

FREEDOM OF INFORMATION

Part II Statement

1 January 2024

Pursuant to the Freedom of Information Act 1982

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1. Introduction

All Victorian government agencies & authorities covered by the *Freedom of Information Act 1982* are legally required to publish a *Part II Information Statement*.

The purpose of Part II of the *Freedom of Information Act 1982* (the Act) (section 7 to 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 made aware of what government does, how it acts and what information it holds.

Part II of the Act requires agencies to prepare 6 statements and annually publish them setting out the particulars of the agency.

Alpine Shire Council has compiled these statements to provide members of the public with 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 – Publicity Material
Freedom of Information Act 1982, Section 7(1)(a)(iv)
- Statement 5 – Rules, Policies & Procedures
Freedom of Information Act 1982, Section 8
- Statement 6 – Report Literature
Freedom of Information Act 1982, Section 11

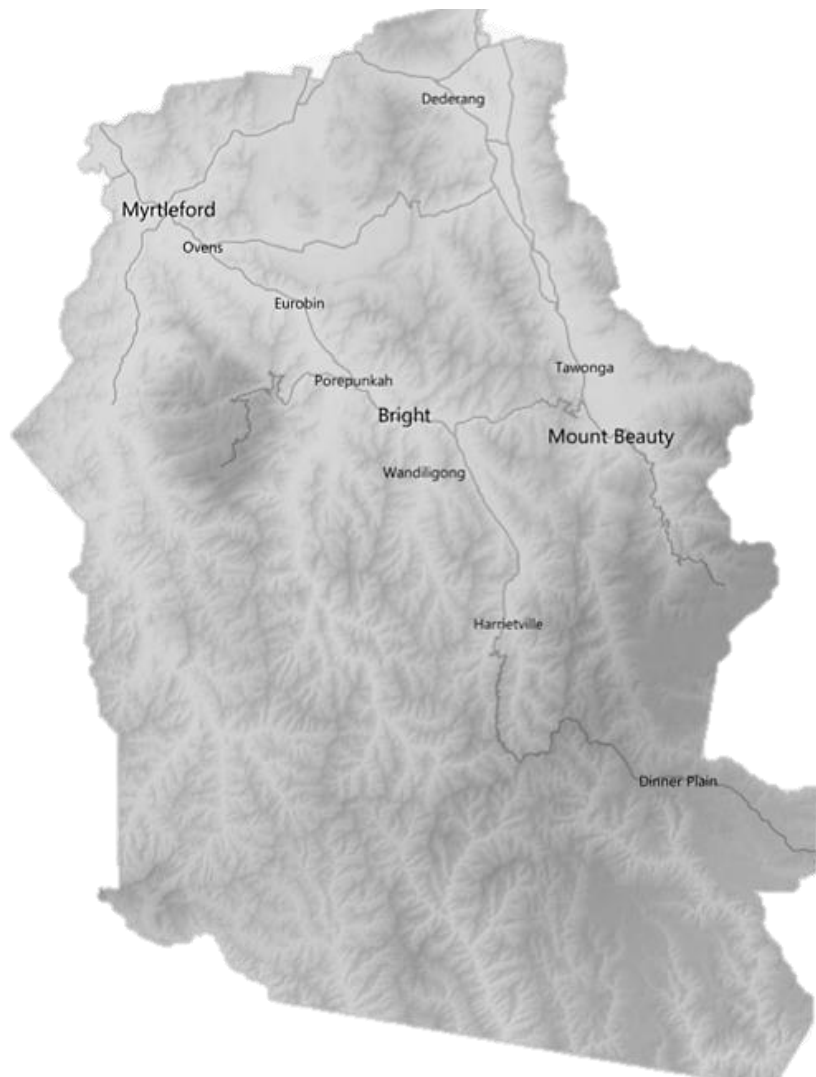
2. Statement 1 – Organisation and Functions of Council

2.1 ABOUT COUNCIL

The Alpine Shire Council was formed from the amalgamation of Shire of Bright, Shire of Myrtleford, and parts of the United Shire of Beechworth, Shire of Oxley, Shire of Yackandandah and Shire of Omeo on 18 November 1994. Seven Councillors represent the whole of the Alpine Shire (the Shire), there are no wards.

The Shire is about 300 kilometres north-east of Melbourne and 70 kilometres south of Albury/Wodonga. The Shire covers 4,790 square kilometres. Approximately 92% of that land is public land, including parts of the Alpine National Park and all of Mount Buffalo National Park.

Over 13,000 people call our Shire home, surrounded by stunning natural beauty. Residents and tourists enjoy its delightful climate, wide range of food and wine outlets, and great in and outdoor entertainment.



2.2 PRINCIPAL OFFICER AND ADDRESS

The principal officer is Mr William Jeremy, Chief Executive Officer.

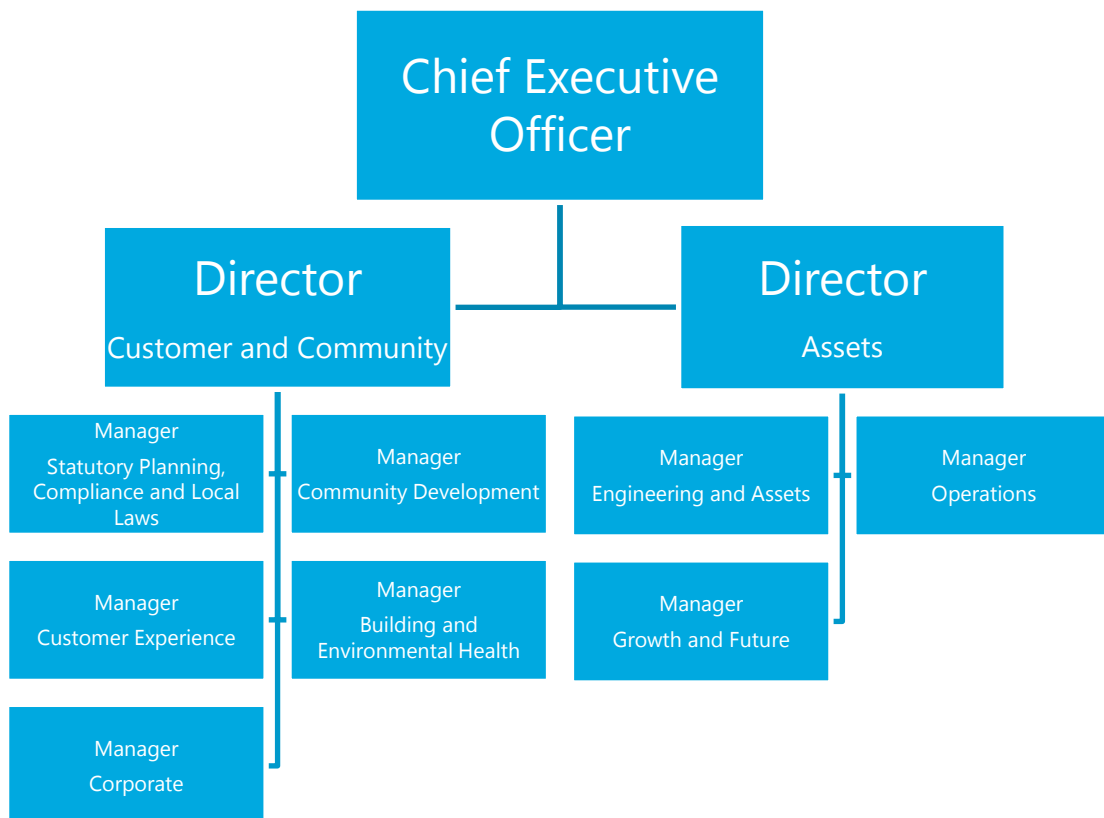
Council Contact Details	
Postal Address:	PO Box 139, Bright VIC 3741
Council Office:	2 Churchill Avenue, Bright VIC 3741
Telephone:	(03) 5755 0555
TTY users:	Phone 133 677 then ask for 03 5755 0555
Email:	info@alpineshire.vic.gov.au
Website:	www.alpineshire.vic.gov.au

Service Centres	
Myrtleford Library Customer Service Centre	<p>Address: Cnr Standish Street and O'Donnell Avenue, Myrtleford Phone: (03) 5751 1591</p> <p>Monday: 10:00am - 5:00pm Tuesday: 1:00pm - 6:00pm Wednesday, Thursday, Friday: 10:00am - 5:00pm Saturday: 9:00am - 12:00pm Sunday: Closed</p>
Mount Beauty Library Customer Service Centre	<p>Address: Lakeside Avenue, Mount Beauty Phone: (03) 5754 4305</p> <p>Monday: Closed Tuesday: 9:30am - 5:00pm Wednesday: 1:00pm - 6:00pm Thursday: 9:30am - 5:00pm Friday: 1:00pm - 5:00pm Saturday: 9:00am - 12:00pm Sunday: Closed</p>

2.3 ORGANISATION

Council is the governing body that appoints a Chief Executive Officer (CEO). The CEO has responsibility for the day-to-day management of operations according to the Council Plan's strategic directions.

The Chief Executive Officer is supported by the Director of Assets and the Director of Customer and Community and their management teams.



2.4 GOVERNANCE PRINCIPLES

In accordance with section 9 of the *Local Government Act 2020 (LGA 2020)*, Council must give effect to the overarching governance principles in the performance of its role. The overarching governance principles are:

1. Council decisions are to be made and actions taken in accordance with the relevant law;
2. Priority is to be given to achieving the best outcomes for the municipal community, including future generations;
3. The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
4. The municipal community is to be engaged in strategic planning and strategic decision making;

5. Innovation and continuous improvement is to be pursued;
6. Collaboration with other Councils and Governments and statutory bodies is to be sought;
7. The ongoing financial viability of the Council is to be ensured;
8. Regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
9. The transparency of Council decisions, actions and information is to be ensured.

In giving effect to the overarching governance principles, Council must take into account the community engagement principles, public transparency principles, strategic planning principles, financial management principles, and service performance principles, which are prescribed in the *LGA 2020*.

2.4.1 Role of Council

The role of Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community. In accordance with section 8 of the *LGA 2020*, Council is considered to provide good governance if it performs its role in accordance with the principles prescribed in the *LGA 2020* (see section 2.4 above), and if the Councillors perform their role as prescribed in section 28 of the *LGA 2020* as follows:

1. To participate in the decision making of the Council; and
2. To represent the interests of the municipal community in that decision making; and
3. To contribute to the strategic direction of the Council through the development and review of key strategic documents of the Council, including the Council Plan.

In performing the role of a Councillor, a Councillor must—

1. Consider the diversity of interests and needs of the municipal community; and
2. Support the role of the Council; and
3. Acknowledge and support the role of the Mayor; and
4. Act lawfully and in accordance with the oath or affirmation of office; and
5. Act in accordance with the standards of conduct; and
6. Comply with Council procedures required for good governance.

In performing its role, a Council may—

1. Perform any duties or functions or exercise any powers conferred on a Council by or under this Act or any other Act; and
2. Perform any other functions that the Council determines are necessary to enable the Council to perform its role.

2.4.2 Powers of Council

Subject to any limitations or restrictions imposed by or under the *LGA 2020* or any other Act, a Council has the power to do all things necessary or convenient to be done in connection with the achievement of its objectives and the performance of its role.

2.5 FUNCTIONS OF COUNCIL

Council has responsibility for managing a broad range of functions, activities and services.

These include:

2.5.1 Customer and Community Directorate

- Building and Environmental Health
 - Building Surveying and Inspection
 - Environmental Health
- Community Development
 - Community Development
 - Community Recovery
 - Emergency Management
 - Maternal and Child Health
- Corporate
 - Business Transformation
 - Financial Accounting and Payroll
 - Governance
 - High Country Libraries Hub
 - Information and Communication Technology
 - Rates
 - Records
 - Risk Management
- Customer Experience
 - Customer Experience
 - Engagement and Communications
 - Events
 - Library Services
 - Visitor Information Centres
- Statutory Planning, Compliance, and Local Laws
 - Animal Management
 - Compliance and Local Laws
 - Statutory Planning
 - Subdivisions

2.5.2 Assets Directorate

- Engineering and Assets
 - Asset Management
 - Engineering and Civil Development
 - Design and Projects
- Growth and Future
 - Strategic Planning
 - Economic Development
 - Sustainability
- Operations
 - Building Maintenance
 - Civil Works
 - Depot Operations
 - Occupational Health and Safety
 - Open Spaces
 - Operations Engineering
 - Property and Contracts
 - School Crossing Supervision
 - Transfer Stations

2.6 KEY LAWS IMPACTING COUNCIL

Alpine Shire Council performs its functions through the enforcement and administration of various Victorian Acts, Regulations & Local Laws. The following list indicates, as far as practicable, the legislation that applies to council.

2.6.1 Legislation

- *Aboriginal Heritage Act 2006*
- *Associations Incorporation Reform Act 2012*
- *Audit Act 1994*
- *Building Act 1993*
- *Catchment And Land Protection Act 1994*
- *Cemeteries And Crematoria Act 2003*
- *Child Wellbeing and Safety Act 2005*
- *Children Youth and Families Act 2005*
- *Children'S Services Act 1996*
- *Circular Economy (Waste Reduction and Recycling) Act 2021*
- *Climate Change Act 2017*
- *Conservation, Forests and Land Act 1987*
- *Country Fire Authority Act 1958*
- *Cultural And Recreational Lands Act 1963*
- *Dangerous Goods Act 1985*
- *Development Victoria Act 2003*
- *Disability Act 2006*
- *Domestic Animals Act 1994*
- *Domestic Building Contracts Act 1995*
- *Education And Care Services National Law Act 2010*
- *Education And Training Reform Act 2006*
- *Electoral Act 2002*
- *Electricity Safety Act 1998*
- *Emergency Management Act 2013*
- *Environment Protection Act 2017*
- *Estate Agents Act 1980*
- *Family Violence Protection Act 2008*
- *Fences Act 1968*
- *Filming Approval Act 2014*
- *Fines Reform Act 2014*
- *Fire Services Property Levy Act 2012*
- *Flora And Fauna Guarantee Act 1988*
- *Food Act 1984*
- *Freedom Of Information Act 1982*
- *Gambling Regulation Act 2003*
- *Gender Equality Act 2020*
- *Graffiti Prevention Act 2007*
- *Health Records Act 2001*
- *Heavy Vehicle National Law 2012*
- *Heavy Vehicle National Law Application Act 2013*
- *Heritage Act 2017*
- *Housing Act 1983*
- *Impounding Of Livestock Act 1994*
- *Independent Broad-Based Anti-Corruption Commission Act 2011*
- *Infringements Act 2006*
- *Land Acquisition and Compensation Act 1986*
- *Land Act 1958*
- *Liquor Control Reform Act 1998*
- *Livestock Disease Control Act 1994*
- *Local Government Act 1989*
- *Local Government Act 2020*
- *Magistrates' Court Act 1989*
- *Major Transport Projects Facilitation Act 2009*
- *Mineral Resources (Sustainable Development) Act 1990*
- *National Parks Act 1975*
- *Pipelines Act 2005*
- *Planning And Environment Act 1987*
- *Privacy And Data Protection Act 2014*
- *Professional Engineers Registration Act 2019*
- *Public Health and Wellbeing Act 2008*
- *Public Interest Disclosures Act 2012*
- *Public Records Act 1973*
- *Residential Tenancies Act 1997*
- *Road Management Act 2004*
- *Road Safety Act 1986*
- *Rooming House Operators Act 2016*
- *Second Hand Dealers and Pawnbrokers Act 1989*
- *Service Victoria Act 2018*
- *Sex Work Act 1994*
- *Sheriff Act 2009*
- *Sport And Recreation Act 1972*
- *Subdivision Act 1988*

- *Summary Offences Act 1966*
- *Taxation Administration Act 1997*
- *Tobacco Act 1987*
- *Transfer Of Land Act 1958*
- *Transport Integration Act 2010*
- *Unclaimed Money Act 2008*
- *Valuation Of Land Act 1960*
- *Victoria Data Sharing Act 2017*
- *Victoria Grants Commission Act 1976*
- *Victoria State Emergency Service Act 2005*
- *Victorian Data Sharing Act 2017*
- *Victorian Environmental Assessment Council Act 2001*
- *Victorian Inspectorate Act 2011*
- *Victorian Planning Authority Act 2017*
- *Water Act 1989*

2.6.2 Regulations / Statutory Rules

- *Building Regulations 2018*
- *Cemeteries and Crematoria Regulations 2015*
- *Country Fire Authority Regulations 2014*
- *Dangerous Goods (Explosives) Regulations 2021*
- *Drugs, Poisons and Controlled Substances Regulations 2017*
- *Electrical Safety (Electric Line Clearance) Regulations 2020*
- *Environment Protection Regulations 2021*
- *Infringements Regulations 2016*
- *Land Acquisition and Compensation Regulations 2021*
- *Local Government (Electoral) Regulations 2020*
- *Local Government (General) Regulations 2015*
- *Local Government (Governance and Integrity) Regulations 2020*
- *Local Government (Land Information) Regulations 2021*
- *Local Government (Long Service Leave) Regulations 2021*
- *Local Government (Planning and Reporting) Regulations 2020*
- *Occupational Health and Safety Regulations 2017*
- *Planning And Environment (Fees) Regulations 2016*
- *Planning And Environment Regulations 2015*
- *Public Health and Wellbeing (Prescribed Accommodation) Regulations 2020*
- *Public Health and Wellbeing Regulations 2019*
- *Public Interest Disclosure*
- *Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020*
- *Road Management (General) Regulations 2016*
- *Road Management (Works and Infrastructure) Regulations 2015*
- *Road Safety (General) Regulations 2019*
- *Road Safety (Traffic Management) Regulations 2019*
- *Road Safety (Vehicles) Regulations 2021*
- *Road Safety Road Rules 2017*
- *Subdivision (Fees) Regulations 2016*
- *Subdivision (Procedures) Regulations 2021*
- *Subdivision (Registrar's Requirements) Regulations 2021*

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

Alternatively, current legislation may be purchased in hard copy form by contacting LitSupport on 03 8621 6767 or emailing viclegislation@timg.com.

2.6.3 Local Laws

Council has two Local Laws in operation across the Alpine Shire:

Community Local Law 2019

The objectives of the Community Local Law are to:

- provide for the peace, order, and good government of the municipal district;
- protect, maintain, and enhance the natural environment of the municipal district;
- ensure the protection of Council assets and the sustainable use of resources;
- protect the health and safety of persons within the municipal district;
- regulate the management of animals on land and on Council land; and
- provide uniform and fair administration of this Local Law.

Council gazetted a provision under section 224A of the *Local Government Act 1989* on 1 August 2019, to allow Victorian Police to act as authorised officers to enforce 'Part 2.2 – Consumption of liquor on Council land' and 'Part 7 – Enforcement', where they relate to the use, possession or consumption of alcohol.

Governance Local Law

The objectives of the Governance Local Law are to:

- regulate the use of the Alpine Shire Council Common Seal;
- provide for offences in relation to unauthorised use of the Common Seal or any device resembling the Common Seal; and
- provide for offences in relation to Council meetings and Delegated Committee meetings.

2.7 DECISION MAKING POWERS

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

2.7.1 By Resolution

Council exercises its decision-making powers at ordinary Council meetings and special meetings of Council which are called from time to time to deal with any urgent matters that may arise. These meetings are generally held on the last Tuesday of each month. The meetings are generally held in the Council Chamber. All meetings are open to the public. Meetings may be closed to the public to consider confidential items.

The dates of all meetings and Agendas for all meetings are made available on the Alpine Shire Council website, generally one week prior, and minutes in the same format are available to the public within one week after the meeting.

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

2.7.2 Through others acting on its behalf

The *LGA 2020* makes express provision for the appointment of delegates to act on behalf of Councils. Most Council decision-making power is allocated by formal delegations: to delegated committees and 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 powers to council officers.

2.8 CONSULTATIVE ARRANGEMENTS

Council's Community Engagement Policy requires it to consult with other persons and bodies in relation to its activities, in developing its policy and practice and the impact on internal and external stakeholders. This is done in a number of ways including workshops, face to face meetings, public question time at Ordinary Council meetings, consultative committees and processes, on-line surveys, the giving of public notice and compliance with legislative requirements. Copies of all documents (including policy, planning, strategy, setting of fees and charges) for which community comment is sought, and information on how to provide that comment, is made available on the Alpine Shire Council website and at Council's offices.

Members of the public are encouraged to write directly to Council (PO Box 139, Bright 3741) or complete the online form on the Alpine Shire Council website to seek information on any aspect of its operations.

2.9 BOARDS AND COMMITTEES

Council operates and participates on a range of special, advisory and external committees and groups. Councillors are appointed annually to the various committees and groups, which enables good governance and decision making for the year. Committees which have Councillor representation are as follows:

- Municipal Association of Victoria
- Hume Region Local Government Network
- Rural Councils Victoria (RCV)
- Alpine Shire Council - Finance Committee
- Alpine Shire Council – Audit and Risk Committee
- Alpine Resilience Partnership (formerly known as Alpine Resilience Committee)
- Alpine Children's Services Inc.
- Goulburn Murray Climate Alliance
- Reconciliation Action Plan Working Group
- L2P Program

2.10 READING ROOMS

Meeting rooms may be booked at Council's Customer Service Centres as outlined in Part 2.2 of this document.

2.11 LIBRARY BRANCHES

Library	Opening Hours	
<p>Bright Library Address: 14 Ireland Street, Bright VIC 3741 Phone: (03) 5755 1540 Email: BrightLibrary1@alpineshire.vic.gov.au</p>	Monday Tuesday Wednesday Thursday Friday Saturday Sunday	1.00pm - 5.00pm 9.30am - 6.00pm 9.30am - 5.00pm 9.30am - 5.00pm 9.30am - 5.00pm 9.30am - 12noon Closed
<p>Myrtleford Library Address: 20 Odonnell Avenue, Myrtleford VIC 3737 Phone: (03) 5751 1591 Email: myrtlibrary@alpineshire.vic.gov.au</p>	Monday Tuesday Wednesday Thursday Friday Saturday Sunday	10.00am - 5.00pm 1.00pm - 6.00pm 10.00am - 5.00pm 10.00am - 5.00pm 10.00am - 5.00pm 9.00am - 12noon Closed
<p>Mount Beauty Library Address: 61 Lakeside Avenue, Mount Beauty VIC 3699 Phone: (03) 5754 4305 Email: mtblibrary@alpineshire.vic.gov.au</p>	Monday Tuesday Wednesday Thursday Friday Saturday Sunday	Closed 9.30am - 5.00pm 1.00pm - 6.00pm 9.30am - 5.00pm 1.00pm - 5.00pm 9.00am - 12noon Closed

3. Statement 2 – Categories of Documents

3.1 CORPORATE RECORD KEEPING: SYSTEMS & STRUCTURES

Alpine Shire Council maintains a number of Corporate Systems to manage and maintain a wide variety of business activities. Many of these systems contain facilities to store and generate documents.

The *Public Records Act 1973* requires Victorian public agencies and public officers to 'make and keep full and accurate records' of their decisions & activities. Additionally, all agencies are obligated to 'establish and maintain a records management program' in conformity with standards and codes of best practice as established by the Public Record Office of Victoria (PROV). These standards apply equally to paper and electronic record keeping environments.

3.1.1 Hardcopy Record Keeping

Council holds a large quantity of Hardcopy files which include those created prior to council's amalgamation with the Shire of Bright, Shire of Myrtleford, and parts of the United Shire of Beechworth, Shire of Oxley, Shire of Yackandandah and Shire of Omeo in late 1994. Most of these files are stored at our Archives warehouse in Mount Beauty and may be access by the Records Officer by request. Council has identified a future project to review the current hard copy records located at the Archive warehouse, catalogue those records for retention in accordance with business needs and PROV standards, and relocate the records of short, medium and long term business value to an Offsite Storage provider as part of the sector wide MAV Archives and Digitisation Contract.

Some of the Hardcopy files that Council hold are:

- Building Compliance Files
- Building Permits Files
- Contract Files – Procurement Files & Contract Administration Files
- EFT and End of Day Banking Files
- Financial Reports
- Food & Health Premises Files
- Historical Property Files
- Land Information Certificates
- Maternal and Child Health Medical Records
- Payroll and Personnel Files
- Planning Application and Permit Files
- Planning Scheme Amendments
- Property Files
- Road Files
- Subdivision Files
- Superannuation payments
- Tender Document Files
- Timesheets
- Valuation & Rate Files (Rate Cards, Rate Books, Rate Reports)

- Voter Roll
- Waste Disposal Invoice Book
- Work Cover Files

3.1.2 Electronic Record Keeping

Council use and maintain SharePoint and share drives for its electronic document management, to stores information and records relating to Council business. Council has commenced a records management project to develop a more cohesive electronic documents and records management system (EDRMS) to integrate with SharePoint.

3.1.3 Types of Documents held by Council

Given the extensive number of functions performed and services provided by Council, there is a large range of documents that are possessed or controlled by Council. This includes both hard copy documents (held at Council or offsite) as well as electronic documents. The categories of documents held by Council include but are not limited to:

- Agendas and minutes/notes of meetings
- Animal management and pet registration records
- Annual and financial reports
- Asset maintenance and asset protection records
- Building and planning permits and associated documents including plans
- Building enforcement documents
- Capital works and engineering records
- Correspondence (general and Councillor)
- Council resolutions
- Disclosures of conflict of interests
- Documents submitted by third parties
- Emergency management records
- Grant applications and materials
- Internal administration documents relating to staff management and the operation of Council, organisational and staffing records, financial and resource management records, audit records and internal operating procedures
- Legal documents including Local Laws, contracts, leases, agreements, licences, instruments of Delegation, instruments of appointment and authorisations and legal advice
- Local Laws permit application and permits issued
- Maintenance records of Council properties, open spaces, amenities and facilities
- Maternal and child health records, including immunisation records
- Media releases and general advertising
- Memorandums of Understanding and Service Agreements
- Officer recommendations
- Policies, guidelines, strategies and plans, including their development and implementation
- Public and stakeholder consultation processes and outcomes
- Records of land transfers, subdivisions and the history of use of land

- Records of the administration and enforcement of legislation and local laws
- Records of work associated with public events and cultural programs
- Reports prepared by external consultants
- Requests for information under the Freedom of Information Act 1982 and files and papers relevant to the consideration of those requests
- Risk management assessments
- Standard operating procedures
- Tender evaluations
- Training material
- Written and verbal complaints received and records of any subsequent investigation

3.1.4 Information and Documents available for inspection

Section 57 of the *LGA 2020* requires Council to adopt and maintain a Public Transparency Policy. The Public Transparency Policy formalises Council's support for transparency in its decision-making processes; it facilitates public awareness of Council information and provides community confidence and trust in its decision making. Details from Council's Transparency Policy are included below:

Council will at minimum publish the following information for access by the public, except where the information is confidential in accordance with legislation:

- Plans, strategies, reports, policies and documents required by LGA 2020
- Plans, strategies and policies otherwise adopted by Council
- Local Laws
- Council meeting agendas, minutes, and meeting recordings
- Terms of reference or charters for Council committees
- Application processes for approvals, permits, grants, and access to services

Council will at minimum make the following information available to the public upon request, except where confidential in accordance with legislation:

- Plans, strategies, reports and documents required by any Act or which have been adopted by Council
- Project and service plans which have been adopted by Council
- Guidelines, manuals, policies and procedures
- Technical reports and / or research used to inform decision making
- Registers required by LGA 2020 or any other legislation
- Newsletters, handbooks and promotional materials
- Building approval registers as required by the *Building Act 1993*
- Planning permit registers and documentation as required by the *Planning and Environment Act 1987*

Council may require that a formal Freedom of Information request is submitted where the information requested is not listed above.

Council is not required to make publicly available, information that is confidential information. Confidential information is defined in section 3 of LGA 2020. Further, Council

is not required to make information publicly available if the release of the information would be contrary to the public interest, in accordance with section 58(b)(ii) of LGA 2020.

4. Statement 3 – Freedom of Information arrangements

4.1 WHAT IS FREEDOM OF INFORMATION?

The *Freedom of Information Act 1982 (Vic)* (FOI Act) gives individuals the right to access information which is held by government agencies, such as State Government, local councils, most semi-government agencies, statutory authorities, public hospitals and community health centres, universities, TAFE colleges and schools.

Under the *FOI Act* you can request documents in relation to your personal affairs or those of the activities of a government agency.

Under Section 39 of the *FOI Act* an applicant has the right to request any inaccurate, incomplete, out of date or misleading information we hold about them to be amended or removed.

4.2 WHAT INFORMATION IS AVAILABLE?

Individuals have the right to apply for access to documents that are held by an agency which are covered by the *FOI Act*. This includes:

- Documents created by the agency.
- Documents supplied to the agency by an external organisation or individual.

Individuals can apply for access to:

- Documents about their personal affairs, regardless of the age of the documents.
- Documents held by a Council, no older than 1 January 1989.

It is not only documents in paper form that are accessible. The word 'documents' covers a broad range of media including maps, films, microfiche, photographs, computer printouts, emails, computer discs, tape recordings and videotapes.

4.3 WHAT INFORMATION IS NOT AVAILABLE?

FOI will not be used to process requests for documents that have been released publicly by Council, or made available (freely or for a fee) as part of a public register or another Council process.

The *FOI Act* allows agencies to refuse access to certain documents or parts of documents. These are referred to as exemptions, and include information relating to :

- law enforcement activities;
- information protected by legal professional privilege;
- information about the personal affairs of another individual;

- confidential commercial information (of businesses or Council);
- information provided in confidence; or
- documents which are covered by secrecy provisions in other legislation.

Applications may be refused or require refinement if the application is considered to be 'voluminous in nature', meaning if Council were to process the request, it would interfere unreasonably with standard operations or performance of standard duties.

4.4 HOW DO I MAKE A REQUEST?

Any individual can make a request, or with written authorisation, enable another person to make a request on their behalf (for example a solicitor).

For an application to be valid it must:

- be in writing,
- clearly describe the documents being requested (i.e. a specific and targeted request including date ranges which ensures the documents sought can be identified), and
- include an application fee or evidence of qualification to have the fee waived or reduced (health care card, pension card or application for financial hardship).

To assist you in the types of information that we require to process an FOI Application, a copy of the application form can be found on "***Our Council > Documents***" page on council's website www.alpineshire.vic.gov.au or visit one of Council's Customer Service Centres or call (03) 5755 0555.

However, it is not mandatory that Council's application form be used, only that the request must be received in the manner outlined above.

4.5 HOW CAN I MAKE SURE MY REQUEST IS CLEAR?

When making your request, you should be specific about what documents you are seeking and include as much information as possible.

Think about:

- what the documents relate to (for example, a complaint you made, an interaction you had with Council, or a decision that Council made about a project or issue);
- the date range in which the documents may have been created;
- where the documents might be located (for example, in John Smith's email account, or a specific business or work unit in an agency); and
- the type of document you would like to access (for example, an email, report).

It can also be helpful to exclude certain documents or information from your request if they aren't relevant. For example, you could specify that you don't want:

- draft documents; or
- personal information (such as name and contact details) of other people or commercial information about a business.

Excluding documents or personal information may help Council to process your request more quickly.

If your request is not clear enough, Council will contact you and take reasonable steps to help you clarify which documents you want to access.

4.6 WHAT HAPPENS AFTER I MAKE AN FOI REQUEST?

After you make a request, Council will make sure it meets the above requirements and is a valid request.

If the request is not valid

If Council thinks your request is not valid, it must take *reasonable steps* to contact you within 21 days and let you know why it is not valid. This is referred to as the clarification process. The time in which Council must make a decision on your request does not commence until the request is considered to be valid.

You will then have 21 days to make your request valid. Council will provide assistance to help you to make a valid request.

If the request is valid

Council will acknowledge receipt of your request. If your request is valid, Council will begin processing it, this may require undertaking consultation with any third parties named in the documents.

4.7 HOW LONG WILL IT TAKE FOR MY REQUEST TO BE PROCESSED?

Council has between 30 to 45 days from the date you make a valid request to provide you with a decision (please refer to sections 4.4 to 4.6 regarding what constitutes a valid request).

The timeframe will depend on whether or not Council needs more time to consult with third parties (whose personal information or business affairs information may be contained in the documents you requested). The timeframe can be extended beyond 30 to 45 days if we advise you that third party consultation is required (section 21(a)).

Alternatively, under section 21(2)(b), the timeframe may be extended by no more than 30 days, on each occasion, with your consent. The timeframe may be extended any number of times with your consent (section 21(3)).

In the event Council provides you with a decision in favour of release, and there was an objection or no consent provided by a third party for release of their personal information or business affairs information, then the third party is entitled to apply to have the decision reviewed by the Victorian Civil and Administrative Tribunal (VCAT) within 60 days of the decision. Although Council has made a decision to release the material, it must be withheld for a minimum of 60 days pending the expiry of the review period. This means that Council will not be able to provide you with the material until after this period has expired and Council is satisfied that the third party has not applied to have the decision reviewed by VCAT. Please note, to ensure Council has adequate time to consider any notification of a valid review from VCAT, Council will not release documents until 74 days after a decision has been made.

Any material not subject to third party review rights will be released to you after Council provides you with a decision and after payment of any applicable access charges.

4.8 WHAT ARE THE COSTS ASSOCIATED WITH MAKING A REQUEST?

All valid FOI requests must be written and accompanied by an application fee of **\$32.70** (in 2024/25). The only exception for an application fee to be waived is when hardship or concession status is applied (evidence needs to be included). Fees and charges are imposed by the Act and Regulations, not Council.

All access charges and fees pertaining to FOI Requests are published on the Council website. Access charges relate to the costs incurred in granting access to the documents you have requested. Indications of the costs you may incur are:

- search charges - \$24.495 per hour or part of an hour
- supervision or inspection charges - \$24.495 per hour to be calculated per quarter hour or part of a quarter hour
- photocopying charges \$0.20 per black and white A4 page (other charges apply for documents larger than A4 or reproduced in colour)
- providing access in a form other than photocopying – the reasonable costs incurred by us in providing the copy
- charge for listening or viewing a tape – the reasonable costs incurred by us in making arrangements to listen or to view (supervision charges also apply)
- charge for making a written transcript out of a recording - the reasonable costs incurred by us in providing a written transcript.

All above fees and charges are exempt from GST and are valid until 30 June 2025.

Where the fee for access is assessed as likely to exceed \$50, the applicant will be asked to pay a deposit before the search for documents is begun.

4.9 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 of the *FOI Act*), the applicant may appeal the decision to the Office of the Information Commissioner for review:

Contact: Office of the Victorian Information Commissioner
PO Box 24274
Melbourne VIC 3001
Telephone: 1300 006 842 (1300 00 OVIC)
Email: enquiries@ovic.vic.gov.au
Web: www.ovic.vic.gov.au

4.10 ALPINE SHIRE COUNCIL FREEDOM OF INFORMATION TEAM CONTACT DETAILS

Freedom of Information Team

Telephone: (03) 5755 0555
Email: foi@alpineshire.vic.gov.au
Address: 2 Churchill Avenue, Bright VIC 3741

5. Statement 4 – Publicity Material

5.1 WEBSITE AND SOCIAL MEDIA

Alpine Shire Council uses a range of communication channels to keep our residents informed on the latest news. Council maintains an up to date website and social media platforms to ensure that members of our community have easy access to information about Council and the municipality.

Council's website:

- www.alpineshire.vic.gov.au

Council's Community Engagement platform:

- engage.alpineshire.vic.gov.au

Council's social media platforms:

- **Facebook** - www.facebook.com/alpineshirecouncil
- **Instagram** - www.instagram.com/alpineshirecouncil
- **LinkedIn** - au.linkedin.com/company/alpine-shire-council
- **YouTube** - www.youtube.com/@alpineshirecouncilvideos4076

Other websites operated by Council:

- www.visitbright.com.au
- www.visitmyrtlefordvic.com.au
- www.visitmountbeauty.com.au
- www.visitharrietteville.com.au
- www.visitdinnerplain.com.au

Other social media platforms operated by Council:

- www.facebook.com/brightandsurrounds
- www.facebook.com/Dinner.Plain
- www.facebook.com/alpineshireyouth
- www.instagram.com/brightandsurrounds
- www.instagram.com/dinnerplainalpinevillage
- www.youtube.com/brightsurrounds
- www.twitter.com/brightsurrounds

5.2 KEY COUNCIL PUBLICATIONS

The key Council publications, policies and documents are also published to Council's website, including but not limited to:

- Council Plan, which outlines the work Council plans to deliver over the next four years.
- Budget document, which outlines how we will fund our activities over the financial year.

- Annual Report, which outlines how Council performed during the financial year.
- Policies and strategies.
- Council Meeting Agendas and Minutes.

6. Statement 5 – Rules, Policies & Procedures

Council has a number of policies, plans, strategies and protocols in place to guide the governance, management and integrity of its actions. The documents are available from Council's website, and include:

- 2040 Community Vision
- Affordable Housing Action Plan
- Annual Report
- Asset Management Policy
- Audit and Risk Committee Charter
- Body-Worn Camera Policy
- Budget
- CCTV Surveillance Camera Policy
- CEO Employment and Remuneration Policy
- Chief Executive Officer Performance
- Child Safe Policy
- Climate Action Plan and Position Statement
- Community Engagement Policy
- Community Satisfaction Survey
- Community Vision
- Complaints Policy
- Council Plan
- Councillor Code of Conduct
- Councillor Expenses Policy
- Councillor Gift Policy
- Economic Development Strategy
- Election Period Policy (see Governance Rules below)
- Financial Hardship Policy
- Financial Plan 2021/22 to 2030/31
- Fraud and Corruption Control Policy
- Gender Equality Action Plan
- Governance Local Law
- Governance Rules
- Information Privacy Policy
- Municipal Public Health and Wellbeing Plan
- Planning Compliance Policy
- Procurement Policy
- Public Interest Disclosures Policy
- Public Memorials Policy
- Public Transparency Policy
- Revenue and Debtor Management Policy
- Revenue and Rating Plan
- Sealing of Unsealed Roads Policy

7. Statement 6 – Report Literature

Under Section 11 of the *FOI Act* Council must publish certain documents in their possession. Final reports and decisions relating to policy and the administration of policy are made available for inspection or purchase.

Reports and copies of Councils policies are published and can be located on Council's website www.alpineshire.vic.gov.au by using the search engine.

Final reports and records of decisions relating to Council's policies can be found in Councils meeting minutes which can be viewed on Councils website.

[Council Meetings Alpine Shire Council](#)

Alternatively, copies can be made available for inspection or purchase by contacting Council on (03) 5755 0555.