

Part II Statement

Last updated: 5 February 2021

Documents & Information Available to the Public

Purpose

Part II of the *Freedom of Information Act 1982* (FOI Act) requires government agencies, including Casey City Council (Council), to publish several statements designed to assist members of the public in accessing the information it holds.

These statements provide a non-exhaustive list of the types of documents held by Council, the functions it performs and how members of the public may access the information it holds.

We aim to make our documents and information easily accessible to the public by making them available on our website, at our offices and/or our facilities. If you cannot locate the information you are seeking after reviewing these statements and conducting a search on our website, we encourage you to contact Council on 9705 5200 or email caseycc@casey.vic.gov.au. Council may be able to provide you with the information you are seeking without going through a formal Freedom of Information process.

Statement 1 - Organisational structure and functions

The City of Casey operates under a panel of Administrators comprising of a Chair and two panel members. The panel of Administrators were appointed by Minister for Local Government until October 2024. [Under the *Local Government (Casey City Council 2020) Bill*]

Administrators perform all the functions, powers and duties of a Councillor of the Casey City Council as set out in the *Local Government Act 2020* including setting Council's strategic direction and to make important decisions regarding the whole municipality. Administrators consider the views of, and consult with, the community. They also work closely with the Chief Executive Officer (CEO) and Council administration.

Council is the governing body that appoints a CEO. The CEO has responsibility for the day to day management of operations in accordance with the strategic directions of the Council Plan. Details of the CEO and senior officers reporting directly to the CEO are set out below.

CEO

- Chief Executive Officer – Glenn Patterson

Customer and Business Transformation

- Director Customer and Business Transformation – Jen Bednar
- Manager Customer and Digital – Clare Watkins

- Manager Strategy and Business Intelligence – Will Babington
- Manager Technology – Clint Allsop
- Manager Improvement and Innovation – Marion Greig

Community Life

- Director Community Life – Steve Coldham
- Manager Child, Youth and Family – Virginia Lloyd
- Manager Safer Communities – Caroline Bell
- Manager Connected Communities – Callum Pattie
- Manager Active Communities – Angie Peresso
- Manager Bunjil Place – Colette McMahon

Corporate Services

- Director Corporate Services – Sheena Frost
- Chief Financial Officer (CFO) – Bernard Rohan
- Manager Governance – Rhys Matulis
- Manager Property and Procurement – Chris Heath
- Manager People and Culture – Vicki Blackman
- Manager Communications and Marketing – Juanita Haisman
- Manager Pandemic Response – Holly De Kretser

City Planning and Infrastructure

- Director City Planning and Infrastructure – James Collins
- Manager City and Asset Planning – Keri New
- Manager Planning and Building – Duncan Turner
- Manager City Design and Construction – Trevor Griffin
- Manager City Presentation – David Richardson
- Manager Growth and Investment – Kathryn Seirlis
- Manager Sustainability and Waste – Michael Jansen

Council Role & Principles to Perform its Role

Council's activities are diverse and extensive. Significant infrastructure is maintained, a range of services are provided and various laws are enforced for the community.

As prescribed under section 8 and 9 of the *Local Government Act 2020* (the 2020 Act), the role of Council, and the principles to perform its role, include:

- Promote the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks.
- Engage the Casey community in strategic planning and strategic decision making.
- Prioritise achieving the best outcomes for municipal community, including future generations.
- Council decisions are to be made and actions taken in accordance with the relevant law(s).
- Pursue innovation and continuous improvement.
- Collaborate with other Councils and Governments and statutory bodies.
- Take into account regional, state and national plans and policies in strategic planning and decision making.
- Ensure the transparency of Council decisions, actions and information.
- Take into account the supporting principles of the 2020 Act, including the community engagement principles, public transparency principles, strategic planning principles, financial management principles and the service performance principles.

- Perform any duties or functions or exercise any powers conferred on a Council by or under this Act and any other Act.
- Perform any other functions that the Council determines are necessary to enable the Council to perform its role.
- Provide good governance in its municipal district for the benefit and wellbeing of the Casey community.

Council performs its functions through the enforcement and administration of a large number of Victorian Acts and Regulations and Council Local Laws.

The following list indicates as far as practicable, and is not limited, the Acts, Regulations and Local Laws that apply to Council:

- Aboriginal Heritage Act 2006
- Building Act 1993
- Building Regulations 2018
- Children Youth and Families Act 2005
- Conservation, Forests and Land Act 1987
- Country Fire Authority Act 1958
- Cultural and Recreational Lands Act 1963
- Dangerous Goods Act 1985
- Domestic Animal Act 1994
- Drugs, Poisons and Controlled Substances Regulations 2006
- Education and Training Reform Act 2006
- Electricity Safety Act 1998
- Emergency Management Act 1986
- Environment Protection Act 1970 & 2017
- Estate Agents Act 1980
- Fences Act 1968
- Flora and Fauna Guarantee Act 1988
- Freedom of Information Act 1982
- Food Act 1984
- Gambling Regulation Act 2003
- Geothermal Energy Resources Regulations 2016
- Graffiti Prevention Act 2007
- Health Records Act 2001
- Heritage Act 2017
- Housing Act 1983
- Impounding of Livestock Act 1994
- Infringements Act 2006
- Infringements (General) Regulations 2006
- Land Act 1958
- Land Acquisition and Compensation Act 1986
- Land Acquisition Compensation Regulations 2010
- Liquor Control Reform Act 1998
- Local Government Act 1989
- Local Government Act 2020
- Local Government (Electoral) Regulations 2016
- Local Government (General) Regulations 2015
- Local Government (Planning and Reporting) Regulations 2020
- Local Government (Long Service Leave) Regulations 2012
- Magistrates Court Act 1989
- Major Transport Projects Facilitation Act 2009
- Mineral Resources (Sustainable Development) Act 1990

- National Parks Act 1975
- Occupational Health and Safety Regulations 2017
- Planning and Environment Act 1987
- Planning and Environment Regulations 2015
- Planning and Environment (Fees) Regulations 2016
- Prevention of Cruelty to Animals Act 1986
- Privacy and Data Protection Act 2014
- Public Interest Disclosures Act 2012
- Public Records Act 1973
- Public Health and Wellbeing Act 2008
- Rail Safety (Local Operations) Act 2006
- Residential Tenancies Act 1997
- Road Management Act 2004
- Road Management (General) Regulations 2016
- Road Safety Act 1986
- Road Safety (General) Regulations 2019
- Road Safety Road Rules 2017
- Road Safety (Vehicles) Interim Regulations 2020
- Road Safety (Traffic Management) Regulations 2019
- Second Hand Dealers and Pawnbrokers Act 1989
- Sex Work Act 1994
- Shop Trading Reform Act 1996
- Sheriff Act 2009
- Sport and Recreation Act 1972
- Subdivision Act 1988
- Subdivision (Procedures) Regulations 2011
- Subdivision (Fees) Regulations 2016
- Summary Offences Act 1966
- Tobacco Act 1987
- Transfer of Land Act 1958
- Transport Integration Act 2010
- Valuation of Land Act 1960
- Victorian Local Government Grants Commission Act 1976
- Victoria State Emergency Service Act 2005
- Victorian Civil and Administrative Tribunal Act 1998
- Water Act 1989.

Local Laws:

- City of Casey Community Local Law 2018
- Asset Protection Local Law 2016

Copies of Victorian legislation are available on the Victorian Legislation and Parliamentary Documents website at www.legislation.vic.gov.au

Council's Local Laws are available on the Council website.

Decision making powers

Council exercises powers that affect members of the public both at Council Meetings and by Council employees with delegated authority. Council Meetings are held in the Council Chambers at Bunjil Place, Narre Warren and are open to the public to attend and are live streamed on Council's social media channels. Council meetings may be held entirely online without public attendance and live streamed on Council's social media channels during circumstances that impact the use of Bunjil Place

(as experienced during the covid-19 pandemic). A schedule of Council meetings can be located on Council's website.

Further details of specific decision-making powers held by Council and Council officers can be found in Council's Instruments of Delegation, which are available for public inspection.

External consultation

Community consultation is any process that the City of Casey undertakes to involve the public in decision making by communicating with them by email, post, phone, in person or online to find out their views about a particular issue, service or other Council matter prior to making decisions.

Examples of deliberative engagement and community consultation include asking the community for feedback on Council policies, strategies, performance on service delivery or involving the community in the development or review of specific projects or developments. Council has a dedicated website called Casey Conversations - <https://www.caseyconversations.com.au/login> which is where the public can provide feedback on various projects and activities.

Council committees, reference, working and consultation groups

Council has several committees and groups that have membership representation of a delegated Councillor, Council officer, community member and/or external stakeholder, for advisory, consulting and in some groups, decision making purposes.

- Audit & Risk Committee
- Casey Australia Day Awards Community Select Panel
- Casey-Cardinia Foundation
- Casey-Cardinia Library Corporation
- Casey Fields Community Reference Group
- Casey Multifaith Network
- Casey People's Panel
- Casey Volunteer Awards Community Selection Panel
- CEO Annual Performance Review Sub Committee
- Doveton Show Committee
- John Pandazopoulos Hall Committee of Management
- Lynbrook Hotel Community Contributions Fund Assessment Panel
- Municipal Association of Victoria
- Metropolitan Local Governments Waste Forum
- Metropolitan Transport Forum
- Smart City Community Reference Group
- Westernport Biosphere Committee

Statement 2 – Categories of documents

Council collects, creates and maintains a broad range of electronic and hard copy documents, from general correspondence to Council adopted policies and resolutions. Access to this information is either through Council's website, inspection at the Council offices or the Freedom of Information process.

The categories of documents in Council's possession are:

- Agendas and minutes/notes of meetings
- Officer recommendations
- Council resolutions
- Correspondence (General and Councillor)
- Public and stakeholder consultation process and outcomes
- Building and planning enforcement documents, permits and associated documents, including plans
- Local Laws enforcement documents, permit applications and permits issued
- Residential parking permit applications and permits issued
- Cat & dog registration applications and registrations issued
- Internal administration documents relating to staff management and the operation of Council, including personnel records, organisational and staffing records, financial and resource management records, audit records and internal operation procedures
- Tender evaluations
- Frameworks, strategies, policies
- Legal documents, including Local Laws, contracts, leases, agreements, licences, instruments of delegation, instruments of appointment and authorisation, legal advices, court documents
- Disclosures of conflicts of interest
- Requests for information under *Freedom of Information Act 1982* and files and papers relevant to the consideration of those requests
- Standard operating procedures
- Annual and financial reports
- Records of the administration and enforcement of legislation and Local Laws
- Reports prepared by external consultants
- Documents submitted by third parties
- Surveys, statistics, and data
- Departmental publications, including newsletters
- Training material
- Media releases and general advertising
- Mailing lists
- Written and verbal complaints received, and records of any subsequent investigations
- Risk Management assessments
- Maternal and Child Health Records, including immunisation records.

Council also produces several regular publications to provide information to the community. Available from Council's website, the publications include:

- Annual Report
- The Casey Catch Up (electronic direct mail)
- Citynews
- Casey Community News
- Green Living in Casey (Environmental News)
- Connect (Arts News)
- inBusiness News

Council also provides information via online tools including:

- Facebook (CityOfCasey)
- Twitter (CityOfCasey)
- YouTube (TheCityOfCasey)
- Instagram (cityofcaseycouncil)
- LinkedIn (City of Casey)
- Casey Conversations www.caseyconversations.com.au

Information about the range of services Council provides can be found on Council's website at www.casey.vic.gov.au.

Statement 3 - Documents available for publication and public inspection

Council maintains a range of documents and registers to be made publicly available and/or for public inspection that is determined by various legislations Council must adhere to.

In accordance with s57 of the *Local Government Act 2020* the following documents are available for inspection or copies of the documents can be obtained:

- Ordinary and special Council meeting agendas and minutes, which include all resolutions of Council (s59), held in the previous 12 months, except if the minutes relate to parts of meetings which have been closed to the public, in which Council is required to record in the minutes the grounds or grounds for determining to close the meeting to the public by reference to confidential information as defined in s3(1) of the *Act 2020*, and an explanation of why the specified ground or grounds applied (s66).
- Minutes of meetings of delegated committees held in the previous 12 months except if the minutes relate to parts of meetings which have been closed to members of the public (s54, s63).
- A public register of delegations kept under sections 11(8) and 47(7) of the *Local Government Act 2020*, including the date of the last review.
- A copy of the Expenses Policy in relation to the reimbursement of expenses for Councillors and members of Council committees (s40)
- A copy of the Community Engagement Policy (s55)
- A copy of the Public Transparency Policy (s57)
- A copy of the Governance Rules (s60)
- A copy of any Council proposed local laws and explanatory documents setting out prescribed details in relation to the local laws (s73)
- Copies of Local Laws operative within Casey (s74, s75, s76)
- A copy of the Community Vision (s88)
- A copy of the Council Plan (s90)
- A copy of the Financial Plan (s91)
- A copy of the Asset Plan (s92), by 30 June 2022
- A copy of the Revenue and Rating Plan (s93)
- A copy of the Budget (s94), Revised Budget (s95) and Quarterly Budget Report (s97)
- A copy of the Annual Report including the report operations of the Council, audited performance and financial statements and reports (s98)
- A copy of the Procurement Policy (s108)
- Details of land leases the Budget (s115)
- The summary of personal interests (s135)
- A copy of the current Councillor Code of Conduct (s139)
- Copies of election campaign donation returns (s307, s308)

Council's Governance Department is primarily responsible for maintaining this information. Council's Public Transparency Policy formalises its commitment to make freely available public access to Council information.

In accordance with the ***Building Act 1993***, the following documents are available for inspection:

- A register of building permits (s31)
- A register of occupancy permits, temporary approvals, and amendments (s74)
- A register of emergency orders, building notices, and building orders (s126)
- A copy of the designated bushfire prone areas map, as provided by the Minister (192A)

Council's Statutory Planning and Building Services Department is primarily responsible for maintaining this information. There may be a fee for the provision of this information.

In accordance with ***Building Regulations 2018***, the following information is available upon request:

- Certificates of final inspection, building and occupancy permits issued in the preceding 10 years, details of any current determination made under r64(1) or exemption granted under r231(2), current building notices, and current building orders issued by the relevant building surveyor under the *Building Act 1993* (r51[1])
- Information on the likelihood that a given property is susceptible to flood, termites, bushfire, and/or snowfalls, and that a given property is within an area of designated land or works as prescribed by regulation (r51[2])
- Approval dates of the inspections carried out of the mandatory notification stages for building works (r51[3]).

Council's Statutory Planning and Building Services Department is primarily responsible for maintaining this information. There may be a fee for the provision of this information.

In accordance with the ***Domestic Animals Act 1994***, the following documents are available for inspection:

- A register of all registered dogs and cats (s18).

Council's Safer Communities Department is primarily responsible for maintaining this information.

In accordance with the ***Food Act 1984***, the following documents are available for inspection:

- Records of registrations, renewals and transfers in relation to a particular food premises, including details of orders to suspend or revoke registration of food premises under Part III of the Act (s43).

Council's Safer Communities Department is primarily responsible for maintaining this information.

In accordance with Section 49 of the ***Planning and Environment Act 1987***, the following documents are available for inspection:

- A copy of *Victorian Planning Provisions* and any amendments to *Victorian Planning Provisions* (s4H; I)
- A copy of amendments and submissions to Minister for Planning requesting amendments and exemptions to a planning scheme (s18; 21)
- A copy of panel hearing reports on submissions to amend a planning scheme (s26)
- A copy of an amended planning scheme (s42)
- A register containing applications for permits and application for amendment of permits and all decisions and determinations relating to permits and amendment of permits(s49)
- A copy of objections to permit applications and application for amendment of permit during the period which an application may be made for review of a decision on the application (s57)
- Copies of Council issued permits (s70)
- A copy of agreements Council has entered into with an owner of land in the area covered by a planning scheme for which it is a responsible authority (s179[2]).

Council's Statutory Planning and Building Services Department is primarily responsible for maintaining information in relation to planning applications and amendments to the planning scheme.

In accordance with the ***Public Health and Wellbeing Act 2008***, the following documents are

available for inspection:

- *Municipal Public Health and Wellbeing Plan 2017-2021.*

Council's Connected Communities Department is primarily responsible for maintaining this information.

In accordance with the **Road Management Act 2004**, the following documents are available for inspection:

- Council's *Public Road Register* is available for inspection at Council offices and on the website

Council's City & Asset Planning Department is primarily responsible for maintaining this information.

In accordance with the **Public Interest Disclosures Act 2012**, the following documents are available for inspection:

- *Public Interest Disclosures Act 2012— Procedure for handling disclosures made under the Public Interest Disclosures Act 2012* which outlines Council's procedures on the making of disclosures, investigation of disclosed matters, and protection of persons from reprisals (s70)

Council's Governance Department is primarily responsible for maintaining this information.

Statement 4 - Procedure for accessing documents

Access to documents in the possession of Council can be obtained by:

- direct access to published documents on the Council's website
- inspection either in accordance with voluntary disclosure policies or in legislation
- request to the relevant Council Division/Department
- Freedom of Information (FOI) in accordance with the *Freedom of Information Act 1982*.

Many documents are publicly available on Council's website www.casey.vic.gov.au and can be found through the search function.

Documents not available on Council's website are available for inspection at Council's office Bunjil Place, Narre Warren, Victoria 3805. Inspection of the documents are by appointment between the hours of 9am-5pm. Council cannot guarantee inspection without an appointment. Inspections can be arranged by contacting:

- Council's customer service, who will forward the request to the relevant department. Phone (03) 9705 5200 or email caseycc@casey.vic.gov.au
- the relevant Council department responsible for maintaining the information.

In some circumstances the documents may be able to be provided electronically (email) and the relevant Council department will assist you if this is the case.

Freedom of Information

Requests to access documents not available through the relevant department or that are not available publicly can be made under the *Freedom of Information Act 1982* (FOI Act).

The FOI Act gives you the right to:

- access documents about your personal affairs and the activities of government organisations
- request we amend or remove any incorrect or misleading information about you.

This includes documents:

- created by the organisation
- supplied to the organisation by an external organisation or individual
- about your personal affairs, regardless of the age of the documents
- held by a Council, not older than 1 January 1989.

There are common exemptions and Council will provide reasons if we refuse an FOI request:

- information obtained in confidence (such as the details of complaints about barking dogs)
- personal information where release would be unreasonable (including the details of an individual's health or financial position)
- commercially sensitive material.

There is a fixed application fee and access charges for FOI requests. Further information about applying under Freedom of Information is available on Council's website.

Contact City of Casey

03 9705 5200

NRS: 133 677 (for the deaf, hearing or speech impaired)

TIS: 131 450 (Translating and Interpreting Service)

caseycc@casey.vic.gov.au

casey.vic.gov.au

 facebook.com/CityOfCasey

 @CityOfCasey

PO Box 1000
Narre Warren VIC 3805

Customer Service Centres

Narre Warren

Bunjil Place,
Patrick Northeast Drive

Cranbourne

Cranbourne Park
Shopping Centre