



# FREEDOM OF INFORMATION STATEMENT

2023 - 2024



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# Introduction

*Part 5 of the Freedom of Information (FOI) Act 1992 requires each government agency to prepare and publish an Information Statement annually. The Information Statement must include the following information:*

- Catalina Regional Council's ("CRC") mission statement;
- Details of legislation administered;
- Details of CRC's structure and functions;
- Details of decision-making functions;
- Public participation in the formulation of policy and performance of CRC's functions;
- Documents held by CRC;
- The operation of FOI at CRC.

This document is CRC's Information Statement and is also available on the CRC website.

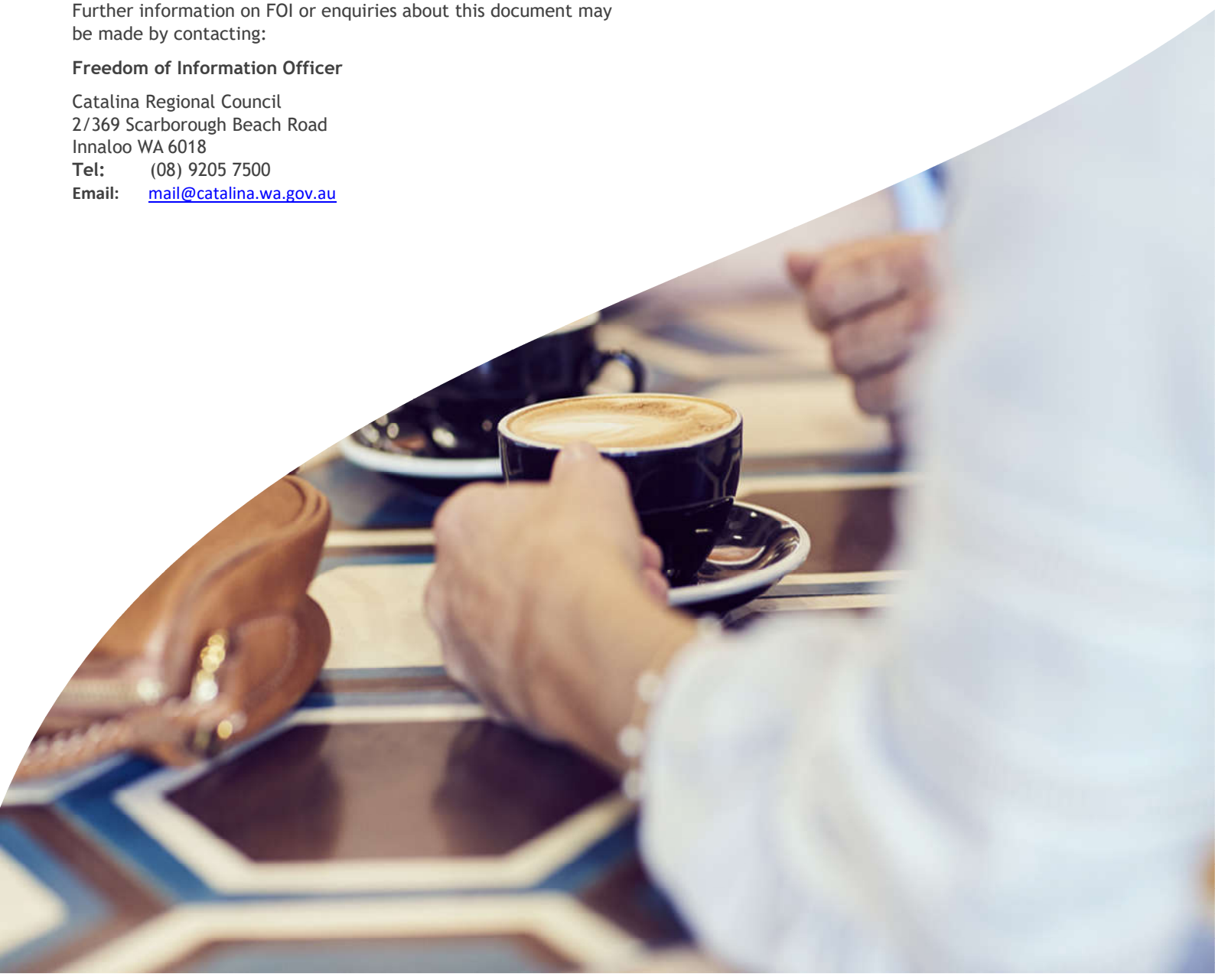
Further information on FOI or enquiries about this document may be made by contacting:

## **Freedom of Information Officer**

Catalina Regional Council  
2/369 Scarborough Beach Road  
Innaloo WA 6018

Tel: (08) 9205 7500

Email: [mail@catalina.wa.gov.au](mailto:mail@catalina.wa.gov.au)



# Catalina Regional Council

## CRC's Profile

The Catalina Regional Council (CRC) is a local government formed in 2006 specifically to implement the urban development of 180 hectares of land situated within the City of Wanneroo. The land is jointly owned by 7 local governments.

Table 1 below provides an overview of the Project Shareholding.

Town of Cambridge	1/12
City of Joondalup	2/12
City of Perth	1/12
City of Stirling	4/12
Town of Victoria	1/12
City of Vincent	1/12
City of Wanneroo	2/12

The purpose of the Catalina Regional Council is to undertake the rezoning, subdivision, development, marketing, and sale of the Tamala Park land.

The objectives of the CRC are:

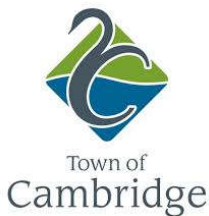
- to develop and improve the value of the Land;
- to maximise, within prudent risk parameters, the financial return to the Participants;
- to balance economic, social, and environmental issues; and
- to produce a quality development demonstrating the best urban design and development practice.

The Tamala Park Project, marketed as Catalina, is an urban development being undertaken in the suburbs of Clarkson and Mindarie and will comprise around 2,500 home sites. It is anticipated to be developed at a rate of approximately 100-120 lots per annum.

The Tamala Park Project will facilitate a range of housing types and densities to meet the emerging needs of the Perth Metropolitan Region with respect to lifestyle, accessibility and changing demography. It is intended to create a community having a sense of place, which takes advantage of prevailing natural features, a well-planned built environment and existing retail, business, and community services to the North.

When the land is fully developed the CRC will have completed its Charter and will cease to exist.

The life of the Council is currently projected to extend to 2029.



# CRC's Vision

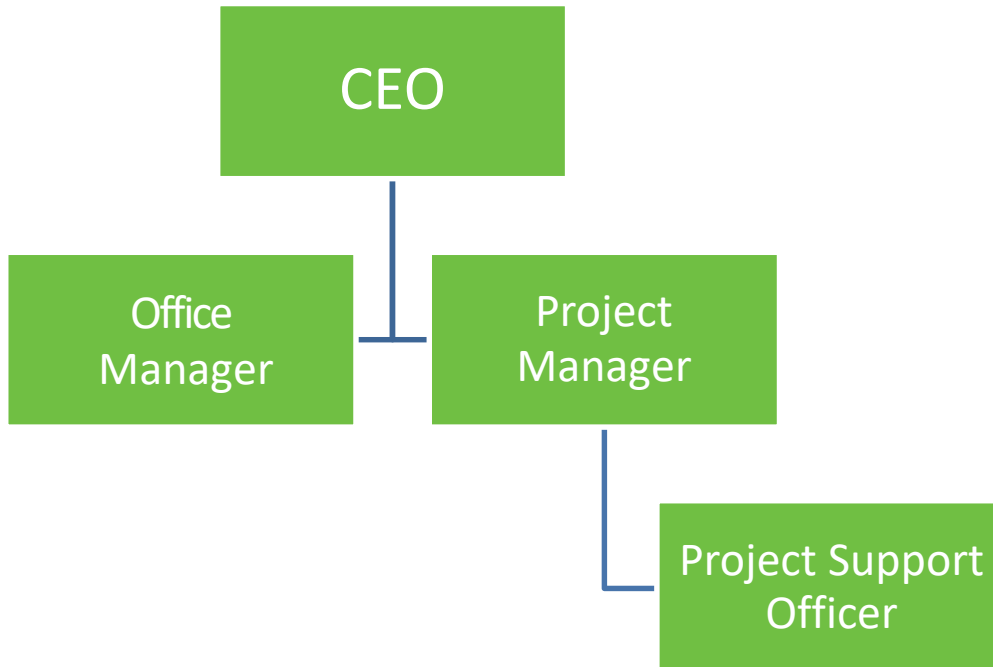
**“To create a sustainable urban community offering diverse housing choice, social connectivity and employment opportunities”.**

The delivery of the CRC vision is based on the following five (5) themes:

1. Built Environment
2. Environment
3. Social
4. Economic
5. Governance & Corporate Accountability

# Organisational Structure

The CRC Administration team is a small but dedicated and professional team comprising of the following:



# Elected Members of Catalina Regional Council



**Chair**  
*Cr Tony Krsticevic*  
**City of Stirling**

- Audit and Risk Committee



**Deputy Chair**  
*Cr Suzanne Migdale*  
**City of Stirling**

- Audit and Risk Committee



*Cr Claire Anderson*  
**Town of Victoria Park**



*Cr Helen Berry*  
**City of Wanneroo**

- Audit and Risk Committee



*Cr John Chester*  
**City of Joondalup**



*Cr Sonet Coetzee*  
**City of Wanneroo**



*Cr Jane Cutler*  
**Town of Cambridge**

- Audit and Risk Committee  
(Chair)



*Cr Brent Fleeton*  
**City of Perth**



*Cr Lewis Hutton*  
**City of Joondalup**

- Audit and Risk Committee



*Cr David Lagan*  
**City of Stirling**



*Cr Karlo Perkovic*  
**City of Stirling**

- Audit and Risk Committee



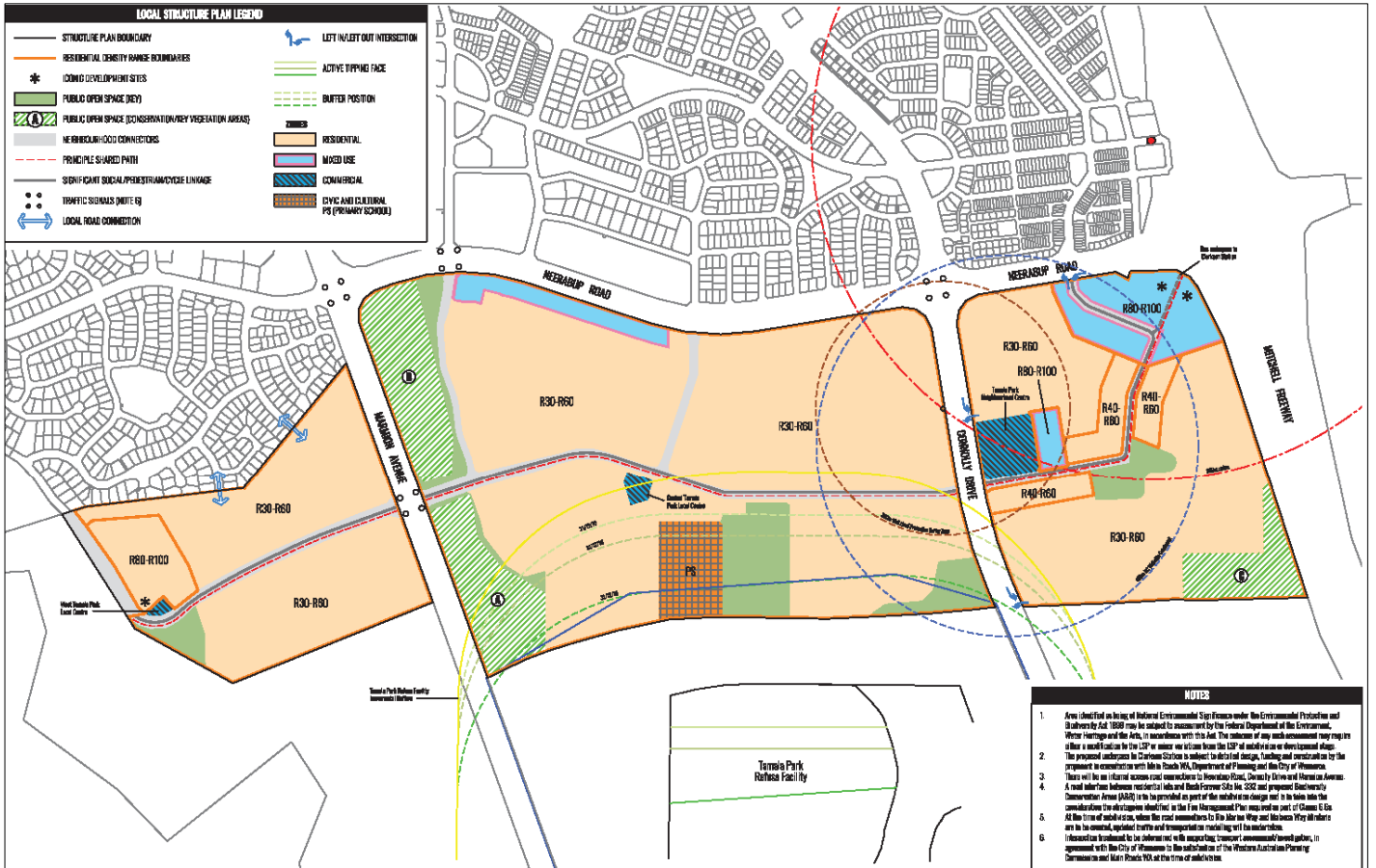
*Cr Ashley Wallace*  
**City of Vincent**



# Catalina Estate

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The Catalina Estate is located within the City of Wanneroo municipality and forms part of the suburbs of Clarkson and Mindarie.



**TAMALA PARK LOCAL STRUCTURE PLAN MAP (PLAN 1)**  
Amendment 5

- NOTES**
1. Areas identified as being of Indigenous Environmental Significance under the Environmental Protection and Biodiversity Act 1999 may be subject to assessment by the Federal Department of the Environment, Water Heritage and the Arts, in accordance with this Act. The outcome of any such assessment may require a Blue notification for the LSP or minor variations to the LSP of activities or developments along the proposed boundaries in the future. Such notification is subject to detailed design, funding and construction by the proponent in consultation with Main Roads WA, Department of Planning and the City of Wanneroo.
  2. There will be an internal access road connection to Neerabup Road, Clarksby Drive and Horrocks Avenue.
  3. A road connection between residential lots and Mandurup Circle, the proposed Community Conservation Area (CCA) is to be provided as part of the subdivision design and is to be built into the subdivision. The site is shown in the Land Management Plan as part of Class 6 Use.
  4. All the site of application when the road connection to the Mandurup Circle and Horrocks Avenue are to be created, regulated traffic and transportation modelling will be undertaken.
  5. The location is intended to be deferred to the subsequent transport assessment and funding, in agreement with the City of Wanneroo in the subsequent of the Planning and Planning Commission and Main Roads WA at the time of subdivision.



# Decision Making

## Ordinary Council Meetings

The Council consists of 12 Elected Members, which includes the Chair. The Council is the policy and decision-making body for CRC with a focus on strategic direction. The CEO and Executive employees also attend Council meetings to assist the Elected Members in making informed decisions.

## Special Meeting of Council

Special meetings are convened to consider an urgent matter or a matter that involves special circumstances.

Special meetings are conducted in a similar way as the Ordinary Council meetings.

## Committees

CRC has one Committee that meets on a regular basis to oversee operations and make recommendations to the Council in its specific areas of responsibility.

CRC's Audit and Risk Committee is represented by five Elected Members.

## Audit and Risk Committee

The Audit and Risk Committee is responsible for overseeing internal and external audit issues and corporate governance, including risk management. The committee meets when required. Membership of the committee includes the Chair, five Elected Members, and an independent external member with financial management and audit expertise.

Recommendations are referred to Council for consideration.







# Public Participation

## Attending Council and Committee meetings

The procedures for conducting Council and Committee Meetings are governed by the CRC's *Meeting Procedures Local Law 2021*.

Members of the public are welcome to attend Council and Committee meetings. There is an opportunity at Council meetings for members of the public to ask questions (refer to 'Public Statement/Question Time') and an opportunity at Committee meetings for members of the public to make a deputation (refer to 'Deputations').

## Public Statement / Question Time

The allotted public question time during a Council meeting is 15 minutes and may be extended if circumstances require. A submission form must be completed by the speaker in advance, with sufficient time for complex questions to be researched and a response provided.

## Any member of the public attending

a Council meeting can ask up to three questions on any matter relating to the ordinary business of the Catalina Regional Council or the function of the Council regardless of whether or not the matter in question is on the agenda.

## Deputations and Statements

Members of the public can make a five-minute deputation (statement) at Council Meetings. Deputations may only be made in relation to an item on the agenda, and only one speaker 'against' an item

is permitted. The Deputation Submission Form must be completed prior to the commencement of the meeting.

## Elected Members

In their role, Elected Members make themselves available to the community to assist with matters regarding the function of Council.

## Written requests

A member of the public can write to CRC on the policy, activity, service or any issues within CRC's project delivery.

## Community consultation

CRC is committed to ensuring that the community is consulted on projects, plans and proposals by advertising in local papers, the CRC website and on public notice boards.

The outcomes of community consultation are reported to Council and are recorded in the Council minutes.

## Petitions

Petitions can be submitted in a hard copy format. Electors may petition the Council to take action on a matter, but certain conditions must be met to ensure authenticity. Any Elected Members or the CEO can present the petition at an Ordinary Council Meeting. The matter is then referred to the CEO who is responsible for contacting the lead petitioner to deal with the matter.

# Legislative requirements

The principal legislation governing the operation of Western Australian local governments is the *Local Government Act 1995* and associated regulations.

Although not exhaustive, the following list of legislation provides an overview of the legislations binding on CRC.

<i>Agriculture and Related Resources Protection Act 1976</i>	<i>Heritage of Western Australia Act 1992</i>	<i>Racial Discrimination Act 1975</i>
<i>Biosecurity and Agriculture Management Act 2007</i>	<i>Housing Act 1980</i>	<i>Residential Tenancies Act 1987</i>
<i>Botanic Gardens and Parks Authority Act 1998</i>	<i>Industrial Relations Act 1979</i>	<i>Road Safety Council Act 2002</i>
<i>Building Act 2011</i>	<i>Land Administration Act 1997</i>	<i>Road Traffic Act 1974</i>
<i>Building Services (Complaint Resolution and Administration) Act 2011</i>	<i>Library Board of Western Australia Act 1951</i>	<i>Sex Discrimination Act 1984</i>
<i>Building Services (Registration) Act 2011</i>	<i>Litter Control Act 1988</i>	<i>State Administrative Tribunal Act 2004</i>
<i>Bush Fires Act 1954</i>	<i>Local Government Act 1995</i>	<i>State Records Act 2000</i>
<i>Conservation and Land Management Act 1984</i>	<i>Local Government (Miscellaneous Provisions) Act 1960</i>	<i>Strata Titles Act 1985</i>
<i>Dividing Fences Act 1993</i>	<i>Local Government Grants Act 1978</i>	<i>Superannuation Act 2005</i>
<i>Emergency Management Act 2005</i>	<i>Main Roads Act 1930</i>	<i>Superannuation Guarantee Act 1992</i>
<i>Environmental Protection Act 1986</i>	<i>Occupational Safety and Health Act 1984</i>	<i>Transfer of Land Act 1893</i>
<i>Equal Opportunity Act 1984</i>	<i>Planning and Development Act 2005</i>	<i>Valuation of Land Act 1978</i>
<i>Fines and Infringement Notices Enforcement Act 1994</i>	<i>Privacy Act 1988</i>	<i>Volunteers and Food and Other Donors (Protection from Liability) Act 2002</i>
<i>Fair Work Act 2009</i>	<i>Professional Standards Act 1997</i>	<i>Waste Avoidance and Resource Recovery Act 2007</i>
<i>Freedom of Information Act 1992</i>	<i>Public Health Act 2016</i>	<i>Western Australian Land Authority Act 1992</i>
<i>Graffiti Vandalism Act 2016</i>	<i>Public Interest Disclosure Act 2003</i>	<i>Wildlife Conservation Act 1950</i>
		<i>Workers' Compensation and Injury Management Act 1981</i>

## Local laws

Under the *Local Government Act 1995*, CRC also has power to make local laws to regulate and manage activities. These local laws are enforceable through the courts.

Below is a list of the local laws of CRC.

*Meeting Procedures Local Law 2021*

\*\*Copies of CRC local laws are available on CRC's website.

# Documents held by CRC

CRC maintains comprehensive records of all its dealings including correspondence, memorandum, file notes, reports, plans, sketches, maps, diagrams, documents pertaining to the keeping of records, applications, approvals and notices.

Availability of information is subject to the provisions established in the *FOI Act 1992* and the *Local Government Act 1995* and may be free or subject to CRC's Schedule of Fees and Charges. CRC will assist members of the public to obtain access to documents promptly, at the lowest reasonable cost and ensure that personal information contained in documents is accurate, complete, up-to-date, and not misleading.

Information is made available through a range of mediums including public statements, news releases, CRC's website, advertisements placed in local and state-wide newspaper, public notice boards, information sheets, individual correspondence, public and statutory documents, and reports.

The list below provides a summary of key information held by CRC.

## Documents held

### Governance

- Common Seal Register
- Corporate Business Plan
- Strategic Community Plan
- Code of Conduct
- Corporate records
- Council agendas and minutes
- Committee agendas and minutes
- Councillor Complaints Register
- Delegation Authority Register
- Elected Member and Employee Conference Attendance Register
- Elected Member and Employee Contributions to Travel Register
- Elected Member and Employee Gifts, Benefits and Hospitality Register
- Elected Members contact details
- FOI Information Statement
- Local Laws
- Primary and Annual Returns Records
- Recordkeeping Plan
- Travel and Accommodation Register

### Corporate Services

#### Finance

- Accounts
- Budget information
- Debtors
- Fees and charges
- Valuations
- Invoice information
- Property fees and charges
- Purchase orders
- Owners details

#### Corporate Electronic Document Record Management System

As a requirement of the *FOI Act*, searches are performed on all the computer systems held within CRC. Correspondence is classified as per the *State Records Act (2000)* in accordance with CRC's Record Keeping Plan.

#### Human Resources

- Employee records
- Establishment
- Equal Opportunity
- Industrial relations
- Leave
- Learning and development
- Occupational health and safety information
- Payroll

- Performance management
- Recruitment
- Workers compensation and rehabilitation records

### Project

Various documents related to the management and administration of the Catalina Development project including:

- Project strategies and plans;
- Development design drawings and plans;
- Statutory approvals;
- Consultant and contractor engagements, including quotations, tenders and contracts;
- Land sales, marketing and sales contracts;
- Project management recommendations and decisions.

## Documents available outside of FOI Act 1992

Section 5.94 of the *Local Government Act 1995* details the type of documents that a local government must make available for inspection and those where restrictions apply. Any member of the public may attend CRC's Administration Building and request to view these documents. Some of the documents are also available on the CRC website. Copies of documents can be provided upon payment of any relevant charges for production in accordance with CRC's Fees and Charges Schedule.

Documents that are available for inspections are as follows:

- Access and Inclusion Plan
- Advertising Information
- Annual Financial Statements
- Annual Report
- Building and Residential Design Codes
- Building Licence Document\*
- Corporate Business Plan
- Code of Conduct
- Delegation of Authority Register
- Disaster and Recovery Plan
- Disability Services Plan
- Documents released for public comment
- Elected Member and Employee Conference Attendance Register
- Elected Member and Employee Contributions to Travel Register
- Elected Member and Employee Gifts, Benefits and Hospitality Register
- Elected Members contact details
- Funding grants and sponsorship information
- Historical information
- Information brochures
- Information statements
- Local laws
- Local studies information and records
- Minutes and agendas of Council/Committee meetings\*
- Policy Manual
- Recordkeeping Plan
- Statutory notices
- Strategic Community Plan
- Structure plans and local development plans
- Tender Register

\*limitations apply

### \*Limitation to access

Limitation to access applies to the inspections of the following documents.

- Building license document / plan
  - Only the owner or mortgagee of a building, or their authorised representative, may inspect any plan or other document relating to that building
  - A non-owner may inspect or obtain a copy subject to the written approval by the owner.
- Minutes of Council / Committee meetings (includes agendas, reports and documents relating to the meeting)
  - A person's right to inspect information does not extend to the inspection of information where the agenda of the meeting is closed to members of the public or if it relates to any debt owed to CRC.

*Refer to the following section - Freedom of Information: Refusal of Access for additional information on access refusal.*



# Freedom of Information

## What is Freedom of Information

The *FOI Act* gives the public a right to access documents held by CRC, subject to some limitations.

Documents accessible under the *FOI Act* include paper records, plans and drawings, photographs, tape recordings, films, videotapes, or information stored in a computerised form.

The objectives of the *FOI Act* are to:

- Enable the public to participate more effectively in governing process; and
- Make the persons and bodies that are responsible for the State and local government more accountable to the public.

CRC gives effect to the *FOI Act* 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 cost and
- Assists the public to ensure that personal information contained in documents is accurate, complete, up to date and not misleading.

## The FOI Process

Prior to lodging an FOI Application, the applicant is encouraged to check and ascertain if the information is available outside the *FOI Act*.

CRC has various documents that are publicly available on the CRC website or at the Administration Building.

## FOI Application

FOI applications must be in writing with the FOI application form completed, provide sufficient information to identify the requested documents, have an Australian address to where notices can be sent and be submitted with a \$30 application fee.

The completed application form together with the application fee can be delivered by:

### Post

Freedom of Information Officer  
PO BOX 655, Innaloo WA 6918

### In person

Unit 2, 369 Scarborough Beach Rd, Innaloo WA 6018

### Email

mail@catalina.wa.gov.au

Application forms are available from the CRC's Administrative Building (2/369 Scarborough Beach Rd, Innaloo) or available via CRC website [www.catalina.wa.gov.au](http://www.catalina.wa.gov.au)

Upon receipt of a valid application and prescribed \$30 application fee, the CRC Freedom of Information Officer will identify and review the documents requested to determine if any exemptions apply.

## Amendment of personal information

Under the *FOI Act*, a person can apply to CRC for amendment of personal information if the person applying believes that the information is inaccurate, incomplete, out-of-date or misleading. An application must be lodged in writing, providing details, identification and, if necessary, documentation to support claims to amend personal information.

There is no application fee or charge associated with an application for personal information about the applicant, or the amendment of personal records.

## Notice of decision

A Notice of Decision will be issued by CRC as soon as possible, within the statutory 45 days of receipt of a valid application. The Notice of Decision will include details such as:

- The date the decision was made;
- The name and the designation of the officer who made the decision;
- The reasons for claiming the document is exempt if access is refused; and
- Information on the rights of review and the procedures to be followed to exercise those rights.

## FOI Charges

A scale of fees and charges are set out in the *FOI Regulations* and are as follows.

### General

Personal information about the applicant	No fees and no charges
Application fee (for non-personal information)	\$30.00
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	\$0.20
Transcribing from tape, film or computer (per hour, or pro rata)	\$30.00
Duplicating a tape, film or computer information	Actual Cost
Delivery, packaging, and postage	Actual Cost

### Deposits

An advance deposit may be required in respect of the estimated charges	25%
Further advance deposit may be required to meet the charges for dealing with the application	75%

### Concessions

For impecunious applicants or applicants issued with a prescribed pensioner concession card, the charges payable are reduced by 25%. The reduction in fees does not apply to the application fee.

### Refusal of access

While the *FOI Act* provides a general right of access to documents, it is subject to some limitations. Schedule 1 of the *FOI Act* recognises that some documents require a level of protection and are exempt.

The most commonly claimed exemptions are:

- **Personal Information**

Information that would reveal personal information about an individual (i.e. name, contact details, financial information).

- **Business and Commercial Information**

Information that would reveal trade secrets, information that has a commercial value or reveal the financial affairs of a person.

- **Deliberative Process**

Information that would reveal a decision made during a deliberative process closed to the public.

- **Legal Professional Privilege**

Information that would reveal legal advice.

- **Confidential Communications**

Information that would reveal details of a confidential nature obtained in confidence and could be expected to prejudice the future supply of information.

### Internal review

Applicants who are dissatisfied with CRC's decision are entitled to request an internal review.

The internal review application should be made in writing within 30 calendar days after being provided with CRC's Notice of Decision.

The outcome of the review will be provided to the applicant within 15 calendar days.

### External review

The applicant can apply to the Information Commissioner for an external review in the event that the applicant disagrees with the result of the internal review.

The external review application should be made within 60 calendar days after being provided with CRC's written Notice of the Internal Review Decision.

Applications requesting external review as a third party or following an application for amendment of personal information must be lodged within 30 calendar days after being provided with the written Notice of the Internal Review Decision.

## Appeals to the Supreme Court

The Information Commissioner's decisions are final and binding on CRC, subject to an appeal to the Supreme Court of a question of law arising out of the Commissioner's decision.

The timeframe and process for lodging an appeal is governed by the *Rules of the Supreme Court 1971*. An appeal must be lodged within 21 days after the date of the Commissioner's decision.

The procedures relating to appeals to the Supreme Court are established by the court. Further information on lodging an appeal can be obtained by contacting the Supreme Court.

## Further information

Further information on FOI can be found on the Office of the Information Commissioner's website [www.oic.wa.gov.au](http://www.oic.wa.gov.au) or by contacting the office.

### Office of the Information Commissioner

Albert Facey House

469 Wellington Street, Perth WA 6000

**Tel:** (08) 6551 7888

**Email:** [info@foi.wa.gov.au](mailto:info@foi.wa.gov.au)



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