



STRATHBOGIE SHIRE COUNCIL

Part II Statement

Publication of Certain Documents and Information

Freedom of Information Act 1982

Prepared by FOI Officer
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Version 1.1

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Introduction

The principles of the Freedom of Information Act 1982 are:

- To provide access to information held by agencies and government departments to members of the community;
- To ensure the publication of information regarding the functions of agencies and government departments;
- To allow members of the public to amend inaccurate, incomplete or out of date personal information held by agencies and government departments;
- To provide a process of review of decisions regarding the request for information or the amendment of personal information.

Not all documents are eligible for release. The Freedom of Information Act allows an agency to refuse access to certain documents, which are called 'exempt' documents.

Examples of these documents include, but are not limited to:

- Some internal working documents
- Documents covered by legal professional privilege (such as legal advice)
- Documents affecting personal privacy
- Documents containing 'commercial in confidence' or trade secrets
- Information obtained in confidence
- Matters considered by Council at a closed meeting

This document has been compiled in accordance with Part II of the Act, which requires the agency (Council) to provide details and information of its functions under the following statements:

- Organisation and functions of Council
- Categories of documents maintained by Council
- Documents prepared by Council for publication or inspection
- Subscription services and free mailing lists
- How to apply for access to information under the Freedom of Information Act 1982 and details of responsible officers
- Details of committees whose minutes are available for public inspection

Statement 1 – Organisation and functions of Council

Organisational Structure

Strathbogie Shire Council consists of five wards comprising seven Councillors:

- Honeysuckle Creek Ward
 - Cr Kate Stothers
- Hughes Creek Ward
 - Cr. Malcolm Little
- Lake Nagambie Ward
 - Cr Amanda McClaren
 - Cr Debra Swan
- Mount Wombat Ward
 - Alistair Thomson
- Seven Creeks Ward
 - Cr. John Mason
 - Cr. Graeme (Mick) Williams

Council's administration consists of:

- Chief Executive Officer: Steve Crawcour
- Community Assets – Director: Roy Hetherington
 - Manager Projects – Bruce Brains
 - Manager Infrastructure – Uwe Paffrath
- Corporate and Community – Director: David Roff
 - Manager Governance & Regulatory Services - Avi Maharaj
 - Manager Community Wellbeing - Deb Ellis
 - Manager Tourism Arts & Culture – Claire Taylor
 - Manager Finance – Chaminda Ranwala
- Innovation and Performance – Director: Phil Howard
 - Manager Digital Innovation & Technology – Greg Underhill
 - Manager Planning & Investment - Emma Kubeil

Functions of Council

Strathbogie Shire Council manages a broad range of services and functions. These include:

- Animal management
- Assets and civic facilities management
- Building services
- Children and family services
- Community development
- Economic growth and tourism
- Emergency management
- Environmental management
- Maternal and child health
- Roads, bridges, footpaths and drainage
- Parks & reserves
- Strategic and statutory planning
- Waste management & recycling
- Youth services

Legislative Acts, Regulations and Local Laws

Council performs its functions and operates in accordance with many legislative Acts, Regulations and also Council's Local Laws. The following indicates, as far as practicable, a list of those Acts, Regulations and Local Laws:

Legislative Acts and Regulations

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| • <i>Aboriginal Heritage Act 2006</i> | • <i>Country Fire Authority Act 1958</i> |
| • <i>Associations Incorporation Reform Act 2012</i> | • <i>Country Fire Authority Regulations 2004</i> |
| • <i>Audit Act 1994</i> | • <i>Crown Land (Reserves) Act 1978</i> |
| • <i>Australian Consumer Law and Fair Trading Act 2012</i> | • <i>Cultural and Recreational Lands Act 1963</i> |
| • <i>Building Act 1993</i> | • <i>Dangerous Goods (Explosives) Regulations 2011</i> |
| • <i>Building Regulations 2006</i> | • <i>Dangerous Goods Act 1985</i> |
| • <i>Children Youth and Families Act 2005</i> | • <i>Disability Act 2006</i> |
| • <i>Climate Change Act 2010</i> | • <i>Domestic Animals Act 1994</i> |
| • <i>Conservation, Forests and Land Act 1987</i> | • <i>Drugs, poisons and Controlled Substances Regulations 2006</i> |
| • <i>Constitution Act 1975</i> | • <i>Education and Care Services National Law Act 2010</i> |

- *Education and Care Services National Regulations 2011*
- *Education and Training Reform Act 2006*
- *Electoral Act 2002*
- *Electoral Regulations 2012*
- *Electricity Safety Act 1998*
- *Emergency Management Act 1986*
- *Environment Protection Act 1970*
- *Equal Opportunity Act 2010*
- *Estate Agents Act 1980*
- *Fair Trading Act 1999*
- *Fences Act 1968*
- *Fire Services Property Levy Act 2012*
- *Flora and Fauna Guarantee Act 1988*
- *Food Act 1984*
- *Freedom of Information Act 1982*
- *Gambling Regulation Act 2003*
- *Geothermal Energy Resources Regulations 2010*
- *Graffiti Prevention Act 2007*
- *Health Records Act 2001*
- *Heritage Act 1995*
- *Housing Act 1983*
- *Impounding of Livestock Act 1994*
- *Independent Broad-Based Anti-Corruption Commission Act 2011*
- *Information Privacy Act 2000*
- *Infringements (General) Regulations 2006*
- *Infringements Act 2006*
- *Land Acquisition and Compensation Act 1986*
- *Land Acquisition and Compensation Regulations 2010*
- *Land Act 1958*
- *Landlord and Tenant Act 1958*
- *Libraries Act 1988*
- *Liquor Control Reform Act 1998*
- *Local Government (Electoral) Regulations 2005*
- *Local Government (Finance and Reporting) Regulations 2004*
- *Local Government (General) Regulations 2004*
- *Local Government (Long Service Leave) Regulations 2012*
- *Local Government Act 1989*
- *Magistrates' Court Act 1989*
- *Major Transport Projects Facilitation Act 2009*
- *Marine Safety Act 2010*
- *Metropolitan Fire Brigades Act 1958*
- *Mineral Resources (Sustainable Development) Act 1990*
- *National Parks Act 1975*
- *Occupational Health and Safety Act 2004*
- *Occupational Health and Safety Regulations 2007*
- *Pipelines Act 2005*
- *Planning and Environment (Fees) Interim Regulations 2012*
- *Planning and Environment Act 1987*
- *Planning and Environment Regulations 2005*
- *Prevention of Cruelty to Animals Act 1986*
- *Public Administration Act 2004*
- *Public Health and Wellbeing Act 2008*
- *Public Records Act 1973*
- *Rail Safety Act 2006*
- *Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010*
- *Residential Tenancies Act 1997*
- *Road Management (General) Regulations 2005*

- *Road Management (Works and Infrastructure) Regulations 2005*
- *Road Management Act 2004*
- *Road Safety (General) Regulations 2009*
- *Road Safety (Traffic Management) Regulations 2009*
- *Road Safety (Vehicles) Regulations 2009*
- *Road Safety Act 1986*
- *Road Safety Road Rules 2009*
- *Second Hand Dealers and Pawnbrokers Act 1989*
- *Sex Work Act 1994*
- *Sheriff Act 2009*
- *Shop Trading Reform Act 1996*
- *Sport and Recreation Act 1972*
- *Subdivision (Fees) Interim Regulations 2012*
- *Subdivision (Procedures) Regulations 2011*
- *Subdivision (Registrar's Requirements) Regulations 2011*
- *Subdivision Act 1988*
- *Summary Offences Act 1966*
- *Tobacco Act 1987*
- *Transfer of Land Act 1958*
- *Transport Integration Act 2010*
- *Urban Renewal Authority Victoria Act 2003*
- *Valuation of Land Act 1960*
- *Victoria State Emergency Service Act 2005*
- *Victorian Civil and Administrative Tribunal Act 1998*
- *Victorian Grants Commission Act 1976*
- *Victorian Inspectorate Act 2011*
- *Water Act 1989*
- *Whistleblowers Protection Act 2001*

Council's Local Laws

- Meeting Procedure Local Law
- Community Local Law

Statement 2 – Documents that are maintained by Council

Council is in possession of and maintains a variety of documents

- Annual reports
- Financial reports
- Agendas and minutes
- Council resolutions
- General correspondence and documents submitted by third parties
- Building and planning applications and associated documents
- Local law permit applications and associated documents
- Animal registration applications and associated documents
- Tender documents and evaluations
- Contract management records and documentation
- Policies, procedures, strategies, protocols and plans
- Disclosures of conflicts of interest
- Legal documents: local laws, contracts, leases, agreements, licences, instruments of appointment and authorisation, instruments of delegation, legal advice, court documents
- Reports prepared by external consultants
- Surveys and statistical data
- Media releases, general advertising, newsletters
- Maternal and child health Service user records
- Risk management and OHS assessments and associated documentation
- Internal working documents: staff personnel files, administration and organisational documentation, financial documentation (including debtors and creditors documents), audit records, asset and resource management records and documentation, road and property files, plans, maps, drawings
- Databases: roads, rates, contacts, customer service requests, mailing lists
- Non-hard copy files: Disks, DVDs, computer back-up tapes, soft-copy internal working files and officer notes

Statement 3 – Documents prepared by Council for publication or public inspection

In accordance with part 5 section 11 of the Local Government (General) Regulations 2004, the following documents are available for public inspection:

- a) details of current allowances fixed for the Mayor and Councillors
- b) details of total annual remuneration for all seniors officers in respect of the current and previous financial year, including ranges set out as specified and the number of seniors officers within those ranges
- c) details of overseas or interstate travel (excluding interstate travel by land for less than 3 days) undertake in an official capacity by Councillors or any member of Council staff in the previous 12 months, including name, date, destination, purpose and total cost of the travel
- d) names of Council officers who were required to submit a return of interest during the financial year and the dates the returns were submitted
- e) names of Councillors who submitted returns of interest during the financial year and the dates the returns were submitted
- f) public agendas and minutes of ordinary and special meetings held in the previous 12 months – available on Council's website - [Agendas and Minutes](#)
- g) a list of special committees established by Council and the purpose for which each committee was established
- h) a list of all special committees established by Council which were abolished or ceased to function during the financial year
- i) minutes of public meetings of special committees established under section 86 of the Act* and held in the previous 12 months
- j) registers of delegations kept under sections 87 and 98 of the Act*
- k) submissions received in accordance with section 223 of the Act* during the previous 12 months
- l) agreements to establish regional libraries under section 196 of the Act*
- m) details of all property, finance and operating leases involving land, buildings, plant, computer equipment or vehicles entered into by the Council as lessor or lessee, including the name of the other party to the lease, the terms and the value of the lease
- n) a register of authorised officers appointed under section 224 of the Act*
- o) a list of donations and grants made by the Council during the financial year, including the names of persons or bodies which have received a donation or grant and the amount of each donation or grant
- p) a list of the names of the organisations of which the Council was a member during the financial year and details of all membership fees and other amounts and services provided during that year to each organisation by the Council
- q) a list of contracts for services and goods valued at \$150,000 or more and contracts for works valued at \$200,000 or more, which Council has entered into without first engaging in a formal competitive process and which are not contracts which are referred to in section 186(5) of the Act*

* refers to the Local Government Act 1989

Council is required to make available for inspection the following documents in accordance with the Acts and Regulations listed below:

Building Act 1993

Section Provision

31(2)	Register of building permits
74(2)	Register of occupancy permits, temporary approvals and amendments
126(2)	Register of emergency orders, building notices and building orders

Building Regulations 2006

Section Provision

807(5)	Designated special area maps, where prepared
810(7)	Designated bushfire prone area maps, where received from Minister

Domestic Animals Act 1994

Section Provision

18(1)	Register of all registered dogs and cats
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Food Act 1984

Section Provision

43(3)	Details of a registered food premises
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Local Government Act 1989

Section Provision

23A & 24B	Certified voters roll for the periods specified
62A	Electoral campaign donation returns – available on Council's website
75B	Councillors Expense Entitlement Policy
76C	Councillors Code of Conduct
82A(2)(c)	A list of documents available for public inspection as per Local Government (General) Regulations – available on Council's website
94(6)	Details of proposed CEO remuneration where Council passes a resolution not to advertise the position, for 14 days after the resolution
119(2A)	Proposed local laws
120(2)(a)	Adopted local laws – available on Council's website – Meeting Procedure Local Law and Community Local Law
125(11)	Current Council Plan – available on Council's website
126(4)	Strategic Resource Plan
130(9)	Budget or Revised Budget
131(11) + (12)(a)	Annual Report and auditor's report
161(3)	Differential rate information – available on Council's website
186A	Procurement Policy – available on Council's website
208F	Any adopted quality or cost standards
219F	Preliminary and final electoral representation review reports conducted by the Victorian Electoral Commission for the periods specified

Planning and Environment Act 1987

Section Provision

4H, I	A copy of the Victorian Planning Provisions and any amendments on payment of a prescribed fee
26(2)	Panel hearing reports on submissions to amend a planning scheme for the prescribed period
42	An up to date copy of the planning scheme
49(2)	A register of all applications for permits and all decisions and determinations relating to permits
51	Applications under review are available for inspection during the application review period only
57(5)	Objections to grant a planning permit are available for inspection during the application review period only
70	Council issued planning permits
179(2)	A copy of agreements Council has entered into under section 173 in the area covered by a planning scheme for which it is a responsible authority

Public Health and Wellbeing Act 2008

Section Provision

26(7)	Health and Wellbeing Plan
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Road Management Act 2004

Section Provision

19(5)	Council's public road register
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Subdivision (Procedures) Regulations 2011

Section Provision

33(4)	Register of subdivision applications
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Whistleblowers Protection Act 2001

Section Provision

70	Council's whistleblower procedures.
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Statement 4 – Subscriptions and mailing lists

Community Information Bulletin – subscription to this can be done via Council's website.

The bulletin is also mailed out to all households free of charge.

Facebook pages:

[Council's Youth Program](#)

[Euroa Community Cinema](#)

Statement 5 – Freedom of Information Requests

How Do I make a Request?

An application needs to be submitted in writing, and should include specific information of the documents you would like to request. You can submit your application in writing or by completing the <http://www.strathbogie.vic.gov.au/images/Files/FOI%20Request%20Form%20-%2001.07.17.pdf>

An application must be accompanied by a fee of \$28.40 these fees may be waived in certain circumstances if the applicant can demonstrate financial hardship. If you wish to discuss this further please contact the Freedom of Information Officer.

Your application can be forwarded via:

Post:
Freedom of Information Officer
Strathbogie Shire Council
PO Box 177
Euroa VIC 3666

Email:
info@strathbogie.vic.gov.au

In person:
Strathbogie Shire Council offices, 109A Binney Street, Euroa & 317 High St, Nagambie

In accordance with the Freedom of Information Act you will receive a response within 30 days.

Charges:

Access charges are set by government regulations and relate to the costs incurred in granting access to the documents you have requested. These costs may or may not apply depending on the nature of your request.

Search & Retrieval time of documents \$21.30 (being 1.5 fee units per hour) per hour or part or part of an hour

A4 Sized Black & White copies at \$0.20 per page

Supervised Inspection of Documents \$21.30 (being 1.5 units) per hour

Refusal of a Request

Not all documents are eligible for release. The Freedom of Information Act allows an agency to refuse access to certain documents, which are called 'exempt' documents.

Examples of these documents (and the relevant section of the Freedom of Information Act) include:

- Some internal working documents – section 30
- Documents covered by legal professional privilege (such as legal advice) – section 32
- Documents affecting personal privacy – section 33
- Documents containing 'commercial in confidence' or trade secrets – section 34
- Information obtained in confidence – section 35

- Matters considered by Council at a closed meeting – section 38A

Review Rights

If you are refused access to documents, or are not satisfied with the decision taken by the Freedom of Information Officer you have the right to apply for a review of your original request to the Office of the Victorian Information Commissioner (OVIC)

More information on how to request a review can be found on the Office of the Victorian Information Commissioner website - <https://foicommisioner.vic.gov.au/>

For additional information visit the Freedom of Information website at www.foi.vic.gov.au

Statement 6 – Officers responsible for requests to access documents

Strathbogie Shire Council Freedom of Information Officer:

Aileen Davidson
Strathbogie Shire Council
PO Box 177,
Euroa,
Victoria 3666
Tel: 03 5795 0000
Freecall: 1800 065 993
Fax: 03 5795 3550
Email: info@strathbogie.vic.gov.au
Email: erin.law@strathbogie.vic.gov.au

Statement 7 – Advising Committees, Boards & Other Bodies

A list of Committees, boards, councils and other bodies constituted by 2 or more persons, that are a part of, or that have been established for the purpose of advising Council, and whose meetings are open to the public, or the minutes of whose meetings are available for public inspection.

- Ordinary and Special Meetings of Council – minutes are available on [Council's website](#).
- Planning Committee Meetings – minutes are available on <http://www.strathbogie.vic.gov.au/development/statutory-planning/planning-committee>

Statement 8 – Libraries

Euroa Library

58-62 Binney Street, Euroa

Opening hours:

Monday	-	Closed
Tuesday	-	9.30am – 5:30pm
Wednesday	-	9:30am – 5:30pm
Thursday	-	9:30am – 5:30pm
Friday	-	9:30am – 5:30pm
Saturday	-	9:30am – 12:00pm
Sunday	-	Closed

Nagambie Library

Corner High Street and Vale Street, Nagambie

Opening hours:

Monday	-	Closed
Tuesday	-	10:00am – 1:00pm
Wednesday	-	1:30pm – 5:30pm
Thursday	-	1:30pm – 5:30pm
Friday	-	10:00am – 1:00pm
Saturday	-	9:30am – 12:00pm
Sunday	-	Closed

Violet Town Library

35 Cowslip Street, Violet Town

Opening hours:

Monday	-	Closed
Tuesday	-	2.30pm – 4.30pm
Wednesday	-	2:30pm – 5:30pm
Thursday	-	10:30am – 1:30pm
Friday	-	2:30pm – 5:30pm
Saturday	-	10:00am – 12:00pm
Sunday	-	Closed