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# Freedom of Information

## Part II Statement

Pursuant to the *Freedom of Information Act 1982*

January 2021

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## Purpose

The purpose of Part II of the *Freedom of Information Act 1982* (the Act) (Section 7 – Section 12) is to ensure that individuals and organisations can effectively exercise their right to obtain access to government information which may affect them. To this end they must be aware of what government does, how it acts and what information it holds.

Council releases a large amount of information online and print publishing as well as person-to-person service provision. The Freedom of Information Part II Statement shows the City of Darebin is making information readily available to the public.

Making information easily accessible reduces the need for members of the public to submit requests under the Act.

## Access to documents and information about how we exercise our powers and perform our functions

Section 7 of the *Freedom of Information Act 1982* ('the Act') requires all agencies, to publish a set of statements that describe their powers and functions, the documents and information they keep, and the ways people can view or get copies of them.

In the interests of transparency, the City of Darebin has compiled a Part II Freedom of Information Statement where you will find information about:

- Statement 1 – Organisation and Functions of Council  
*Freedom of Information Act 1982, Section 7(1) (a) (i) (vii) and (viii)*
- Statement 2 – Categories of Documents  
*Freedom of Information Act 1982, Section 7(1) (a) (ii)*
- Statement 3 – FOI Arrangements  
*Freedom of Information Act 1982, Section 7(1) (a) (iii) (v) (vi)*
- Statement 4 – Publications  
*Freedom of Information Act 1982, Section 7(1) (a) (iv)*
- Statement 5 – Rules, Policies, and Procedures  
*Freedom of Information Act 1982, Section 8*
- Statement 6 – Report Literature  
*Freedom of Information Act 1982, Section 11*

## Freedom of Information

The *Freedom of Information Act 1982* has been in effect from 1<sup>st</sup> January 1994, for Local Government. Freedom of Information (FOI) provides members of the public:

- A right to information held by the Ministers, state government departments, agencies, statutory authorities and local government authorities;
- A legal right to apply for incorrect, out of date or misleading information about them to be amended or removed from their personal files;

## FOI Principles

Freedom of Information embraces the principles that:

- Members of the public have a legally enforceable right of access to government information;
- Government departments and agencies are required to publish information concerning the documents they hold;
- People may ask for inaccurate, incomplete, out of date or misleading information to their personal records to be amended;
- People may appeal against a decision by a government body not to give access to the information, or not to amend a personal record.

## What information is made available under Freedom of Information?

People have a right to seek access to documents that were created or reviewed by the Darebin City Council after 1<sup>st</sup> January 1989. Documents may take the form of:

- Written documentation whether registered on file or not;
- Maps;
- Microfiche;
- Computer printouts;
- Tape recordings;
- Video tapes;
- Books;
- Films;
- Photographs;
- Electronic mail;
- Computer disks;
- Soundtracks.

## Exempt Documents

In some instances, the right of access to some documents may be reflected or limited by specific exemptions of the *Freedom of Information Act*. These exemptions are applied where it is deemed necessary for the protection of the public's interest, privacy or commercial reasons. Exempt documents fall into the following categories:

- Internal working documents;
- Law enforcement documents;
- Documents containing material obtained in confidence;
- Documents relating to trade secrets;
- Documents relating to legal professional privilege;
- Documents affecting personal privacy;
- Council documents declared confidential subject to provisions of the Local Government Act 2020;
- Disclosure is contrary to public interest.

## Freedom of Information Act 1982 publication requirements

*The Freedom of Information Act 1982* (Part II) requires Council to make available the following Statements to provide more detail about the Darebin City Council and the types of information available to members of the public.

The Statement consists of:

- Organisation and functions of Council;
- Categories of documents maintained by Council;
- Documents prepared by Council for publication or public inspection;
- Subscriptions and mailing lists;
- Freedom of Information arrangement and responsible officers;
- List of committees whose meeting are open to the public or minutes publically available;
- Locations and hours of operation of libraries or reading rooms available for public use.

## **Statement 1 – Organisation and Functions**

*Freedom of Information Act 1982, Section 7 (1) (a) (1), Section 7 (i) (a) (vii), Section 7 (i) (a) (viii)*

### **Establishment**

The City of Darebin was formed in 1994 with the merger of most of the former Cities of Northcote and Preston, with the transfer of the portion of the City of Northcote south of Heidelberg Road to the City of Yarra and minor adjustments with the former Cities of Coburg, Heidelberg, and the Shire of Diamond Valley.

### **Our Organisational Structure**

Darebin City Council consists of the following directorates and departments:

#### **Office of the Chief Executive, Mayor & Councillors**

##### **Governance & Engagement**

- Communications & Engagement;
- Finance;
- Information Services;
- People & Culture;
- Property & Business Improvement;
- Governance & Corporate Strategy.

##### **Community**

- Aged & Disability;
- Creative Culture & Events;
- Equity & Wellbeing;
- Families, Youth & Children;
- Recreation & Libraries;
- Economic Recovery & Resilience.

##### **Operations & Capital**

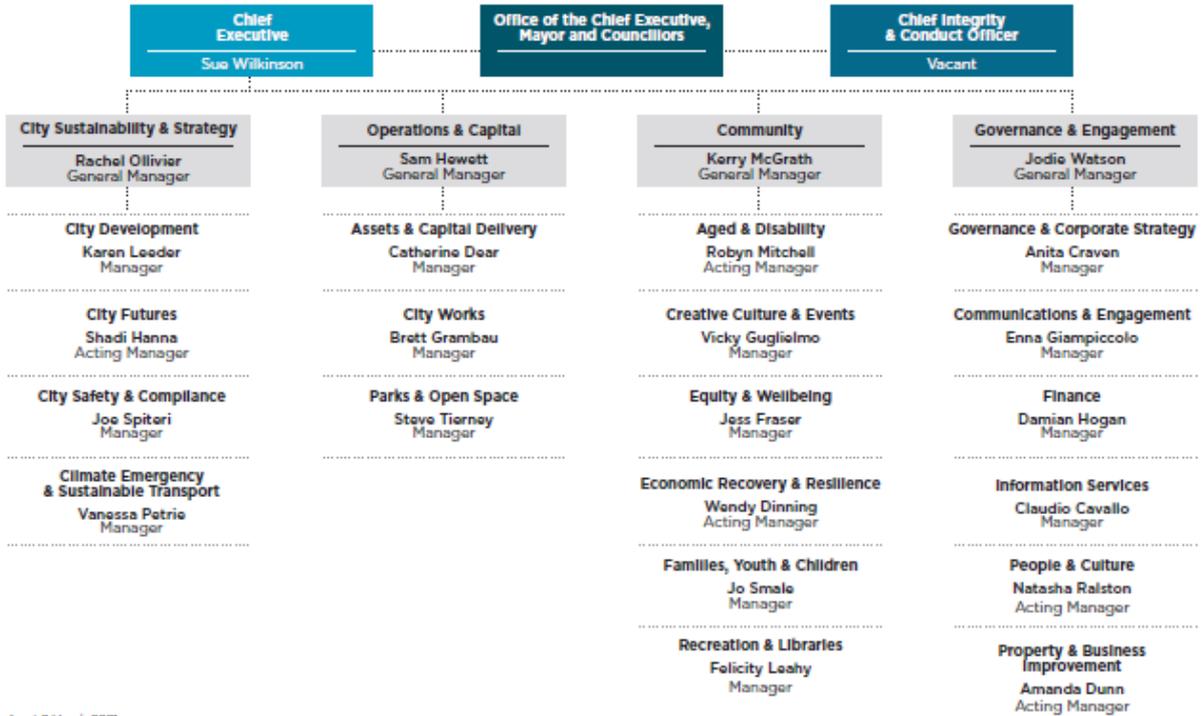
- Assets & Capital Delivery;
- City Works;
- Parks & Open Space.

##### **City Sustainability & Strategy**

- City Development;
- City Futures;
- City Safety & Compliance;
- Climate Emergency & Sustainable Transport.

**ORGANISATION STRUCTURE**

March 2021



As at 2 March 2021

**Our Location**

The City of Darebin occupies 53 square kilometres in the northern suburbs of Melbourne, between 5 and 15 kilometres north of Melbourne. The municipality is bounded by the City of Whittlesea in the north, City of Banyule in the east, the City of Yarra in the south, and the City of Moreland in the west. More than 144,086 people call Darebin home.



## Contacting Council

Postal Address:

City of Darebin, PO Box 91, Preston, Vic 3072

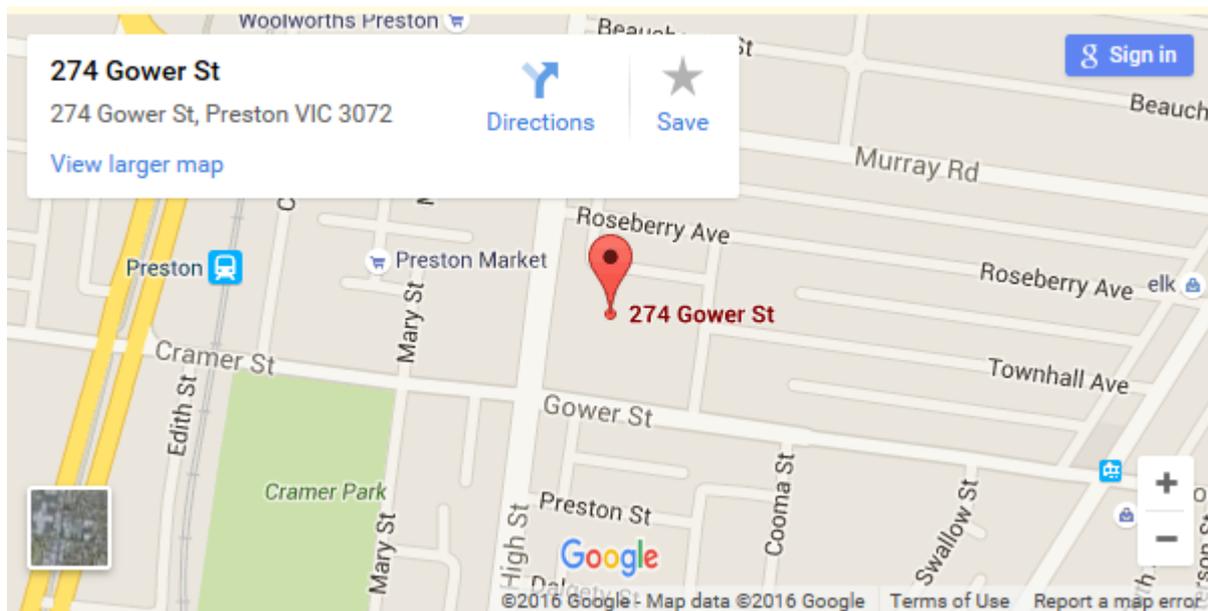
Physical Address: City of Darebin, 274 Gower Street, Preston Vic 3072

Telephone: (03) 8470 8888

Fax: (03) 8470 8877

Website: [www.darebin.vic.gov.au](http://www.darebin.vic.gov.au)

Email address: [mailbox@darebin.vic.gov.au](mailto:mailbox@darebin.vic.gov.au)



## Service Centres

Preston Customer Service Centre  
274 Gower Street, Preston  
Monday to Friday, 8.30am to 5.00pm

Northcote Customer Service Centre  
32 – 38 Separation Street, Northcote  
Monday to Friday, 8.30am to 5.00pm

Reservoir Community and Learning Centre  
23 Edwardes Street, Reservoir  
Monday to Friday, 10.00am to 5.00pm

## Darebin City Council Wards

Darebin City Council governs nine wards: Central Ward, North Central, North East Ward, North West Ward, South Central Ward, South East Ward, South Ward, South West Ward and West Ward. Nine Councillors are elected every four years, with a single representative for each ward. A Mayor is generally elected by the Councillors for a twelve-month term.

Elected by the eligible voters the team of nine Councillors work together to set Councils strategic direction and to make important decisions regarding the whole municipality.



## Role of Council

Section 8 of the *Local Government Act 2020* defines the role of the Council which include:

- The role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community;
- In performing its role, a Council may –
  - a) perform any duties or functions or exercise any powers conferred on a Council by or under this Act or any other Act; and
  - b) perform any other functions that the Council determines are necessary to enable the Council to perform its role;
  - c) if it is necessary to do so for the purpose of performing its role, a Council may perform a function outside its municipal district.

Section 9 of the *Local Government Act 2020* provides that Council must in performance of its role give effect to the overarching Governance Principles as follows:

- Council decisions are to be made and actions taken in accordance with relevant law;
- priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- the economic, social, and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- the municipal community is to be engaged in strategic planning and strategic decision making;
- innovation and continuous improvement is to be pursued;

- collaboration with other Councils and Government's and statutory bodies is to be sought;
- the ongoing financial viability of the Council is to be ensured;
- regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
- the transparency of Council decisions, actions and information is to be ensured.

## Local Government Functions and Activities

The Council has responsibility for managing a broad range of functions, activities and services. These include:

- Aged and disability services;
- Animal management;
- Arts and cultural services;
- Assets and civic facilities management;
- Building services;
- Children and family services;
- Community development;
- Economic development;
- Environmental management;
- Heritage;
- Leisure and recreation services;
- Library and learning services;
- Maternal child health care;
- Open space planning;
- Parking management;
- Public health and safety;
- Roads, footpaths and drainage;
- Traffic safety;
- Transport planning;
- Strategic and statutory planning;
- Waste management and recycling;
- Youth services.

The Council derives its powers and operates pursuant to many Acts, Regulations and Council Local Laws. The following indicates as far as practicable the Acts, Regulations and Local Laws that apply to Council:

## Legislation

- Audit Act 1994;
- Aboriginal Heritage Act 2006;
- Building Act 1993;
- Children Youth and Families Act 2005;
- Climate Change Act 2017;
- Conservation, Forests and Land Act 1987;
- Crown Land (Reserves) Act 1978;
- Cultural and Recreational Lands Act 1963;
- Dangerous Goods Act 1985;
- Domestic Animals Act 1994;
- Education and Care Services National Law 2010;
- Heritage Act 2017;
- Housing Act 1983;
- Impounding of Livestock Act 1994;
- Infringements Act 2006;
- Land Act 1958;
- Land Acquisition and Compensation Act 1986;
- Libraries Act 1988;
- Liquor Control Reform Act 1998;
- Local Government Act 2020;
- Magistrates Court Act 1989;

- Major Transport Projects Facilitation Act 2009;
- Fire Rescue Victoria Act 1958;
- Mineral Resources (Sustainable Development) Act 1990;
- Planning and Environment Act 1987;
- Pipelines Act 2005;
- Privacy and Data Protection Act 2014;
- Public Interest Disclosures Act 2012;
- Public Health and Wellbeing Act 2008;
- Educational Training Reform Act 2006;
- Electricity Safety Act 1998;
- Emergency Management Act 1986;
- Environment Protection Act 1970;
- Estate Agent Act 1980;
- Equal Opportunity Act 2010;
- Fences Act 1968;
- Flora, Fauna Guarantee Act 1988;
- Food Act 1984;
- Freedom of Information Act 1982;
- Gambling Regulation Act 2003;
- Graffiti Prevention Act 2007;
- Health Records Act 2001;
- Public Records Act 1973;
- Road Management Act 2004;
- Road Safety Act 1986;
- Second-hand Dealers and Pawnbrokers Act 1989;
- Sex Work Act 1994;
- Sheriff Act 2009;
- Sport and Recreation Act 1972;
- Subdivision Act 1988;
- Summary Offences Act 1966;
- Tobacco Act 1987;
- Transfer of Land Act 1958;
- Transport Integration Act 2010;
- Valuation Land Act 1960;
- Victorian Local Government Grants Commission Act 1976;
- Victoria State Emergency Service Act 2005;
- Development Victoria Act 2003;
- Water Act 1989.

## Local Laws

- General Local Law 2015 (Local Law No: 1 of 2015)

This Local Law deals with a range of regulatory matters including activities on roads and on private and public land.

- Council Meeting Governance Local Law No: 1 of 2020.

This Local Law has been substantially superseded by the Councils Governance Rules which were adopted in July 2020. Upon adoption of the Governance Rules, the sections of Councils Council Meeting Governance Local Law No. 1 of 2020 (Governance Local Law) that related specifically to the conduct of Council and Committee meetings (Chapter 4) ceased to apply and sections of the Governance Local Law that relate specifically to the use of Councils Common Seal (Chapter 2) and Infringement Notices imposable for certain matters and behaviour by meeting attendees (Chapter 3) remain operative.

## External Consultation

Community consultation is a process that the Darebin City Council undertakes to involve the public in decision making by communicating with them via Council's webpage.

Council's webpage has a section titled "Your Say". Any consultation between Council, the community seeking their views about a particular issue, service or other Council matters will be found there.

Examples of community consultation could include asking the community for feedback on Council policies, performance on service delivery or involving the community in the development or review of specific projects or developments.

## Decision Making Power

Council is a statutory entity and is able to do only those things which it is authorised by legislation to do. It can act in only one of two ways: by resolution or through others acting on its behalf.

### By resolution:

Council exercise's its decision-making powers at Ordinary Meetings, Planning, Committee Meetings, Hearing of Submissions Committee, and Special Meetings of Council which are called from time to time to deal with any urgent matters that may arise.

All meetings are open to the public however meetings, or parts of meetings, may be closed to the public when confidential items are being considered. The dates, times and locations of all meetings are published in local or daily newspapers and on Councils website.

All meetings are generally held at the:

Darebin City Council  
Preston Municipal Offices  
350 High Street  
Preston (unless otherwise advertised).

Agendas and Minutes for all meetings are available on Council's website.

Council meetings are also able to be viewed live; details on how this service is available is provided on Council's website.

Agenda and Minutes of past meetings are also available on Council's website.

Council's Governance Rules documents the manner of voting and making resolutions of Council.

### Through others acting on its behalf:

The *Local Government Act 2020* provides for the appointment of delegates to act on behalf of Councils. Most Council decision-making power is allocated by formal delegations including delegations to Chief Executive Officer: delegation to delegated committees and delegation to members of staff. The decision of a delegate of Council is 'deemed' to be a decision by Council.

The instrument of Delegation to the Chief Executive Officer empowers the CEO to exercise various powers of the Council, including the power to sub-delegate to Council Officers.

## List of Committees whose meetings are open to the public or minutes publically available

Council is represented on a broad range of internal, state and regional organisations and committees, including the following:

### Standing Committees:

- Planning Committee (*a delegated Committee of Council*)
- Hearing of Submissions Committee (*a delegated Committee of Council*)
- CEO Employments Matters Committee (*Advisory Committee*)
- Audit and Risk Committee; (*Advisory Committee*)

### Community Advisory Committees as at 7 December 2020:

- Active and Healthy Ageing Community Board;
- Art and Heritage Advisory Committee;
- Darebin Aboriginal Advisory Committee;
- Darebin Community Awards Advisory Committee;
- Darebin Disability Advisory Committee;
- Darebin Domestic Animal Management Reference Group;
- Darebin Education Network;
- Climate Emergency Darebin Advisory Committee;
- Darebin Interfaith Council;
- Darebin Women's Advisory Committee;
- Darebin Nature Trust;
- Municipal Emergency Management Planning Committee;
- Sexuality, Sex and Gender Diversity Advisory Committee;
- Welcoming Cities Community Reference Groups;
- Youth Jury;
- Intercultural Centre Community Reference Group.

## **Statewide, Metropolitan, Regional, and Darebin based Organisations:**

- Municipal Association of Victoria (MAV);
- Victorian Local Governance Association (VLGA);
- Metropolitan Local Government Waste Management Forum;
- Inner Northern Group Training Ltd;
- Inner Northern Local Learning and Employment.;
- Northern Group Training Ltd;
- Friends of Baucau Inc.;
- Metropolitan Transport Forum;
- Northern Alliance for Greenhouse Action;
- Global Covenant of Mayors for Climate and Energy;
- Darebin Ethnic Communities Council (DECC);
- Darebin Creek Management Committee Inc.;
- Merri Creek Management Committee Inc.;
- Melbourne Innovation Centre.

## **Locations and hours of operation of libraries or reading rooms available for public use**

### **Preston Library**

266 Gower Street, Preston Vic 3072 - (Melways Ref 18 G12)

Monday to Friday: 10:00am to 8:00pm

Saturday: 10:00am to 4:00pm

Sunday: 1:00pm to 5:00pm

### **Northcote Library**

32-38 Separation Street, Northcote Vic 3070 - (Melways Ref 30 F8)

Monday to Friday: 10:00am to 8:00pm

Saturday: 10:00am to 4:00pm

Sunday: 1:00pm to 5:00pm

### **Reservoir Library**

23 Edwardes Street, Reservoir Vic 3072 - (Melways Ref 18 G5)

Monday to Thursday: 10:00am to 8:00pm

Friday: 10:00am to 5:00pm

Saturday: 10:00am to 4:00pm, Sunday: Closed

### **Fairfield Library**

121 Station Street, Fairfield Vic 3078 - (Melways Ref 30 K10)

Monday to Friday: 10:00am to 5:00pm

Saturday: 10:00am to 4:00pm, Sunday: Closed

Please note that all libraries are closed on public holidays, renew online, or return to our after-hours chutes.

## **Statement 2 – Categories of Documents**

*Freedom of Information Act 1982, Section 7 (i) (a) (ii)*

### **Information Management System**

Darebin City Council operates a centralised records management system. The current records management software package in use for the recording and tracking of files and documents is Objective.

Objective is integrated with the (Pathway) Property based database which manages Building Application/Permits, Planning Applications/Permits, Health Registered Premises, Rate Assessments and Local Laws.

There are 5 types of files maintained by the Corporate Information Unit:

#### **1. Subject Files**

Subject files contain information of a subjective nature which is not related to either property or street files. The list of file titles is wide and varied.

#### **2. Street Files**

These files contain information relating to a specific street or road including but not limited to:

- Load limits;
- Street furniture, street signs, nature strip trees, telephone booths, etc;
- Street construction and maintenance (not program information), road marking, pothole repairs, applications for footpath construction and repair nature strips, kerb and channel;
- Road closures, temporary or permanent;
- Parking and traffic management;
- Any other matter pertaining to the street including any decision made by Council/Committees and Officers relating to the street.

#### **3. Property Files**

Property files contain information on the technical aspects of the property including but not limited to:

- Rates – Notices of Acquisition and Disposition, Land Information Certificate Applications and Occupier advice;
- Valuations – Objections, complaints, Enquiries and Correspondence;
- Health – Copies of Annual Registrations, Prosecutions, EPA orders included on property files, Registered Premises Applications;
- Local Laws – Fire Hazard Notices, Prosecution, Unsightly Premises Orders, Animal Registrations and Complaints, Overhanging Tree Orders, etc;
- Any decision made by Council/Committees and Officers relating to an individual property.

#### **4. Contract Management Files**

Contract Management files contain information in relation to the work leading up to the calling of vendors or request for quotations for the construction and/or maintenance of Council assets. Examples of documents held on Contract Management files include, but are not limited to:

- Asset location documents;
- Correspondence between authorities;
- Letters to and from residents in relation to the proposed works;
- Plans/drawings;
- Consultant's reports and correspondence;
- Internal memos (usually in the form of printed emails).

#### **5. Vital Record Holdings**

A vital records repository is also maintained which contains documents which contain vital information to Council. These include:

- Council Titles, Leases, Agreements & Contracts.

In addition to the five file types maintained by the Corporate Information Unit there are also many other file series throughout the Council which are created and maintained by the relevant departments. These file types include:

#### **6. Unit Specific File Series**

- Building Applications and Permits: Files managed internally by the Building Department;
- Planning Application Files: Files managed internally by the Planning Department;
- Recruitment Files: Files managed internally by the People and Development Department;
- Personnel Files: Files managed internally by the People and Development Department.

#### **7. Secondary Storage and Archived Records**

Secondary and archival records are stored offsite at Grace Information Management.

All files and archives that are stored offside are recorded and tracked via Objective as well as Grace Information Management's Systems.

#### **8. Non (hard copy) file type records**

Large quantities of information are stored and accessed using non-file media such as:

- Computer tapes & Disks;
- Accounts, invoice, receipts;
- Plans, Drawings & Maps.

## Statement 3 – Freedom of Information Arrangements

*Freedom of Information Act 1982, Section 7 (i) (a) (iii), Section 7 (i) (a) (v) and Section 7 (i) (a) (vi)*

### Information Available for Inspection

In accordance with Section(s) 57 & 58 of the Local Government Act 2020, Council has adopted a Public Transparency Policy on 20 July 2020. Council's Public Transparency policy describes Council's transparency, integrity, and accountability as being central to the principles and requirements that underpin local government democracy, accountability, conduct and enable the community to hold Council to account. The policy discusses how Council will make information readily available to the public.

In line with Council's Public Transparency Policy, following Council information required under the Act (and the Local Government Act 1989) will be made available on Council's website: -

- Agendas and Minutes of Council Meetings and Delegated Committees;
- Local Laws and Governance Rules;
- Council Plan and Annual Plan;
- Council Budget and Strategic Resource Plan;
- Code of Conduct – Councillors;
- Summary of Election Campaign Donation Returns;
- Summary of Personal Interest Returns; and
- Any other registers or records required to be published on Council's website under legislation or determined to be in the public interest.

Other Council documents and information to ensure the community is informed about Council's operations and functions to be made available on Council's website are: -

- Adopted Council policies, plans and strategies;
- Project and service plans;
- Terms of Reference or Charters for Council Advisory Committees and Groups;
- Consultations and community engagement processes undertaken by Council;
- Reporting from Advisory Committees and Reference Groups to Council;
- Audit and Risk Committee performance reporting;
- Relevant technical reports and/or research that informs decision making;
- Practice notes and operating procedures;
- Guidelines and manuals;
- Application processes for approvals, permits, grants and access to Council services;
- Submissions made by Council;
- Register of planning permits and applications;
- Register of Building Permits, Occupancy Permits and temporary approvals;
- FOI Part II Statement; and
- Registers of Delegation;
- Register of gifts, benefits and hospitality offered to Councillors or Council staff;
- Register of overseas and interstate travel undertaken by Councillors or Council staff;
- Register of conflicts of interest disclosed by Councillors or Council staff;
- Register of donations and grants made by Council;
- Register of leases entered into by Council, as lessor and lessee;
- Register of authorised officers;
- Submissions received under section 223 of the Local Government Act 1989 until its repeal or received through a community engagement process undertaken by Council (if those submissions are not part of a Council report); and

- Any other registers or records required to be made available for public inspection under legislation

In accordance with the ***Building Act 1993***, the following information is available for public 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.

In accordance with the ***Domestic Animals Act 1994*** the following information is available for public inspection:

- A register of all registered dogs and cats s18.

In accordance with the ***Food Act 1984*** the following information is available for public 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.

In accordance with Section 49 of the ***Planning and Environment Act 1987*** the following information is available for public 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).

In accordance with the ***Public Health and Wellbeing Act 2008*** the following information is available for public inspection:

- Health and Wellbeing Plan 2017 – 2021.

In accordance with the ***Public Interest Disclosures Act 2012*** the following information is available for public inspection:

- City of Darebin Council's Public Interest Disclosures Procedures (s58).

In accordance with the ***Road Management Act 2004*** the following information is available for public inspection:

- Council's Public Road Register and Road Management Plan (s19);

To arrange an inspection of any of the above documents, please contact the Manager Governance & Performance on (03) 8470-8888.

### **Other documents maintained by Council**

- Aboriginal Action Plan 2012-2015;
- Business Development and Employment Strategy 2012-2015;
- Community Engagement Framework 2012-2017;
- Climate Emergency Plan 2017-2022;
- Customer Service Charter;
- Cycling Strategy 2013;
- Digital Transformation Strategy 2017;
- Environment Policy;
- Environmental Purchasing Code;
- Equity and Inclusion Policy 2012-2015;
- Food Security & Nutrition Action Plan 2016-2020;
- Gender Equity Action Plan;
- Green Business Attraction Strategy;
- Leisure Strategy 2010-2020;
- Open Space Strategy 2007-2017;
- Play space Strategy;
- Preventing Violence Against Women Action Plan;
- Rating Strategy 2014-2015;
- Safe Travel Strategy;
- Sexuality, Sex and Gender Diversity Action Plan 2012-2015;
- Sustainable Water Strategy;
- Sustainable Water Use Plan;
- Strategic Resource Plan 2017-2021;
- Stormwater Management Plan 2007;
- Transport Strategy 2007-2027;
- Urban Food Protection Strategy 2014-2018;
- Waste & Litter Strategy 2015-2025;
- Women's Equity Strategy 2012-2015;
- Health and Wellbeing Plan 2017-2021.

To arrange an inspection of any of the above documents, please contact the Manager Governance & Corporate Strategy on (03) 8470-8888.

### **What is Freedom of Information?**

*The Freedom of Information Act 1982* gives the public a legal, right of access to documents held by Ministers, State Government departments, Local Councils, most semi –government agencies and statutory authorities, public hospitals and community health centres, universities, TAFE colleges and schools.

The Freedom of Information Act not only gives people the right to request documents relating to their personal affairs, people can also request information about any of the activities of a government agency.

The Act also gives an individual the right to request that incorrect or misleading information held by an agency about the individual be amended or removed.

## **What Information is Available?**

You have a right to apply for access to documents, held by the City of Darebin, which are covered by the *Freedom of Information Act 1982* (FOI).

This includes documents created by the City of Darebin, and documents supplied to the City of Darebin by an external organisation or individual.

You can apply for access to documents about your personal affairs, regardless of the age of the documents, and other documents held by the City of Darebin, not older than 1 January 1989.

## **Do I Need to Use FOI to Access Documents?**

Many documents are available outside the requirements of the Freedom of Information Act. In these instances, the request will not be processed under FOI.

Information which you may obtain without an FOI application include information which is available publicly, such as on a public register, and information which is available for purchase.

Please note that if you require documents for a court hearing or litigation, speak to your legal adviser about other methods available to gain access in those circumstances.

## **How Do I Make a Request Under FOI?**

You can make a request, or you can authorise another person to make a request on your behalf. If you want someone to make a request on your behalf for your personal information, you must give that person your written authorisation.

Applications under FOI must be in writing, stating very clearly the specific information that you are requesting and including the application fee which is not refundable as stipulated on Council's website under Freedom of Information.

## **Freedom of Information Application Form**

Valid applications, with the accompanying application fee, are to be either mailed to Council's PO Box noted below, or over the Counter at any of our Customer Service Centres.

Freedom of Information Officer  
Darebin City Council  
PO Box 91  
Preston Vic 3072  
Email: [Foi@darebin.vic.gov.au](mailto:Foi@darebin.vic.gov.au)

Unless all requirements are met, there is no valid request for access. The 30 days within which a decision must be made on a project does not commence until a valid request is received.

If payment is deemed to cause financial hardship it may be waived or reduced. If applicants are seeking a fee waiver or reductions the request must be in writing with written evidence supporting their claim, as well as documentary evidence such as a photocopy of a social security concession card.

The Freedom of Information Officer will send applicants an acknowledgement letter and process the request within 30 days as stipulated in the Act. Where the Freedom of Information decides to refuse, partially grant, or defer access, the applicant will be notified in writing of the reason for refusal, partial access or deferral.

## **What Information is Not Available?**

Not all information is automatically available in response to a request for it.

The Freedom of Information Act sets out a number of situations in which a Council may refuse a person access to the documents he or she has requested. The main situations are requests for documents which affect the personal affairs of another person, which are commercially confidential, which would undermine law enforcement, or which contain information supplied in confidence.

'Personal Affairs' also includes the name and/or address of somebody who is not the applicant. For example, where an applicant may wish to know the name and address of a complainant, this would be considered to be exempt material under Section 33 of the Act.

These documents or information are referred to as 'exempt' documents. 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.

Your application may also be refused if it is considered 'voluminous in nature', in that "it would interfere unreasonably with the operations or performance of the Council".

## **Additional charges**

In some instances, further charges may apply in addition to the application fee. Where this is the case, the applicant will be advised of the estimated additional costs if it's substantial, prior to processing the FOI application. All fees associated with a FOI application are noted on the attached FOI Information Sheet and are also publicised on Council's website under Freedom of Information.

## **Right of appeal**

If an applicant is dissatisfied with the Freedom of Information Officer's decision to refuse access to a document, defer access to a document, not waive or reduce an application fee (whether or not the fee has already been paid by the applicant) or not amend a document (in accordance with Section 39) the applicant may appeal the decision to the Victorian Information Commissioner for review:

Victorian Information Commissioner  
Office of the Victorian Information Commissioner  
PO Box 24274  
Melbourne Vic 3001  
Email: [enquiries@foicommissioner.vic.gov.au](mailto:enquiries@foicommissioner.vic.gov.au)  
Web: [www.foicommissioner.vic.gov.au](http://www.foicommissioner.vic.gov.au)

## **Officer responsible for requests to access documents**

Freedom of Information Officer  
Darebin City Council  
PO Box 91, Preston Vic 3072  
Or at  
274 Gower Street, Preston Vic 3072

## **Statement 4 – Publicity Material**

*Freedom of Information Act 1982, Section 7 (i) (a) (iv)*

Council produces a range of publications and policies to ensure residents, ratepayers, community groups and businesses have easy access to information about Council and the municipality, which are available on Council's website.

### **Annual Budget;**

Council adopts the annual budget after community consultation and consideration of submissions made by the public.

### **Annual Report;**

The purpose of the Annual Report is to review the Council's strategic, operational and financial performance for each financial year and to provide feedback to ensure we remain accountable to our community. The report also maps out how we have performed against our strategic objectives.

### **Council Plan;**

The Council Plan outlines our commitment over the 4-year period of the plan and explains our vision, mission and goals over the period. The commitments in the plan are a response to the feedback gathered through a broad consultative process and analysis of relevant trends.

### **Policies and Strategies**

Council has adopted a number of policies and strategies to help guide decisions and to achieve outcomes and goals. All adopted strategies and policies are located on this website under, Your Council ⇒ Organisation and Performance.

### **Mailing lists and subscriptions.**

- "Your Darebin" A monthly community newsletter, keeping everyone connected with what's happening in local neighbourhoods across Darebin.
- "Older and Active in Darebin Newsletter" A bi-monthly newsletter with information about free and low-cost activities for older people (aged 50+) held in Darebin and surrounding suburbs.
- "East Preston Community Centre" Stay-up-to date with latest events and activities at East Preston Community Centre.
- "What's On–Arts & Culture" A monthly newsletter featuring arts events and projects held in the City of Darebin as well as opportunities for Darebin artists.
- "What's On–Darebin Arts Centre" Sign up to find out about upcoming theatre productions, special events, expos, and comedy shows hosted at Darebin Arts Centre each month.

- “What’s On–Darebin Intercultural Centre” A monthly newsletter outlining the activities and events at Darebin Intercultural Centre. The centre celebrates and encourages all cultural groups to participate in activities.
- “What’s On for Families” A monthly newsletter highlighting the key events and activities in Darebin for families with young children.
- “What’s On-Darebin Libraries” A monthly email newsletter for the latest information about free library events and services.
- “What’s On-Northcote Town Hall Arts Centre” A monthly email newsletter to hear the latest events, activities, exhibitions, and markets happening at the Northcote Town Hall Arts Centre.
- “Behind the Goals (Sports Clubs)” A email newsletter sent every quarter with the latest news, projects, and information sporting clubs.
- “What’s on in Early Years Education” A bi-monthly newsletter keeping Darebin Early Years professionals informed with all things early years.
- “Business eNews” A monthly email newsletter for the latest news and updates about business events, grants, and opportunities.
- “Disability Access Update” A regular email newsletter about all things access and inclusion in the community, including latest news, NDIS updates, workshops, and training opportunities.
- “Fuse (Biannual Arts Festival)” A newsletter promoting Fuse (Biannual arts Festival) events and activities taking place throughout the year.
- “Sustainable Darebin” A monthly newsletter dedicated to all thing’s environment and sustainability, as well as information about council and community events and workshops, inspiring stories, and tips on taking action on the climate emergency, local environment projects and much more.

## Statement 5 – Rules, Policies and Procedures

*Freedom of Information Act 1982, Section 8*

This statement applies to documents that are provided by Council for the use or guidance of Council or its Officers.

Council must, as far as possible, make its 'hidden law' explicit to the public with procedure manuals, interpretations of the law, policy statements and enforcement methods.

Copies of all documents are made available for inspection and for purchase by members of the public. A large number of the documents are available to view on Council's website.

This list is not an exhaustive list of documents used by Council or its Officers; it is an example of the types of documents which are frequently referred to assist to make decisions.

Council has adopted a number of strategies that will help implement the six goals of its 2017-2021 Council Plan. These strategies say, what, when and how we will deliver on our promises.

- Aboriginal and Torres Strait Islander Action Plan 2017-2021
- Aboriginal and Torres Strait Islander Employment Strategy and Action Plan 2017-2027
- Access and Inclusion Plan (Action Plan) 2015-2019
- Access and Inclusion Plan (Master Document) 2015-2019
- Active Healthy Ageing Strategy 2011-2021
- Annual Budget 2020-21
- Annual Report 2018-19
- Art Collection Policy
- Asset Management Policy
- Asset Management Strategy
- Breathing Space – The Darebin Open Space Strategy
- Bundoora Park Precinct Master Plan 2013-2025
- Car Share Policy
- Central Creek Grassland (Ngarri-djarrang) 5 Year Works Plan
- Christmas Decorations for Darebin Retail Centres Policy
- Civic Recognition – Monuments and Memorials Policy
- Climate emergency Plan 2017-2022
- Community Engagement Strategy and Framework 2019
- Confidential Policy Handling of Confidential Information by Councillors
- Councillor Briefing Policy
- Councillor Code of Conduct 2021
- Councillor Media and Social Media Policy
- Councillor Support and Expenses Policy 2020
- Council Plan 2017-2021
- Council Action Plan 2020-2021
- COVID-19 Financial Hardship Policy
- Creative and Cultural Infrastructure Framework
- Creative and Cultural Infrastructure Framework Implementation
- Creative Darebin – Darebin Arts Strategy 2014-2020
- Cycling Strategy 2013-2018
- Darebin Creek Management Plan
- Towards Equality Framework
- Libraries and Learning Strategy 2020-24

- Development Contributions Plan June 2003 – Revised 2015
- Domestic Animal Management Plan 2017-2021
- Donath and Dole Reserves Master Plan
- Early Years Infrastructure Plan 2011-2031
- Early Years Plan 2011-2021
- Early Years Strategy 2011-2021
- Economic Land Use Strategy
- Election Period 2020
- Electoral Advertising Signage and Electioneering Policy 2020
- Electronic Gaming Machine Policy 2018-2022
- Electronic Gaming Machine Policy Action Plan 2018-2022
- Environmentally Sustainable Design (ESD) Building Policy
- Fairfield Village Built Form Guidelines
- Fairfield Village Heritage Assessment
- Food Security and Nutrition Action Plan 2016-2020
- Footpath Trading Policy
- Gender Equity and Preventing Violence Against Women Action Plan 2019-2023
- Gifts and Hospitality Policy 2017
- Graffiti Management Strategy 2019-2023
- Graffiti Management Action Plan 2019-2023
- Greenstreet's Streetscape Strategy 2012-2020 (includes Nature Strip Policy)
- Health and Wellbeing Plan 2017-2021
- Housing Strategy 2013
- Integrated Weed Management Strategy 2019-2023
- Junction Urban Master Plan: From Pavement to Place
- Leisure Strategy
- Leisure Strategy 2015-2020 – Action Plan
- Libraries Strategy 2014-2019
- Management Plan Cherry Street Grassland Reserve
- Natural Heritage Strategy 2015-2025
- Northcote Activity Centre Structure Plan
- Northern Reservoir Streets for People Corridor Strategy 2019
- Open Space Asset Management Plan
- Outdoor Sports Infrastructure Framework
- Penders Park Master Plan 2019
- Play space Strategy
- Plenty Road Integrated Land Use and Transport Study
- Preston Central Structure Plan
- Property Asset Management Strategy
- Public Art Framework
- Public Toilet Strategy 2015 – 2025
- Public Transparency Policy 2020
- Rates Financial Hardship Policy
- Recreational Trades in Open Spaces Policy
- Reimagining Ruthven Master Plan
- Reservoir Streetscape Master Plan
- Reservoir Structure Plan 2012 – 2030
- Resident Parking Permit Policy 2017
- Responding to Local Housing Stress – A Local Action Plan 2013 – 2017
- Review of the Darebin Resident Parking Permit Scheme
- Road and Place Naming Policy
- Road Asset Management Plan
- Road Management Plan 2017

- Safe Travel Strategy 2018 – 2028
- Sale of Minor Council Property Assets Policy
- Single-Use Plastic Free Events Policy
- Sporting Fees, Charges and Occupancy Agreement Policy
- Social and Sustainable Procurement Policy
- St Georges Road and Plenty Road Corridors Urban Design Framework
- Strategic Resource Plan 2020 – 2024
- Surveillance Systems Policy 2020
- Ten Year Capital Works Plan 2020-21 to 2029-30
- Transport Strategy 2007 – 2027
- Tourism a Destination Plan for Darebin Strategy 2016 – 2021
- Urban Food Production Strategy 2014 – 2018
- Urban Food Production Strategy Implementation Plan 2014 – 2018
- Urban Forest Strategy 2013 – 2028
- Vehicle Crossing Policy
- Walking Strategy 2018 – 2028
- Waste and Recycling Strategy
- Watershed: Towards a Water Sensitive Darebin Whole of Water Cycle Management Strategy 2015 – 2025
- Watershed: Towards a Water Sensitive Darebin Whole of Water Cycle Management Strategy 2015 – 2025 Implementation Plan
- Youth Services Strategy 2019 – 2021

## **Statement 6 – Report Literature**

*Freedom of Information Act 1982, Section 11*

In accordance with Section 11 (1) Council is required to make a range of documents including reports and records publicly available.

Council publishes where possible on its website or makes available prescribed documents in accordance with the requirements of other legislation.

The search engine on Council's website can assist in the location of certain documents. If assistance is required, you may contact the relevant area through Customer Service on (03) 8470 8888 or the Manager Governance & Corporate Strategy on (03) 8470-8888.