



Freedom of Information Part II Statement

Pursuant to the *Freedom of Information Act 1982* (Vic)

**City of
Whittlesea**

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Purpose of the Part II Statement

The purpose of a Part II Statement under the *Freedom of Information Act 1982 (Vic)* (FOI Act), is to ensure that individuals and organisations can effectively exercise their right to obtain access to government information or documents (see section 7 – section 12 of the FOI Act).

The City of Whittlesea is committed to ensuring that, where appropriate, members of the public have access to information held by Council and that both decision-making and operational processes of Council are transparent.

The Part II Statement provides members of the community with information about Council and informs them of the type of information and the type of documents that are held by Council. It also details the process of obtaining access to information and documents, including documents that are publicly available and documents that may be requested through Freedom of Information.

The Part II Statement gives effect to the public transparency principles contained in section 58 of the *Local Government Act 2020* and it operates in conjunction with City of Whittlesea's Public Transparency Policy.

Part One - Organisation and Functions of Council

Freedom of Information Act 1982 (Vic)

Section 7(1)(a)(i)

A statement setting out particulars of the organisation and functions of the agency, indicating, as far as practicable the decision-making powers and other powers affecting members of the public that are involved in those functions and particulars of any arrangement that exists for consultation with, or representation by, bodies and persons outside the government administration in relation to the formulation of policy in, or the administration of, the agency.

Section 7(1)(a)(vii)

A statement listing all boards, councils, committees and other bodies constituted by two or more persons, that are a part of, or that have been established for the purpose of advising, the agency, and whose meetings are open to the public, or the minutes of whose meetings are available for public inspection.

Section 7(1)(a)(viii)

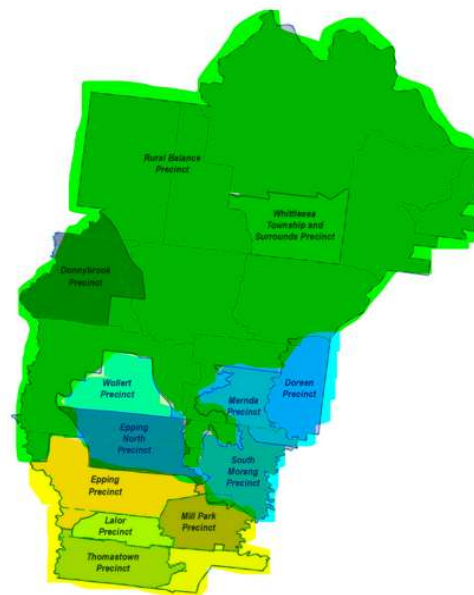
If the agency maintains a library or reading room that is available for public use – a statement of that fact including details of the address and hours of opening of the library or reading room.

1.1 About the City of Whittlesea

The City of Whittlesea is located in the outer northern suburbs of Melbourne. It has an area of 489km² which includes rural, growth and established areas.

Whittlesea was established in 1862 and merged with the former Shire of Epping in 1915. There have been a number of changes made to the City of Whittlesea over the years as a result of local government reform. Currently, the City of Whittlesea is comprised of the following suburbs:

- Donnybrook
- Eden Park
- Epping
- Humevale
- Lalor
- Mill Park
- Mernda
- South Morang
- Thomastown
- Whittlesea
- Wollert
- Woodstock



It also shares the following suburbs with neighbouring Councils:

- Beveridge (shared with the Shire of Mitchell)
- Bundoora (shared with the Cities of Darebin and Banyule)
- Doreen (shared with the Shire of Nillumbik)
- Kinglake West (shared with the Shires of Murrindindi and Nillumbik)
- Yan Yean (shared with the Shire of Nillumbik)

The City of Whittlesea is one of the fastest growing municipalities in Australia. Our current population is approximately 244,124 and we are welcoming around 8,000 new residents each year. Our population is expected to reach 382,896 by 2041. The highest population growth will be in Epping North, Wollert and Donnybrook.

The City of Whittlesea has a median age of 35 years old, which is slightly lower than the Melbourne Metropolitan average of 36 years old.

We are one of the most multicultural municipalities in Victoria. Almost half of all residents speak a language other than English at home and around 38% of residents were born overseas.

The Wurundjeri Willum people and the Taungurung people were the original inhabitants of the area comprising the City of Whittlesea and are the traditional owners of the land. The City of Whittlesea had the third largest population of Aboriginal and Torres Strait Islanders by person Count in Metropolitan Melbourne.

More information about the City of Whittlesea can be found at –

<https://www.whittlesea.vic.gov.au/about-us/our-city/suburbs-and-residents/>

1.2 Our Council

The Council

In March 2020 the Victorian Parliament passed the *Local Government (Whittlesea City Council Act) 2020* which dismissed the Councillors effective as of midnight 20 March 2020. On 21 March 2020 an interim Administrator was appointed, Ms Lydia Wilson.

On Friday 19 June 2020, a Panel of Administrators was appointed to the City of Whittlesea. The Panel of Administrators, as of January 2024, comprise of Ms Lydia Wilson, Ms Peita Duncan and Mr Christian Zahara AM. The Panel of Administrators will remain until the October 2024 Local Government Election.



Chair of Administrators
Ms Lydia Wilson



Administrator
Ms Peita Duncan



Administrator
Mr Christian Zahara AM

Information about each of the Administrators can be found at -
<https://www.whittlesea.vic.gov.au/about-us/council/administrators/>

Administrators carry out the roles, responsibilities of Councillors as set out in the *Local Government Act 2020* and any other relevant legislation and regulations. The Panel undertakes the role of the Council. The Chair of Administrators, Ms Lydia Wilson, is the official spokesperson of the Council.

The Administration

The Chief Executive Officer is appointed by the Council and is responsible for the employment of all other members of Council Staff. As per section 46 of the *Local Government Act 2020*, the Chief Executive Officer is responsible for:

- Supporting the Mayor (Chair of Administrators) and the Councillors (Administrators) in the performance of their roles; and
- Ensuring the effective and efficient management of the day to day operations of the Council.

Executive Leadership Team

Our organisational structure is based on four directorates that collectively manage and coordinate the full range of activities and services to the City of Whittlesea Community. The four Directorates are:

- Infrastructure and Environment – this directorate focuses on the infrastructure services that our community needs. This includes managing parks & open spaces, roads, road-related and footpath constructions and maintenance, building maintenance, engineering services, traffic management and sustainability planning.
- Community Wellbeing- this directorate oversees many service areas that impact on the day-to-day living and wellbeing of our residents. This includes disability support services, maternal health services, leisure & recreation facilities, kindergartens & early learning, emergency response and immunisation services.
- Customer and Corporate Services – this directorate is responsible for ensuring Council has the funds available to provide safe, useful and sustainable assets and services to our community. This includes providing advice to Council on all financial and organisational matters, as well as preparing Council’s budget and Council Plan.
- Planning and Development – this directorate is focused on taking the voice of our residents to Members of Parliament and Senior Government officials, whilst also planning how to develop our City in a way which produces the best outcome for our community. It includes advocacy, policy development, strategic planning and development assessment.

Each directorate is led by a Director who reports directly to the Chief Executive Officer (CEO). Our Directors are:

- Director Infrastructure and Environment – Debbie Wood
- Director Community Wellbeing – Agata Chmielewski
- Director Customer and Corporate Services – Sarah Renner
- Director Planning and Development – Emma Appleton

Further information about our CEO, Directors and Directorates is available at –

<https://www.whittlesea.vic.gov.au/about-us/council/ceo-and-executive-leadership-team/>

The four Directors, the CEO, Executive Manager Office of Council and CEO, Executive Manager Public Affairs comprise our Executive Leadership Team (ELT).

The Principal Officer is the Chief Executive Officer, Mr Craig Lloyd.

1.3 Contacting Council

There are various ways in which members of the community can contact Council, these include:

Calling us:

Phone: 9217 2170

National Relay Service: 133 677 (ask for 9217 2170)

Visiting Us*:

Civic Centre Office

25 Ferres Boulevard

South Morang 3752

Emailing us:

info@whittlesea.vic.gov.au

Writing to Us:

Chief Executive Officer

Locked Bag 1

Bundoora MDC VIC 3083



Submitting an online customer request:

By visiting - <https://eservice.whittlesea.vic.gov.au/eservice/crm/Init.do?&nodeNum=23950>

1.4 Services provided by Council

The functions of a Council as prescribed by the *Local Government Act 2020* are:

- Advocating and promoting proposals which are in the best interests of the local community;
- Planning for and providing services and facilities for the local community;
- Providing and maintaining community infrastructure in the municipal district;
- Undertaking strategic and land use planning for the municipal district;
- Raising revenue to enable the Council to perform its functions;
- Making and enforcing local laws;
- Exercising, performing and discharging the duties, functions and power of Councils under the *Local Government Act 2020* and other Acts; and
- Any other function relating to the peace, order and good government of the municipal district.

The City of Whittlesea performs these functions by providing over 100 services to our community. The services we provide include but are not limited to:

- Immunisations
- Food safety regulations
- Youth services
- Support around the home
- Services for people with disabilities
- Childcare
- Support to community and sporting groups
- Services to migrants
- Economic development
- Local law enforcement
- Building regulation enforcement
- Planning for the future
- Planning regulation enforcement
- Fire prevention
- Emergency management
- Waste and recycling collection services
- Sport facilities
- Low-cost festivals and events
- Maintaining parks and gardens
- Libraries
- local halls and venues
- Repairing roads, footpaths, streetlights and replace signs.

Information about each of these areas of responsibility can be found at -
<https://www.whittlesea.vic.gov.au/about-us/council/what-we-do/>

1.5 Decision Making Powers

Decisions of Council

There are decisions that must be made by the Council at a formal Council Meeting. Examples of such decisions include the adoption of the Council Budget, adoption of the Council Plan and adoption of Council policies, strategies and decisions involving contracts exceeding the financial delegation of the CEO.

The Council (Panel of Administrators) makes decisions by passing resolutions at a Scheduled or Unscheduled Council Meeting.

Scheduled Council Meetings for each year are adopted at a Council Meeting in the prior year and are available on Council's website – <https://www.whittlesea.vic.gov.au/about-us/council/council-meetings/>. Scheduled Council Meetings are ordinarily held on the first Tuesday of the month, with some exceptions, please consult our website for the most up-to-date Council Meeting schedule.

Scheduled Council Meetings are ordinarily held at the Council Chamber, located at the Civic Centre, 25 Ferres Boulevard, South Morang. Scheduled Council Meetings may also take place in other community venues during the year. The locations of these meetings will be advertised prior to the relevant Scheduled Council Meeting.

Under Council's Governance Rules 2023, an Unscheduled Council Meeting may be called to deal with a specific item of business that cannot wait until the next Scheduled Council Meeting. Unscheduled Council Meetings will be advertised on Council's website.

Members of the public are welcome to attend both Scheduled and Unscheduled Council Meetings unless the meeting has been closed to the public in accordance with s66 of *the Local Government Act 2020*.

Council Meetings are regulated by Council's Governance Rules 2023.

Agendas and Minutes of all public Council Meetings are available on Council's website at -
<http://cam.whittlesea.vic.gov.au/>

Individually, the Administrators do not have the legal authority to act or make decisions on behalf of Council. Once a decision has been made by Council, it is up to the Council Administration to take the necessary actions to implement the decision.

Decisions made under Delegation

Council operates in a highly regulated environment and is currently responsible for administering 95 Acts and Regulations involving over 2,500 separate powers, duties and functions.

Most Acts and Regulations state that the Council is responsible for administering the relevant power, duty or function. As it is not practicable for the Council to administer such a large number of provisions, the Council delegates most of its powers, duties and functions to the CEO and to other positions in the organisation.

Under legislation, including the *Local Government Act 2020*, the Chief Executive Officer is able to delegate certain decision-making powers to other members of Council Staff as it is not possible for a CEO to make every decision. This is done through an ‘Instrument of Delegation’, a legal document that formally delegates a power to a specific position within the Council Administration. Council has in place the following instruments of delegation:

- Instrument of Delegation – Council to Chief Executive Officer
- Instrument of Delegation – Council to various Council staff
- Instrument of Sub-Delegation – Chief Executive Officer to Council Staff

The *Local Government (General) Regulations 2015* require Council to make available a register of delegations, including the date on which the last review was undertaken. A copy of Council’s current Instruments of Delegations, and the dates they were last reviewed, are available on Council’s website <https://www.whittlesea.vic.gov.au/about-us/news-publications/publicly-available-documents/>

1.6 Council Committees

Council does not currently have any Special Committees (formed under the 1989 Act) or Delegated Committees (formed under the 2020 Act) operating. In addition, Council currently has not established any Community Asset Committees.

Council has an Advisory Committee called the Chief Executive Officer Employment Matters Advisory Committee (CEMAC). The CEMAC provides advice to Council in relation to employment, performance monitoring and termination matters relating to the Chief Executive Officer. The CEMAC is comprised of the Panel of Administrators and an independent Chair, Christine Mileham . The CEMAC does not make decisions, it makes recommendations to Council who then make any decisions.

Council has appointed Administrator representatives to a range of internal and external Committees and Organisations. There are also Council Officers appointed to a number of these committees and organisations. The appointments are ordinarily made at a Council Meeting every 12 months and are recorded in the relevant Council Meeting minutes. The most recent appointments were made at the 18 April 2023 Council Meeting following the appointment of the Panel of Administrators, a copy of the Minutes for this Council Meeting are available at –

https://www.whittlesea.vic.gov.au/media/32emxhzp/confirmed-minutes_scheduled_council_meeting_18_april_2023.pdf

1.7 Consultative Processes

The City of Whittlesea is committed to ensuring that the members of our Community are involved in and can contribute to the decision-making processes of Council. This can be through informal consultative processes such as mail outs, surveys and social media. It may also be through more formal consultative processes such as public submissions (previously the s223 process), workshops or public questions asked at Council Meetings.

The City of Whittlesea is committed to the Community Engagement Principles as contained in s56 of the *Local Government Act 2020* which are centred around ensuring members of the community have access to the information they need to participate in Council decision-making, are provided with support to participate and are informed of how their participation will influence Council decision making.

Council has developed a Community Engagement Policy in accordance with s55 of the *Local Government Act 2020*. This Policy is intended to further increase the opportunity for members of the community to participate in Council decision-making and sets out the processes for members of the community to participate. It also expands upon the current level of public consultation and engagement undertaken by Council. A copy of the policy is available at –

[A Voice For All - Community Engagement Policy 2021 - Whittlesea Council](#)

Ways in which members of the public can participate in Council decision-making include:

- **Contact an Administrator**
Please email info@whittlesea.vic.gov.au and address your correspondence to an Administrator or the Panel of Administrators.
- **Submit a question to a Council Meeting**
Questions must be submitted no later than 12 noon on the day prior to the advertised day of a Scheduled Council Meeting. Public questions must relate to a matter listed on the Agenda and/or relate to a significant strategic governance matter affecting the City. Details of how to submit a public question can be found at: [Council Meetings - Whittlesea Council](#)
- **Participate in Council's 'Have Your Say'**
At any one time, a number of surveys on a variety of different matters impacting our City are available on Council's Have Your Say webpage - <https://www.whittlesea.vic.gov.au/about-us/have-your-say/>
- **Formal and informal consultation processes**
Council undertakes both formal and informal consultation processes throughout the year. These are advertised on Council's website, social media and in local publications. Residents may also receive surveys or invitations to participate in consultation when a particular matter is relevant to their locality.

1.8 Council Libraries

There are six libraries located within the City of Whittlesea, they are:

- Lalor Library – 2A May Road, Lalor
- Mill Park Library – 394 Plenty Road, Mill Park
- Thomastown Library – 52 Main Street, Thomastown
- Whittlesea Library – 57-61 Laurel Street, Whittlesea
- Galada Community Centre Hub (Click and Collect Service) – 10A Forum Way, Epping
- Donnybrook Pop-up Hub (Click and Collect Service) – 995 Donnybrook Road, Donnybrook
- Mernda Library – 180 Riverdale Boulevard, Mernda (Opening early 2024)

For all library opening hours see - <https://www.yprl.vic.gov.au/locations/>

In addition to the libraries within the City of Whittlesea, we are also part of the Yarra Plenty Regional Library, a mobile library which regularly visits various sites within the municipality, including Galada Community Centre (Epping), Painted Hills (Doreen) and Mernda Primary School.

Please see the Yarra Plenty Regional Library for their service timetable –

<https://www.yprl.vic.gov.au/locations/mobile-library/>

1.9 Acts administered by Council

There are 95 separate Acts and Regulations that Council administers.

Acts and Regulations under which powers and functions have been delegated

The key Acts that delegations and sub-delegations have been made under include:

- *Building Act 1993*
- *Cemeteries and Crematoria Act 2003*
- *Domestic Animals Act 1994*
- *Environment Protection Act 2017*
- *Public Health and Wellbeing Act 2008*
- *Food Act 1984*
- *Heritage Act 2017*
- *Local Government Act 1989*
- *Local Government Act 2020*
- *Planning and Environment Act 1987*
- *Residential Tenancies Act 1997*
- *Road Management Act 2004*

The key Regulations that delegations and sub-delegations have been made under include:

- Building Regulations 2018
- Cemeteries and Crematoria Regulations 2015
- Planning and Environment Regulations 2015
- Planning and Environment (Fees) Regulations 2016
- Road Management (General) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015

Acts, Regulations and Local Laws relevant to Councils

Below lists, as far as practicable, the Acts, Regulations and Local Laws that are relevant to Council. This includes the Acts that Council administers as well as Acts that may otherwise apply to Council currently or in the future.

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

ACTS

Aboriginal Heritage Act 2006
Associations Incorporations Reform Act 2012
Audit Act 1994
Australian Citizenship Act (Cth) 2007
Australian Copyright Law Act 1968
Building Act 1993
Catchment and Land Protection Act 1994
Cemeteries & Crematoria Act 2003
Charter of Human Rights and Responsibilities Act 2006
Children Wellbeing and Safety Act 2005
Children Services Act 1996
Children, Youth and Families Act 2005
Climate Change Act 2017
Community Services Act 1970?
Conservation, Forests and Land Act 1987
Constitution Act 1975
Crown Land (Reserves) Act 1978
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
Drugs, Poisons and Controlled Substances Act 1981
Education and Care Services National Law Act 2010
Education and Training Reform Act 2006
Electricity Safety Act 1998
Emergency Management Act 2013
Environment Protection Act 2017
Estate Agents Act 1980
Equal Opportunity Act 2010
Evidence Act 2008
Family Violence and Protection Act 2008
Fences Act 1968
Filming Approval Act 2014
Fines Reform Act 2014
Fire Rescue Victoria Act 1958
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
Geothermal Energy Resources Act 2005
Graffiti Prevention Act 2007
Heavy Vehicle National Law 2012 & Heavy Vehicle
National Law Application Act 2013?
Heritage Act 2017
Health Records Act 2001
Health Services Act 1988
Housing Act 1983
Impounding of Livestock Act 1994
Independent Broad-Based Anti-Corruption Commission
Act 2011
Infringements Act 2006
Land Act 1958
Land Acquisition & Compensation Act 1986
Libraries Act 1988
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
Occupational Health and Safety Act 2004
Pipelines Act 2005
Planning and Environment Act 1987
Planning and Environment (Planning Schemes) Act 1996
Prevention of Cruelty to Animals Act 1986
Privacy and Data Protection Act 2014
Public Health and Wellbeing Act 2008
Public Interest Disclosures Act 2012
Public Records Act 1973
Residential Tenancies Act 1997
Residential Tenancies Act 1997
Road Management Act 2004
Sale of Land Act 1962
Second-hand Dealers and Pawnbrokers Act 1989
Service Victoria Act 2018
Sex Work Decriminalisation Act 2022
Sheriff Act 2009
Shop Trading Reform Act 1996
Sport and Recreation Act 1972
Subdivisions Act 1988
Subordinate Legislation Act 1994
Summary Offences Act 1966
Tobacco Act 1987
Transfer of Land Act 1958
Transport Integration Act 2010
Transport (Safety Schemes Compliance and
Enforcement) Act 2014
Valuation of Land Act 1960
Victorian Civil and Administrative Tribunal Act 1998
Victorian Data Sharing Act 2017
Victorian Environmental Assessment Council Act 2001
Victorian Local Government Grants Commission Act 1976
Victorian Inspectorate Act 2011
Victorian Planning Authority Act 2017
Victorian State Emergency Services Act 2005
Water Act 1989
Worker Screening Act 2020

REGULATIONS

Aboriginal Heritage Regulations 2018
Building Regulations 2018
Charter of Human Rights and Responsibilities (General) Regulations 2017
Child Wellbeing and Safety (Information Sharing) Regulations 2018
Children’s Services Regulations 2020
Country Fire Authority Regulations 2014
Drugs, Poisons and Controlled Substances Regulations 2017
Family Violence Protection (Information and Risk Management) Regulations 2018
Food Standards Australia New Zealand Regulations 1994
Geothermal Energy Resources Regulations 2016
Infringements Regulations 2016
Land Acquisition and Compensation Regulations 2021
Local Government (Electoral) Regulations 2020
Local Government (General) Regulations 2015
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 Regulations 2019
Public Health and Wellbeing (Prescribed Accommodation) Regulations 2020
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 2016
Road Safety Road Rules 2017
Road Safety (Traffic Management) Regulations 2019
Road Safety (Vehicles) Regulations 2021
Subdivision (Fees) Regulations 2016
Subdivision (Procedures) Regulations 2021
Subdivision (Registrar’s Requirements) 2021
Victorian Energy Efficiency Target (Project-Based Activities) Regulations 2017

LOCAL LAWS

Governance Rules 2023
Procedural Matters Local Law (No. 1 of 2018)

Part Two – Categories of Documents

Freedom of Information Act 1982 (Vic)

Section 7(1)(a)(ii)

A statement of the categories of documents that are maintained in the possession of the agency.

2.1 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 hardcopy documents (held at Council or offsite) as well as electronic documents. The categories of documents held by Council include but are not limited to:

- Animal management records
- Annual and financial reports
- Building & planning permit files
- Client files
- Committee documents
- Contracts
- Corporate planning documents
- Council Meeting minutes & agendas
- Council planning documents
- Customer Request Management entries
- Databases
- Delegate reports
- Departmental publications (including newsletters)
- Documents submitted by third parties
- Emergency management records
- Employee files
- External correspondence
- Geographic Information (stored in WiGIS)
- Instruments of appointment and authorisation
- Internal correspondence
- Invoices and receipts
- Leases
- Legal Advice
- Mailing lists
- Maternal & Personal Health Care records
- Media releases and general advertising
- Meeting Reports
- Pet registration documents
- Plans, maps and drawings
- Policies, procedural guidelines and strategies
- Public and stakeholder consultation processes and outcomes
- Records of complaints, investigations, fines and prosecutions
- Registers
- Research documents
- Residential parking applications and permits
- Risk management assessments
- Standard operating procedures
- Subject files
- Surveys, statistics, data
- Tender Evaluations
- Tender evaluations
- Titles
- Training material
- Work Orders

Council retains its documents in accordance with the requirements of the *Public Records Act 1973*.

2.2 Information Management Systems used by Council

The City of Whittlesea uses a Microsoft based platform called SharePoint as its corporate document management system.

SharePoint is used to store a wide range of document categories and information types and operates as a de-centralised records management system. It is a system which Council is increasingly using to store its documents and information. Many Departments also use additional software solutions for the storing of certain types of documents and information.

This includes but is not limited to:

- Civica Authority (primarily for Property, Finance and Customer Relation Management)
- Doc Assembler (primarily for meeting reports, agendas and minutes)
- WiGIS (primarily for geographical data and maps)
- Power BI (Corporate reporting)
- Dynamics
- Assetic
- Salesforce

Documents are also stored on department's shared network drives or on individual Officer's OneDrive. Council is moving to best of breed solutions to meet its business needs; this includes moving to Software as a Service (SAAS) solutions.

Whilst the City of Whittlesea has transitioned to storing documents electronically, older subject, personnel, planning and building files may only be available in hardcopy. Hardcopy files are stored both on and off site.

Part Three – Freedom of Information Arrangements

Freedom of Information Act 1982 (Vic)

Section 7(1)(a)(iii)

A statement of the material that has been prepared by the agency under Part II of the Act for publication or for inspection by members of the public, and the places at which a person may inspect or obtain that material.

Section 7(1)(a)(v)

A statement of the procedure to be followed by a person when a request for access to a document is made to the agency.

Section 7(1)(a)(vi)

A statement designating by name the officer or officers responsible within each agency for the initial receipt of and action upon, requests for access to a document.

3.1 Information about Freedom of Information Applications

Documents which are not otherwise available for public access or inspection (see Item 3.3), or for purchase from other Council departments, may be requested under *the Freedom of Information Act 1982* (FOI Act).

The FOI Act 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 FOI 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 FOI 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.

Requests under the FOI Act must be made in writing stating as clearly and precisely as possible what information or documents are sought, a form is available on Council's website to assist you with this. All Freedom of Information requests must be accompanied by an application fee of \$31.80 (applicable at time of publication); or evidence that you qualify for a fee waiver due to financial hardship. Please note that a charge of \$23.85 per hour or part hour will apply to cover the cost of the time taken to identify and find the documents relevant to your request.

It is important for applicants to understand that not all information will become automatically available to them in response to a FOI application being submitted. The FOI sets out a number of situations in which documents may not be released or may only be released in part (redacted). The main exemptions that exist under the FOI include documents which contain personal affairs information (about a person other than the applicant), information which is commercially confidential, information which if released would undermine law enforcement or legal proceedings, internal working documents which contain statements of opinion and documents containing trade secrets. Many of these exemptions require the FOI Officer to not only consider whether the document contains a type of information that may be exempt but also whether release of that information would be in the public interest.

All applications will be assessed by a Freedom of Information Officer in accordance with the FOI Act to determine whether access to the documents or information is to be granted in part or in full, or if access is to be refused. Applicants will be notified of Council's decision and their review rights within 30 days of Council receiving a valid request, subject to the need for consultation.

Once a decision has been made, you have a right to appeal the decision to the Information Commissioner:

Information Commissioner
Post: PO Box 24274,
Melbourne VIC 3001
Email: enquiries@ovic.vic.gov.au
Fax: 8684 7588

For further information and advice on making a request or the Freedom of Information process, please refer to Council's website at <https://www.whittlesea.vic.gov.au/about-us/local-laws-and-legislation/freedom-of-information/>

3.2 FOI Officers

The current FOI Officers at the City of Whittlesea are:

Adreana Latimer

3.3 Protecting your privacy

In determining whether to grant access to information or documents, Council will consider whether it contains information that belongs to another person or from which another person can be identified. Council is committed to protecting information privacy and to the responsible handling of personal information and health information as a key aspect of good governance. This is supported by Council's Privacy and Data Protection Policy 2020. This Policy outlines Council's legal obligations regarding the handling of personal information and contains an underlying set of principles on how Council complied with the Information Privacy Principles and the Health Privacy Principles. Council balances the need to provide the public with information whilst protecting the personal information of individuals.

3.4 Documents publicly available

There are various types of documents that under legislation Council is required to make available for access and/or inspection by the public. Access or inspection of these documents does not require a Freedom of Information Application to be made as a right of access already exists. Council also has a Public Transparency policy which governs the type of Council information that Council makes publicly available, this expands on the documents which Council was required to make available under various Acts and Regulations.

Documents which are available for public inspection include, but are not limited to:

- Plans and reports adopted Council
- Council policies (other than those relating to internal operational matters)
- Guidelines and Manuals
- Council Meeting agendas and minutes (excluding meetings closed to members of the public)
- Statutory and Non-statutory registers including:
 - Registers of gifts, benefits and hospitality for Administrators and members of Council staff
 - Registers of travel undertaken by Administrators and members of Council
 - Registers of Conflicts of Interest disclosed by Administrators or members of Council staff
 - Register of donations and grants made by Council
 - Register of leases entered into by Council
 - Register of delegations from Council to staff and from the CEO to staff
 - Register of Authorised Officers
 - Register of election campaign donations
- Summary of Personal Interests
- Submissions received through community engagement processes.

A full list of documents available for public inspection can be found on Council's website at – <https://www.whittlesea.vic.gov.au/about-us/news-publications/documents-available-for-public-inspection/>

Where documents are publicly available for inspection, documents will be made available to inspect by appointment at Council's Civic Centre located at 25 Ferres Boulevard, South Morang. Reasonable accommodations will be made where travel to the Civic Centre is not practicable. Please contact Council's FOI officer on 9217 9170 to make a booking or discuss any reasonable accommodations that you may require.

Part Four – Publicity Material

Freedom of Information Act 1982 (Vic) Section 7(1)(a)(iv)

A statement listing the literature available by way of subscription services or free mailing lists.

4.1 Council’s Website

The City of Whittlesea maintains an up-to-date website to ensure that members of our community have easy access to information about Council and our municipality. Council’s website address is - <https://www.whittlesea.vic.gov.au/>

On Council’s website information can be found on a wide variety matters affecting our community, including:

- Information about the City of Whittlesea
- Waste & Environment
- Building, Planning & Development
- Community Support
- Parking, Roads and Footpaths
- Health & Safety
- Arts, Events & Recreation
- Information for Businesses

Key Council publications, policies and documents are also published to Council’s website, including but not limited to:

- Council’s Annual Budget
- Council’s Annual Report
- Policies and Strategies
- Council Meeting Minutes and Agendas (for meetings open to the public)

4.2 Council’s Social Media Presence

The City of Whittlesea has a social media presence on the following platforms:

- Facebook - <https://www.facebook.com/CityOfWhittlesea>
- Instagram - <https://www.instagram.com/citywhittlesea/>
- Twitter- <https://twitter.com/CityWhittlesea>
- YouTube. - <https://www.youtube.com/user/WhittleseaCouncil>

Council also runs a number of other websites/social media accounts including:

- Baseline Youth Services Facebook
- Active Whittlesea Facebook
- Plenty Ranges Arts and Convention Centre Facebook
- Plenty Ranges Arts and Convention Centre YouTube
- wat djerring Animal Facility Facebook
- Growling Frog Golf Course Facebook

More information about Council’s social media presence can be found at - <https://www.whittlesea.vic.gov.au/about-us/contact-us/social-media/>

4.3 Council's subscriptions and e-newsletters

Council has a number of e-newsletter subscription services that members of the public can sign up for based on their interests. The e-newsletters produced by Council include:

- Access E-news 'Our News' – for people living with a disability
- Arts & Events E-news
- Business E-news
- Early Years E-news
- Food E-news – for food handling businesses
- Grants and Training Opportunities
- Living Green – Sustainability news
- Local Area Networks E-news
- Local Scoop
- Regional Sports and Aquatic Facility at Mernda E-news
- Rural News

Information about each of these e-newsletter subscription services can be found at - <https://www.whittlesea.vic.gov.au/about-us/news-publications/newsletters/>

Part Five – Rules, Policies & Procedures

Freedom of Information Act 1982 (Vic)

Section 8(1)

This section applies, in respect of an agency, to documents that are provided by the agency for the use or guidance of, or are used or may be used by, the agency or its officers—

a) in making decisions or recommendations, or in providing advice to persons outside the agency, with respect to rights, privileges or benefits, or to obligations, penalties or other detriments, to or for which persons are or may be entitled, eligible or subject, being—

i) documents containing interpretations or particulars of Acts or schemes administered by the agency, not being particulars contained in another Act; or

ii) manuals, rules of procedure, statements of policy, records of decisions, letters of advice to persons outside the agency, or similar documents containing rules, policies, guidelines, practices or precedents; and

b) in enforcing Acts or schemes administered by the agency where a member of the public might be directly affected by that enforcement, being documents containing information on the procedures to be employed or the objectives to be pursued in the enforcement of the Acts or schemes.

5.1 Council Policy & Strategies

The City of Whittlesea has adopted a number of policies and strategies that are relevant to or impact upon the members of our community. These policies and strategies include but are not limited to:

| Policy/Strategy | |
|---|---|
| A Voice For All - Community Engagement Policy 2021 | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Active Whittlesea Strategy 2019-2028 | https://www.whittlesea.vic.gov.au/arts-events-recreation/active-whittlesea/ |
| Agri-Food Plan 2023-2026 | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Asset Plan and Asset Management Plans | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Biodiversity Strategy 2019-2029 | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Capital Management Policy | |
| Climate Change Plan 2022-2032 | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| CCTV Camera and Drones in Public Places Policy 2022 | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/community-safety-and-crime-prevention-strategy/may-road-lalor-cctv-project/ |
| Club In-Kind Contribution Policy | |
| Community Building Strategy - better together | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Community Gardens Policy 2014 | |
| Community Grant Framework Guidelines | https://www.whittlesea.vic.gov.au/community-support/grants-awards-and-competitions/community-grants/ |
| Community Engagement Policy 2023 - 2027 | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/community-engagement-policy-2023-2027/ |
| Community Plan / Action Plan | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/community-plan-2021-2025/ |
| Community Safety and Crime Prevention Strategy | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Complaints Policy | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Councillor Communications Policy | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Councillor Gift Policy | |
| Cultural Heritage Strategy 2019-2025 | https://www.whittlesea.vic.gov.au/arts-events-recreation/things-to-see-and-do/arts-and-culture/cultural-heritage/ |
| Customer Experience (CX) Plan | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Cycle Sports and Skate Strategy | |
| Destination Plan 2023-2026 | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Dog Off-Leash Policy & Management Plan | https://www.whittlesea.vic.gov.au/arts-events-recreation/parks-and-playgrounds/dog-off-leash-parks/ |
| Domestic Animal Management Plan | https://www.whittlesea.vic.gov.au/community-support/pets-and-animals/domestic-animal-management-plan/ |
| Early Activation of New Communities | |
| Economic Participation Plan 2023-2026 | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/economic-participation-plan-2023-2026/ |
| Eden Park Bushfire Erosion Mitigation Plan | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |

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|---|---|
| Election Period Policy | https://www.whittlesea.vic.gov.au/about-us/council/council-election/ |
| Epping Central Public Art Strategy 2012-2032 | |
| Epping Soccer Stadium Policy 2019 | |
| Equal and Safe Strategy 2019 | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Festival and Events Policy | |
| Financial Hardship Policy 2014 | https://www.whittlesea.vic.gov.au/community-support/support-financial-hardship-and-emergency-relief-services/ |
| Financial Plan 2021-2031 | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Gambling Strategy Action Plan 2014-2024 | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Gender Equity Action Plan 2021–2025 | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Governance Rules | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Green Wedge Management Plan 2023-2033 | https://www.whittlesea.vic.gov.au/building-planning-development/future-development-plans/green-wedge-management-plan/ |
| Housing Diversity Strategy 2013-2033 | https://www.whittlesea.vic.gov.au/building-planning-development/future-development-plans/housing-diversity-strategy-managing-housing-growth-in-the-established-suburbs/ |
| Lifelong Learning Strategy and Action Plan | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Multiple Sports Strategy 2017 | |
| Netball and Basketball Plan 2019-2041 | |
| Nick Ascenzo Reserve Master Plan | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Open Space Strategy - parks, reserves and other open spaces in the City of Whittlesea | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Pandemic Readiness & Recovery Plan January 2021 | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/pandemic-readiness-recovery-plan-january-2021/ |
| Positive Ageing Strategy 2016-2025 | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Privacy and Data Protection Policy | https://www.whittlesea.vic.gov.au/about-us/local-laws-and-legislation/privacy-statement-copyright-and-disclaimer/ |
| Public Transparency Policy 2020 | https://www.whittlesea.vic.gov.au/about-us/news-publications/publicly-available-documents/ |
| Quarry Hills Future Directions Plan | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Reconciliation Action Plan - 2017 | https://www.whittlesea.vic.gov.au/community-support/aboriginal-community/stretch-reconciliation-action-plan/ |
| Rethinking Waste Plan 2021-2030 | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| River Red Gum Protection Policy | https://www.whittlesea.vic.gov.au/waste-environment/trees-and-plants/river-red-gum-tree-protection-policy/ |
| Road and Public Transport Plan | https://www.whittlesea.vic.gov.au/parking-roads-footpaths/roads-bikepaths-and-transport/responding-to-travel-and-public-transport-challenges-our-road-and-public-transport-plan/ |
| Road Management Plan | https://www.whittlesea.vic.gov.au/parking-roads-footpaths/road-safety/road-management-plan/ |
| Road Safety Strategy 2017 | |
| Roadside Management Strategy | https://www.whittlesea.vic.gov.au/waste-environment/rural-land-management/roadside-management-strategy/ |
| Site Environmental Management Plan | https://www.whittlesea.vic.gov.au/building-planning-development/planning/site-environmental-management-plan/ |

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|---|---|
| Soccer Strategy | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Social and Affordable Housing Policy and Strategy | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/social-and-affordable-housing-policy-and-strategy/ |
| Sports Club Contribution Policy 2019 | |
| Street Tree Management Plan 2019-2029 | https://www.whittlesea.vic.gov.au/waste-environment/trees-and-plants/street-tree-management-plan/ |
| Strong Local Economy Strategy | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Sustainable Environmental Strategy 2022-2032 | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Thomastown Lalor Place Framework | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Thriving Children, Young People and Families Strategy | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Transport Strategy | https://www.whittlesea.vic.gov.au/parking-roads-footpaths/roads-bikepaths-and-transport/transport-strategy/ |
| Walking and Cycling Plan 2022-2027 | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Whittlesea 2040: A place for all | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| Whittlesea Water For All – Our water strategy 2020-2030 | https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/ |
| YouthPlan 2030+ | |

5.2 Council's Commitments

Council is committed to complying with both its legal obligations and the commitments that it makes to the members of its community. Key commitments of Council are aligned with the Whittlesea 2040 vision and include:

The Victorian Charter of Human Rights

The *Victorian Charter of Human Rights and Responsibilities Act 2006* sets out the freedoms, rights and responsibilities of all Victorians. It recognises that “all people are born free and equal in dignity and rights”

The City of Whittlesea is committed to the Charter being ‘at the front of mind’ of Council in all aspects of Council’s day-to-day operations.

More information about the Charter and about human rights more generally is available at - <https://www.humanrights.vic.gov.au/>

Aboriginal Inclusion Charter

The City of Whittlesea is committed to continuing the process of reconciliation between Council and Aboriginal people living, working or visiting the municipality.

The Aboriginal Inclusion Charter affirms any right Aboriginal people hold within the Victorian Charter of Human Rights and Responsibilities Act 2006 and stipulates our commitment to putting these rights into practice.

More information about Council’s Aboriginal Inclusion Charter can be found at – <https://www.whittlesea.vic.gov.au/community-support/aboriginal-community/aboriginal-inclusion-charter/>

Stretch Reconciliation Action Plan

Council's Reconciliation Action Plan stipulates how we will give effect to our commitment to inclusivity, equity and engagement with local Aboriginal people and communities.

The Stretch Reconciliation Action Plan 2017-2020 contains 27 actions to be delivered by Council under the three pillars of Respect, Relationships and Opportunities.

Key actions of the Stretch Reconciliation Action Plan include:

- Establishment of treaty circles with local community members
- Undertaking detailed planning for a local Aboriginal lead Gathering Place
- Aboriginal cultural competency training for Council staff and Councillors
- Continuing support for Bubup Wilam
- Employment target of 2% of all Council staff identifying as Aboriginal by October 2020

More information about the Stretch Reconciliation Action Plan is available at - <https://www.whittlesea.vic.gov.au/community-support/aboriginal-community/stretch-reconciliation-action-plan/>

Community Action Plan

Council's Community Action Plan 2021- 2025 includes Council's planning to achieve key health and inclusion outcomes such as family violence prevention, climate change, gender equality, reducing barriers to goods, services and facilities access, participation in employment, inclusive communications and preventing discrimination against persons with a disability.

In developing the Community Plan, Council considered the community's goals and aspirations set out in Whittlesea 2040, which was developed in 2018 with significant input from people who live, work, study, visit and those who do business in the City of Whittlesea.

The five key goals under Whittlesea 2040: A place for all – connected community, liveable neighbourhoods, strong local economy, sustainable environment and high-performing organisation align to key state planning frameworks for health and wellbeing, disaster recovery, and access and inclusion.

The Community Action Plan can be viewed at –

<https://www.whittlesea.vic.gov.au/about-us/news-publications/plans-strategies-and-policies/community-plan-2021-2025/>

Our Customer Charter

City of Whittlesea's Customer Charter outlines the standards members of the public can expect when they contact us to request a service or to conduct business. The charter provides that Council will:

- Take responsibility
- Respond in a timely and professional manner
- Listen and respond
- Respect privacy
- Embrace our diverse community
- Exercise honesty, integrity and be open and fair in all that we do.

More information about Council's Customer Charter can be found at –

<https://www.whittlesea.vic.gov.au/about-us/contact-us/our-customer-charter/>

Victorian Child Friendly Cities and Communities Charter

The purpose of the Child Friendly Cities and Communities Charter is to continue to recognise the need for increased participating by children in decision-making forums and creating child friendly environments in the City of Whittlesea. In accordance with our Thriving Children, Young People and Families Strategy, we have invited all services to adopt the Victoria Child Friendly Cities and Communities Charter.

More information about the Victorian Child Friendly Cities and Communities Charter can be found at <https://www.whittlesea.vic.gov.au/community-support/children-and-families/victorian-child-friendly-cities-and-communities-charter/>