

Part II Statement Documents & Information Available to the Public



Last Update: 10 January 2022

Purpose

Part II of the *Freedom of Information Act 1982* (FOI Act) requires government agencies to publish statements to assist the public to access information it holds.

It is important to read the Part II Statement as Council may be able to provide you with the information you are seeking without going through a formal Freedom of Information process, which comes at a cost.

The Part II Statement supports:

- the Public Transparency Principles (section 58 of the *Local Government Act 2020*)
- the City of Casey's Public Transparency Policy
- section 12 of the *Freedom of Information Act 1982*

The City of Casey (Council) is committed to public transparency, to ensure members of the public have access to the information Council holds, and that the Council's decision-making and operational processes are transparent. 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.

Council's Part II Statement provides 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. It also details how information can be accessed if it is unable to be shared on Council's website.

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.

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Statement 1 – Organisation and Function of Council

Profile

The City of Casey is one of the fastest growing regions in Australia. We have more than 390,000 residents and is forecast to grow to 549,190 by 2041.

We are home to:

- one of the largest number of Aboriginal and Torres Strait Islander residents in metropolitan Melbourne
- a high number of residents from refugee or asylum seeker backgrounds
- residents who speak over 140 different languages
- residents of more than 120 faiths

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 to protect the amenity of the community.

As prescribed under section 8 and 9 of the *Local Government Act 2020* (the 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 the community, including current and 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, other levels of Government 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 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 many Victorian Acts and Regulations and Council Local Laws. These Victorian Acts and Regulations and Council Local Laws are explored in more detail on the next page.

Acts and Regulations and Local Laws that apply to Council

The list below is an indication as far as practicable, and is not limited to, the Laws and Regulations that apply to the Council.

<ul style="list-style-type: none"> ● Aboriginal Heritage Act 2006 ● Accident Compensation Act 1985 ● Audit Act 1994 ● Australian Consumer Law and Fair-Trading Act 2012 ● Building Act 1993 ● Building Regulations 2018 ● Building and Construction Industry Security of Payment Act 2002 ● Carers Recognition Act 2012 ● Catchment and Land Protection Act 1994 ● Charter of Human Rights and Responsibilities Act 2006 ● Children Youth and Families Act 2005 ● Children Services Act 1996??? ● Civil Procedure Act 2010 ● Cladding Safety Victoria Act 2020 ● Climate Change Act 2017 ● Congestion Levy Act 2005 ● Constitution Act 1975 ● Conveyancers Act 2006 ● COVID-19 Omnibus (Emergency Measures) Act 2020 ● Crimes Act 1958 ● Criminal Procedure Act 2009 ● Crown Land (Reserves) Act 1978 ● Conservation, Forests and Land Act 1987 ● Country Fire Authority Act 1958 ● Cultural and Recreational Lands Act 1963 ● Dangerous Goods Act 1985 ● Defamation Act 2005 ● Development Victoria Act 2003 ● Disability Act 2006 ● Disability Service Safeguards Act 2018 ● Domestic Animal Act 1994 ● Drugs, Poisons and Controlled Substances Regulations 2006 ● Duties Act 2000 ● Education and Care Services National Law 2010 ● Electoral Act 2002 ● Education and Training Reform Act 2006 ● Electricity Safety Act 1998 ● Electricity Industry Act 2000 ● Electricity Industry (Residual Provisions) Act 1993 ● Electronic Transactions (Victoria) Act 2000 ● Emergency Management Act 1986 ● Environment Protection Act 1970 & 2017 	<ul style="list-style-type: none"> ● Local Jobs First Act 2003 ● Magistrates Court Act 1989 ● Major Transport Projects Facilitation Act 2009 ● Major Events Act 2009 ● Marine and Coastal Act 2018 ● Marine Safety Act 2010 ● Meat Industry Act 1993 ● Monetary Units Act 2004 ● Mineral Resources (Sustainable Development) Act 1990 ● Municipal Association Act 1907 ● National Taxation Reform (Consequential Provisions) Act 2000 ● National Parks Act 1975 ● Oaths and Affirmations Act 2018 ● Occupational Health And Safety Act 2004 ● Ombudsman Act 1973 ● Occupational Health and Safety Regulations 2017 ● Parliamentary Committees Act 2003 ● Parliamentary Precincts Act 2001 ● Payroll Tax Act 2007 ● Pipelines Act 2005 ● Planning and Environment Act 1987 ● Planning and Environment (Planning Schemes) Act 1996 ● Plant Biosecurity Act 2010 ● 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 Administration Act 2004 ● Public Health and Wellbeing Act 2008 ● Project Development and Construction Management Act 1994 ● Property Law Act 1958 ● Racial and Religious Tolerance Act 2001 ● Rail Safety (Local Operations) Act 2006 ● Residential Tenancies Act 1997 ● Retail Leases Act 2003 ● Road Management Act 2004 ● Road Management (General) Regulations 2016 ● Road Safety Act 1986 ● Road Safety (General) Regulations 2019 ● Road Safety Road Rules 2017
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<ul style="list-style-type: none"> ● Estate Agents Act 1980 ● Equal Opportunity Act 2010 ● Essential Services Commission Act 2001 ● Family Violence Protection Act 2008 ● Fences Act 1968 ● Filming Approval Act 2014 ● Fines Reform Act 2014 ● Fire Services Property Levy Act 2012 ● Firearms Act 1996 ● Fire Rescue Victoria Act 1958 ● Flora and Fauna Guarantee Act 1988 ● Freedom of Information Act 1982 ● Food Act 1984 ● Gambling Regulation Act 2003 ● Geothermal Energy Resources Regulations 2016 ● Gas Industry Act 2001 ● Gender Equality Act 2020 ● Gene Technology Act 2001 ● Geographic Place Names Act 1998 ● Graffiti Prevention Act 2007 ● Health Complaints Act 2016 ● Health Records Act 2001 ● Heavy Vehicle National Law Application Act 2013 ● Heritage Act 2017 ● Housing Act 1983 ● Independent Broad Based Anti-corruption Commission Act 2011 ● Interpretation of Legislation Act 1984 ● Impounding of Livestock Act 1994 ● Infringements Act 2006 ● Infringements (General) Regulations 2006 ● Labour Hire Licensing Act 2018 ● Land Act 1958 ● Land Tax Act 2005 ● Libraries Act 1988 ● Limitation of Actions 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 (Casey City Council) 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 	<ul style="list-style-type: none"> ● Road Safety (Vehicles) Interim Regulations 2020 ● Road Safety (Traffic Management) Regulations 2019 ● Rooming House Operators Act 2016 ● Sentencing Act 1991 ● Secondhand Dealers and Pawnbrokers Act 1989 ● Sex Work Act 1994 ● Small Business Commission Act 2017 ● Shop Trading Reform Act 1996 ● Sheriff Act 2009 ● Sport and Recreation Act 1972 ● Subdivision Act 1988 ● Subdivision (Procedures) Regulations 2011 ● Subdivision (Fees) Regulations 2016 ● Subordinate Legislation Act 1994 ● Summary Offences Act 1966 ● State Concessions Act 2004 ● State Electricity Commission Act 1958 ● State Sport Centers Act 1994 ● Surveillance Devices Act 1999 ● Surveying Act 2004 ● Sustainability Victoria Act 2005 ● Tobacco Act 1987 ● Transfer of Land Act 1958 ● Transport Integration Act 2010 ● Valuation of Land Act 1960 ● Veterans Act 2005 ● Victorian Local Government Grants Commission Act 1976 ● Victoria State Emergency Service Act 2005 ● Victorian Civil and Administrative Tribunal Act 1998 ● Victorian Energy Efficiency Target Act 2007 ● Victorian Environmental Assessment Council Act 2001 ● Victorian Planning Authority Act 2017 ● Water Act 1989. ● Water Industry Act 1994 ● Wildlife Act 1975 ● Worker Screening Act 2020 ● Workplace Injury Rehabilitation and Compensation Act 2013 ● Wrongs Act 1958
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Copies of Victorian legislation are available on the Victorian Legislation and Parliamentary Documents website at www.legislation.vic.gov.au



Local Laws

Council has the following Local Laws in place:

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

Council's Local Laws are available on the Council website [here](#).

Decision Making Powers

Decisions of Council

Decisions of Council are made at Council Meetings or by delegation. Examples of decisions that must be made at Council includes the adoption of the:

- Budget
- Council Plan
- Policies and strategies
- Decisions exceeding the financial delegations of the CEO

Council's Governance Rules (made under s.60 of the Act) is the structure which guides:

- the roles and powers of Council
- Governance
- Council Meeting roles and procedures
- Delegated Committee meeting conduct
- Asset Committee ceeting conduct
- Joint Committee meeting conduct
- Disclosure of conflicts of interest procedure
- Election period policy
- Other matters

Council Meetings are held in the Council Chambers at Bunjil Place, Narre Warren, 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.

Council Delegations

Council may delegate some decision-making powers to the CEO and in turn, the CEO may delegate those powers to Council Officers.

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.

Council exercises powers that affect members of the public both at Council Meetings and by Council employees with delegated authority.

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.

Council's Community Engagement Policy outlines Council's commitment to engaging with the City of Casey's diverse communities. We want to encourage participation in engagement opportunities and help support meaningful conversations with our diverse communities and stakeholders. This will help us to better reflect our community members' priorities and expectations in Council activities and decision making. 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 which is where the public can provide feedback on various projects and activities. Updates on decisions following this feedback is also included on this site.

Panel of Administrators

The City of Casey operates under a Panel of Administrators comprising of a Chairperson and two panel members. The Panel of Administrators were appointed by the Minister for Local Government until October 2024.

Under the *Local Government (Casey City Council) Act 2020*, Administrators perform all the functions, powers and duties of a Councillor of the Casey City Council as set out in the Act 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. The Administrators are the governing body that appoints a CEO.

Our Administrators are:

- Noelene Duff, PSM — Chair of the Administrators
- Miguel Belmar
- Cameron Boardman

Organisational Structure

Chief Executive Officer

The Chief Executive Officer (CEO) has responsibility for the day-to-day management of operations in accordance with the Act.

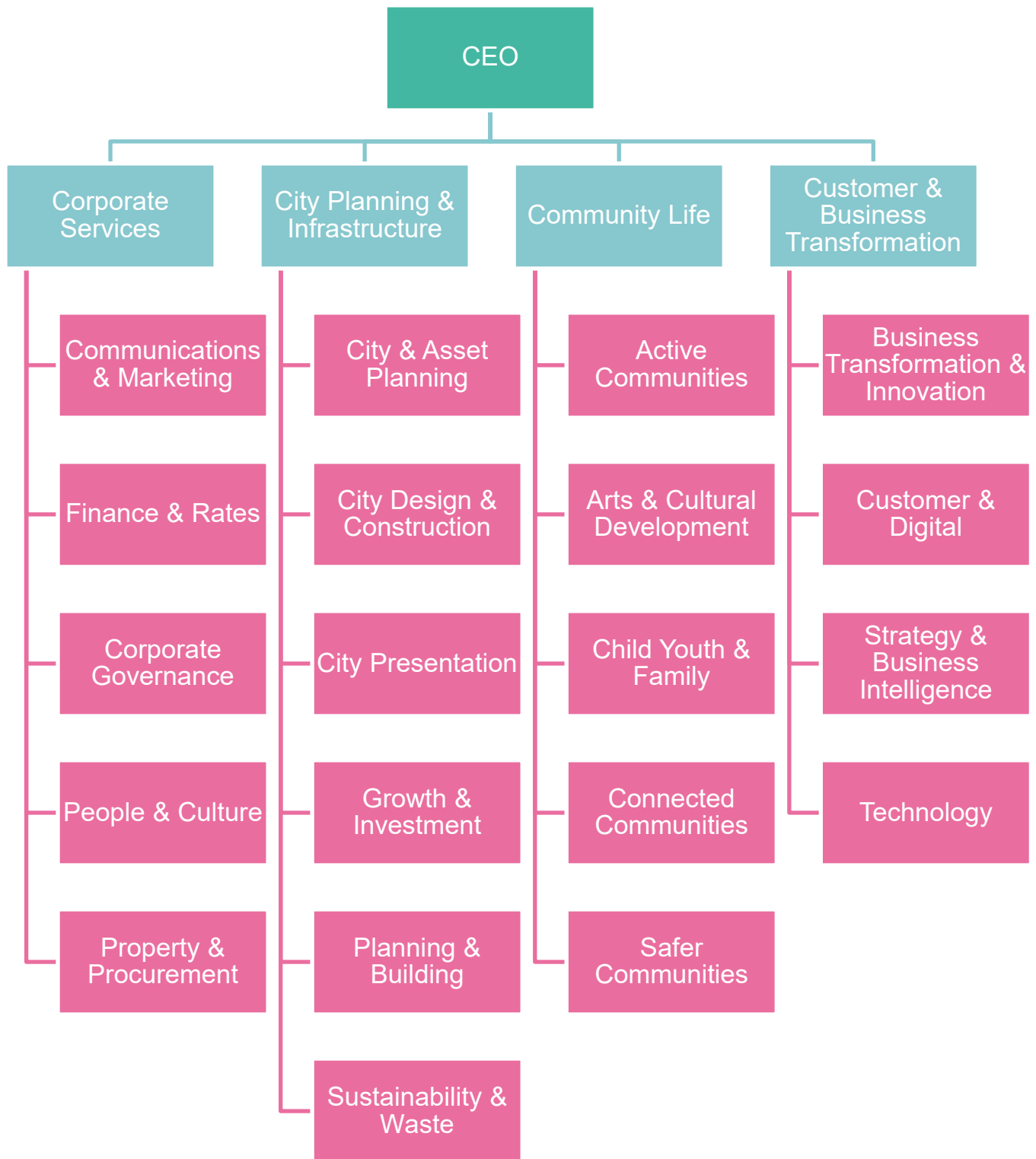
The Chief Executive Officer is supported by Directors who are in turn supported by Senior Managers to provide a broad range of services and to exercise the duties and functions of the Council. The organisation has been structured as detailed in the Organisation Chart contained within this document.

The Executive Leadership Team

The Executive Leadership team includes the Directors of Council's four divisions being:

- Corporate Services
- City Planning & Infrastructure
- Community Life
- Customer & Business Transformation

Organisational Chart



Statement 2 – Community Consultation

Council Committees, reference, working and consultation groups

Council has several committees and groups that have membership representation of a delegated Administrator, 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 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

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

- Annual Report
- Bunjil Place Newsletter
- 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.

Contacting Council

Council can be contacted as per the below:

Email	caseycc@casey.vic.gov.au
Council's Website	www.casey.vic.gov.au Council's live chat function is available on the Council Website
Telephone	General enquiries: (03) 9705 5200, Monday - Friday, 8 am - 6 pm Emergencies (after hours): (03) 9705 5200 will connect you to a paging service Translation service (TIS): 131 450
In person	Bunjil Place Address: 2 Patrick Northeast Dr, Narre Warren VIC 3805 Cranbourne Customer Service Centre Address: Cranbourne Park Shopping Centre, 89 South Gippsland Hwy, Cranbourne VIC 3977 Please check the website for operating hours which are subject to change during the COVID 19 Pandemic.
Post	PO Box 1000 Narre Warren, Victoria 3805

Statement 3 – Categories of Documents

Council collects, creates and maintains a broad range of electronic and hard copy documents, from general correspondence through 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:

- Annual and financial reports
- 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 and 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 operational 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
- 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
- Medical records including Maternal and Child Health records, Immunisation records, aged care assessments.

Statement 4 - 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.

Information available under the *Local Government Act 2020*

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:

Type of document	What Council must have available for inspection or in copy	Where to access information
Annual Report	A copy of the Annual Report including the report operations of the Council, audited performance and financial statements and reports (s98)	Council's website
Asset Plan	A copy of the Asset Plan (s92)	Council's website
Budget (s94), Revised Budget (s95) and Quarterly Budget Report (s97)	A copy of the Budget (s94), Revised Budget (s95) and Quarterly Budget Report (s97)	Council's website
Community Engagement Policy	A copy of the Community Engagement Policy (s55)	Council's website
Community Vision	A copy of the Community Vision (s88)	Council's website
Council Plan	A copy of the Council Plan (s90)	Council's website
Councillor Code of Conduct	A copy of the current Councillor Code of Conduct (s139)	Council's website
Delegations	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.	Council's website
Election campaign donation returns	Copies of election campaign donation returns (s307, s308)	Council's website
Expenses Policy	A copy of the Expenses Policy in relation to the reimbursement of expenses for Councillors and members of Council committees (s40)	Council's website
Financial Plan	A copy of the Financial Plan (s91)	Council's website
Governance Rules	A copy of the Governance Rules (s60)	Council's website
Land leases	Details of land leases(s115)	Council's website

Minutes of meetings of delegated committees	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).	Council’s website
Operating Local Laws	Copies of Local Laws operative within Casey (s74, s75, s76)	Council’s website
Ordinary and special Council meeting agendas and minutes	Includes 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).	Council’s website
Procurement Policy	A copy of the Procurement Policy (s108)	Council’s website
Proposed local laws	A copy of any Council proposed local laws and explanatory documents setting out prescribed details in relation to the local laws (s73)	When a Local Laws is proposed, it will be made available on the Council Website and Casey Conversations for public comment.
Public Transparency Policy	A copy of the Public Transparency Policy (s57)	Council’s website
Revenue and Rating Plan (s93)	A copy of the Revenue and Rating Plan (s93)	Council’s website
Summary of personal interests	The summary of personal interests (s135)	Council’s website

Council's Corporate 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.

Information available under other legislation

The following information is available under the relevant legislation:

Act	Documents Available	Responsible Departments	Information Access
<i>Building Act 1993</i>	<ul style="list-style-type: none"> • 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). 	Statutory Planning and Building Services	There may be a fee for the provision of this information.
Building Regulations 2018	<ul style="list-style-type: none"> • 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]). 	Statutory Planning and Building Services	There may be a fee for the provision of this information.
<i>Domestic Animals Act 1994</i>	<ul style="list-style-type: none"> • A register of all registered dogs and cats (s18). • Domestic Animal Management Plan. 	Safer Communities	Available for Inspection.
<i>Food Act 1984</i>	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).	Safer Communities	Available for Inspection.
Section 49 of the <i>Planning and Environment Act 1987</i>	<ul style="list-style-type: none"> • 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) 	Statutory Planning and Building Services	Available for Inspection.

	<ul style="list-style-type: none"> • 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]). 		
<i>Public Health and Wellbeing Act 2008</i>	Health and Wellbeing Strategy 2021 - 2025.	Connected Communities	Available for Inspection.
<i>Road Management Act 2004</i>	Council's Public Road Register is available for inspection at Council offices and on the website.	City & Asset Planning	On Council's website and available for inspection.
<i>Public Interest Disclosures Act 2012</i>	Procedure for handling disclosures made under the <i>Public Interest Disclosures Act 2012</i> which outlines Council's procedures on the making of disclosures, investigation of disclosed matters, and protection of persons from reprisals (s70)	Corporate Governance	Council website and Inspection.

Statement 5 - Procedure for accessing documents

Access to documents

Documents in the possession of Council can be requested:

- on the Council's website (www.casey.vic.gov.au)
- by inspection at Bunjil Place, Narre Warren, Victoria 3805
- directly to the relevant Council Division/Department
- through the *Freedom of Information Act 1982* (FOI Act).

Many documents are publicly available on Council's website and can be found through the search function. Council also has a dedicated page for documents that are updated regularly on the website which is [available here](#).

Documents not available on Council's website may be available for inspection at Council's Customer Service office at Bunjil Place. The 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 Customer Service on 9705 5200.

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

Where documents are not available on the Council website, for inspection or through the relevant department, a Freedom of Information request may be required.

Freedom of Information Arrangements

- The FOI Act gives you the right to access documents that are held by a Council and not older than 1 January 1989, including:
- documents about your personal affairs (regardless of the age of the documents) and the activities of government organisations
 - documents created by the organisation
 - documents supplied to the organisation by an external organisation or individual

You may also request Council 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

Please note, if the documents relate to your personal affairs information, then you are entitled to also seek access to documents dated prior to 1 January 1989

There is a fixed application fee (set by the State Government) and access charges for FOI requests.

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

- 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.

The FOI Act allows Council to refuse access to certain documents or information. These documents are often called 'exempt' documents or information. In some cases you may be refused access to an entire document. Alternatively, you may be given access to a document with exempt information deleted.

Some documents which might be exempt include internal working documents, law enforcement documents, legal advice, personal information about other people, confidential documents or documents which are covered by secrecy provisions in other legislation.

Making an FOI Application

You can make a request yourself, or you can authorise another person, such as a solicitor, to submit the request on your behalf.

The definition of a 'document' includes:

- emails
- correspondence (typed or hand written)
- memos
- reports
- maps
- films
- diaries
- microfiche
- photographs
- computer discs
- tape recordings
- videotapes.

Your application must include:

- Your contact details
- Written authorisation if another person or business eg. a legal firm submits the request on your behalf.
- Evidence of your identity if the documents you seek are about your personal affairs, such as a drivers licence.
- Payment of an application fee or evidence that you qualify for a waiver of the application fee, such as a pensioner card or health care card.
- A date-range for the documents you seek access to.
- A clear description of the documents you would like. This includes:
 - the type of documents you are looking for (such as emails)
 - the topic of your request
 - any specific words that relate to the topic

It is important you think about the wording of your request carefully.

Please try to avoid phrases like 'all documents'. If the request is broad it may mean the search finds many documents that you will be charged for (search time and for the documents). You may pay for documents you do not want.

Upon receipt of a clear request and payment of the application fee, we will:

- Write to you to acknowledge your request and the due date for Council to provide the relevant documents.
- Search for and retrieve all documents.
- Consult with external entities and individuals, where necessary.
- Review the documents and remove irrelevant and exempt material, where applicable.
- Compile a determination letter which advises you of our decision on access.

Freedom of Information Response Time

Under the FOI Act, Council has 30 days in which to notify you of an access decision. This starts when your request is sufficiently clear and your application fee has been paid.

Depending on the nature of your request, additional time may be needed to process your application.

Where Council is required to seek the views of other entities or individuals (known as third party consultation), Council may extend the period for deciding a request by up to 15 calendar days. You will be notified in writing if mandatory third-party consultation is necessary and advised of the revised statutory due date.

A deposit is required where the information will cost \$50.00 or more.

Where you are required to pay a deposit for information, the 30-day timeframe permitted for processing your request commences upon payment of the deposit.

In all cases Council may seek an applicant's agreement to extend the timeframe for a decision to release information by up to 30 days at a time. Council may do so any number of times.

Further information about applying under Freedom of Information is available on Council's website.