov.au)

## Forms of Access

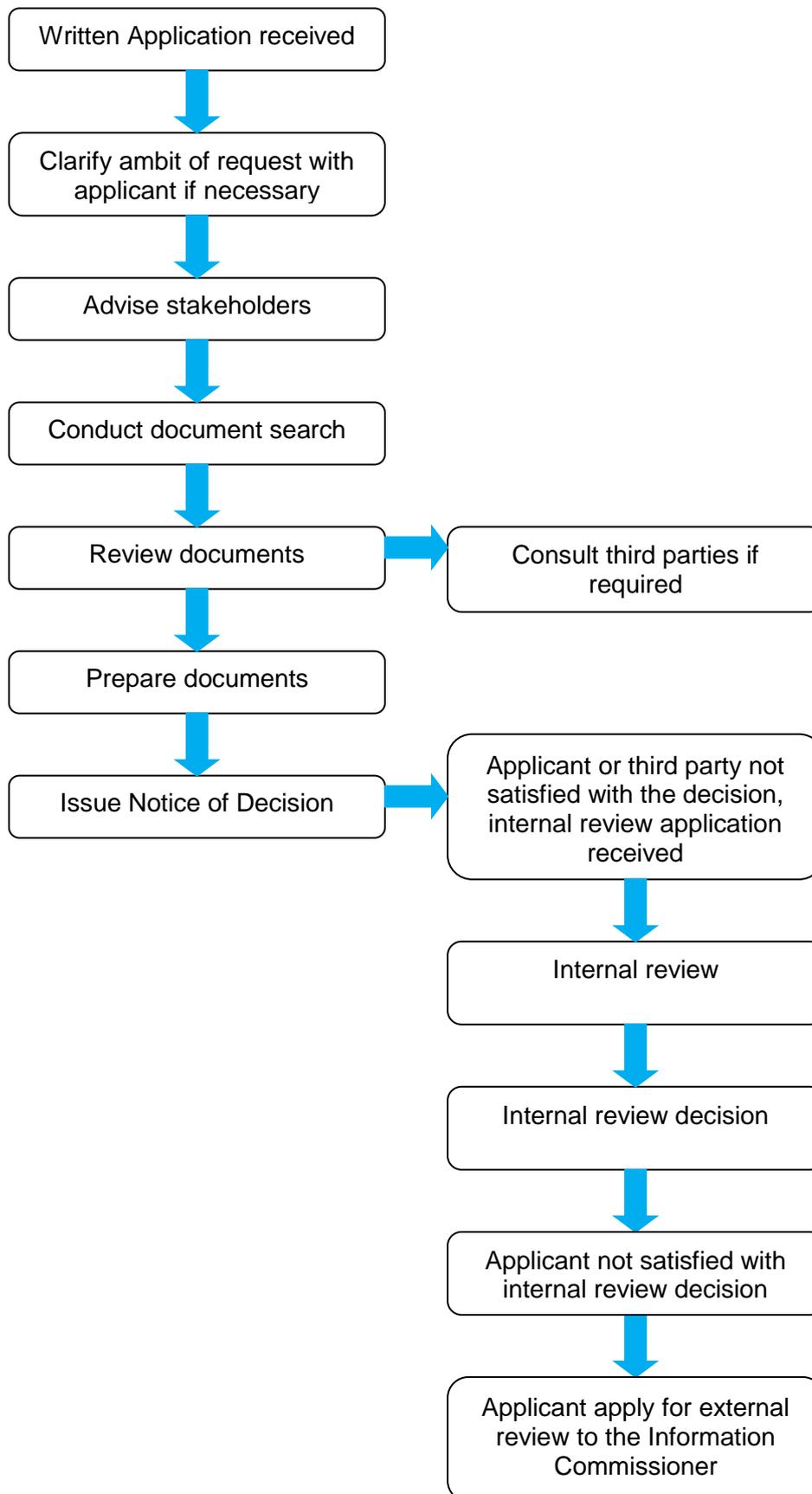
You can request access to documents by way of inspection, a copy of a document, a copy of an audio or video tape, or computer disk, a transcript of a recorded document or of words recorded in shorthand or encoded form, or a written document in case of a document where words can be reproduced in written form, however it should be noted that the City is not obligated to provide the information in a form that it is not held in at the time of the application or would not be practicable to provide, e.g. a particular computer software form.

## What can I do if I'm not satisfied with the Decision made?

The *Freedom of Information Act 1992* provides for a review and appeal process. You may seek an Internal Review or if you are still not satisfied, a review by the Information Commissioner and still further you can appeal to the Supreme Court.

- **The Internal Review** - If you are dissatisfied by a decision that we make concerning your application then you can apply to the City for an internal review of this decision. To apply for an internal review you must put your request in writing and lodge it with the City within **thirty (30) days** of being notified of the original decision. There is no charge for an internal review. The City of Rockingham will respond to you within **fifteen (15) days** from your internal review application.
- **External Review by the Information Commissioner** - If you are still dissatisfied after the internal review has been completed, you may seek a review by the Information Commissioner. This request must be made in writing within **sixty (60) days** of the original decision, to the Information Commissioner giving details of the decision to which your complaint relates.

## 12.1 Freedom of Information – Flowchart of process



**Freedom of Information Schedule of Fees and Charges as per Schedule 1 of *Freedom of Information Regulations 1993***

**1. Type of Fee**

|  |                |
|--|----------------|
| Application fee under section 12(1)(e) of the <i>Freedom of Information Act 1992</i> (for an application for non-personal information) | <b>\$30.00</b> |
|--|----------------|

**2. Type of Charge**

|   |                |
|---|----------------|
| (a) Charge for time taken by staff dealing with the application (per hour, or pro rata for a part of an hour) | <b>\$30.00</b> |
|---|----------------|

|   |                |
|---|----------------|
| (b) Charge for access time supervised by staff (per hour, or pro rata for a part of an hour<br>plus the actual additional cost to the agency of any special arrangements (e.g., hire of facilities or equipment). | <b>\$30.00</b> |
|---|----------------|

(c) Charges for photocopying:

|  |                |
|--|----------------|
| (i) per hour, or <i>pro rata</i> for a part of an hour of staff time | <b>\$30.00</b> |
|--|----------------|

|                  |               |
|------------------|---------------|
| (ii) per A4 copy | <b>\$0.20</b> |
|------------------|---------------|

|   |                    |
|---|--------------------|
| (d) Charge for time taken by staff transcribing information from a tape or other device (per hour, or pro rata for a part of an hour) | <b>Actual Cost</b> |
|---|--------------------|

|   |                    |
|---|--------------------|
| (e) Charge for duplicating a tape, film or computer information | <b>Actual Cost</b> |
|---|--------------------|

|  |  |
|--|--|
| (f) Charge for delivery, packaging and postage |  |
|--|--|

**3. Advance Deposits**

|   |            |
|---|------------|
| (a) Advance deposit which may be required by an agency under section 18(1) of the Act, expressed as a percentage of the estimated charges which will be payable in excess of the application fee. | <b>25%</b> |
|---|------------|

|   |            |
|---|------------|
| (b) Further advance deposit which may be required by an agency under section 18(4) of the Act, expressed as a percentage of the estimated charges which will be payable in excess of the application fee. | <b>75%</b> |
|---|------------|

**13. FOI APPLICATION FORM**

The following FOI Application Form may be used when lodging an access application.

FOI 1

**CITY OF ROCKINGHAM  
APPLICATION FOR ACCESS TO DOCUMENTS  
(under Section 12 of the *Freedom of Information Act 1992*)**

**DETAILS OF APPLICANT**

Surname: \_\_\_\_\_

Given Names: \_\_\_\_\_

Australian Postal Address: \_\_\_\_\_

Postcode: \_\_\_\_\_ Telephone Number (s): \_\_\_\_\_

If application is on behalf of an organisation:

Name of Organisation/Business: \_\_\_\_\_

**DETAILS OF REQUEST** (Please tick):       Personal documents       Non-Personal documents

I am applying for access to documents(s) concerning \_\_\_\_\_  
\_\_\_\_\_

**FORM OF ACCESS** (please tick appropriate box)

I wish to inspect the documents(s)       Yes       No  
I require a copy of the documents(s)       Yes       No  
I require access in another form       Yes       No

(specify) \_\_\_\_\_

**FEES AND CHARGES**

Attached is a cheque/cash to the amount of \$ \_\_\_\_\_ to cover the application fee. I understand that before I obtain access to documents I may be required to pay processing charges in respect of this application and that I will be supplied with a statement of charges if appropriate.

In certain cases a reduction in charges may apply - see section on fees and charges on the back of this form. If you consider you are entitled to a reduction, submit a request with copies of documents which address the criteria on the back of this form and support your application for a charge reduction.

I am requesting a reduction in charges       Yes       No      (please tick)

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

---

**Office Use Only**

FOI Reference Number \_\_\_\_\_

Received on \_\_\_\_\_ Deadline for response \_\_\_\_\_

Acknowledgment sent on \_\_\_\_\_

**Proof of Identify (if applicable)**

Type \_\_\_\_\_ Sighted \_\_\_\_\_

## CITY OF ROCKINGHAM

### NOTES

#### **FOI Application**

- Please provide sufficient information to enable the correct document(s) to be identified.
- The agency may request proof of your identify.
- If you are seeking access to a document(s) on behalf of another person, the agency will require authorisation, in writing.
- Your application will be dealt with as soon as possible (and, in any case, within 45 days) after it is received.

#### **Form 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 form.

#### **Fees and Charges**

|  |             |
|--|-------------|
| 1. Application Fee   | \$ 30.00    |
| 2. Time taken by City employees dealing with application per hour or pro rata  | \$ 30.00    |
| 3. Access time supervised by City employees per hour or pro rata               | \$ 30.00    |
| 4. Photocopying charges, per hour or pro rata for City employees' time;        | \$ 30.00    |
| and  |             |
| per copy   | \$ 0.20     |
| 5. Time taken by City employees to transcribe information per hour or pro rata | \$ 30.00    |
| 6. Charge for duplicating a tape, film or computer data                        | Actual Cost |
| 7. Packaging and postal costs  | Actual Cost |

#### **Concessions**

The current holder of a currently valid 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*, or an applicant in the opinion of the City is impecunious the charge payable under regulation 5 is reduced by 25%.