

Freedom of Information

Part II Statement

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

JANUARY 2022

RESPONSIBLE AREA: Governance

VERSION HISTORY

Date	Details
August 2018	First publication
January 2020	Full review
January 2021	Full review
March 2021	Minor amendments to Delegated Committees and library hours
January 2022	Full review

Contents

Introduction	1
Responsibility	1
Statement 1 - Organisation and Functions of Council <i>Freedom of Information Act 1982 – section 7(1)(a)(i), (vii) and (viii)</i>	2
Establishment	2
Location	2
Organisational Structure	3
Principal Officer	4
Contacting Council	4
Service Centres	4
Council Wards and Councillors	4
Role and powers of a Council	6
Local Government Functions and Activities	7
Administrative functions	7
Decision Making Powers	8
Meeting attendance	9
Advisory Committees	10
External Organisations	10
Consultative arrangements	11
Libraries	11
Mobile Library	11
Acts Administered	12
Local Laws	14
Requirements of the <i>Local Government Act 2020</i>	14
Statement 2 - Categories of Documents <i>Freedom of Information Act 1982, Section 7(1)(a)(ii)</i>	15
Information Management System	15
Other Records	15
Principal Records	18
Statement 3 - Freedom of Information Arrangements <i>Freedom of Information Act 1982, Section 7(1)(a)(iii),(v),(vi)</i>	24
Freedom of Information	24
Statement 4 - Publicity Material <i>Freedom of Information Act 1982, Section 7(1)(a)(iv)</i>	28
Other Documents	29
Statement 5 - Rules, Policies and Procedures <i>Freedom of Information Act 1982, Section 8(1)</i>	39
Statement 6 - Report Literature <i>Freedom of Information Act 1982, Section 11</i>	41

THIS PAGE IS INTENTIONALLY LEFT BLANK

Introduction

The purpose of a Part II of the *Freedom of Information Act 1982* (FOI Act) (Section 7 – Section 12) is to ensure that individuals and organisations can effectively exercise their right to obtain access to government information which may affect them.

Nillumbik Shire Council (Council) releases a large amount of information online and print publishing as well as face to face service provision. The Freedom of Information Part II Statement shows that Council is making information readily available to the public, what that information is and how it can be accessed.

Responsibility

Agencies, including Council must prepare and publish statements under Part II of the Act, and ensure these statements are published and reviewed annually.

The statements provided in this document will provide individuals and other organisations 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

Statement 1 - Organisation and Functions of Council

Freedom of Information Act 1982 – section 7(1)(a)(i), (vii) and (viii)

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.

Establishment

Nillumbik Shire Council was formed by Order of the Governor in Council on 15 December 1994, when the former Shire of Eltham was amalgamated with parts of the Diamond Valley, Healesville and Whittlesea Shires.

Location

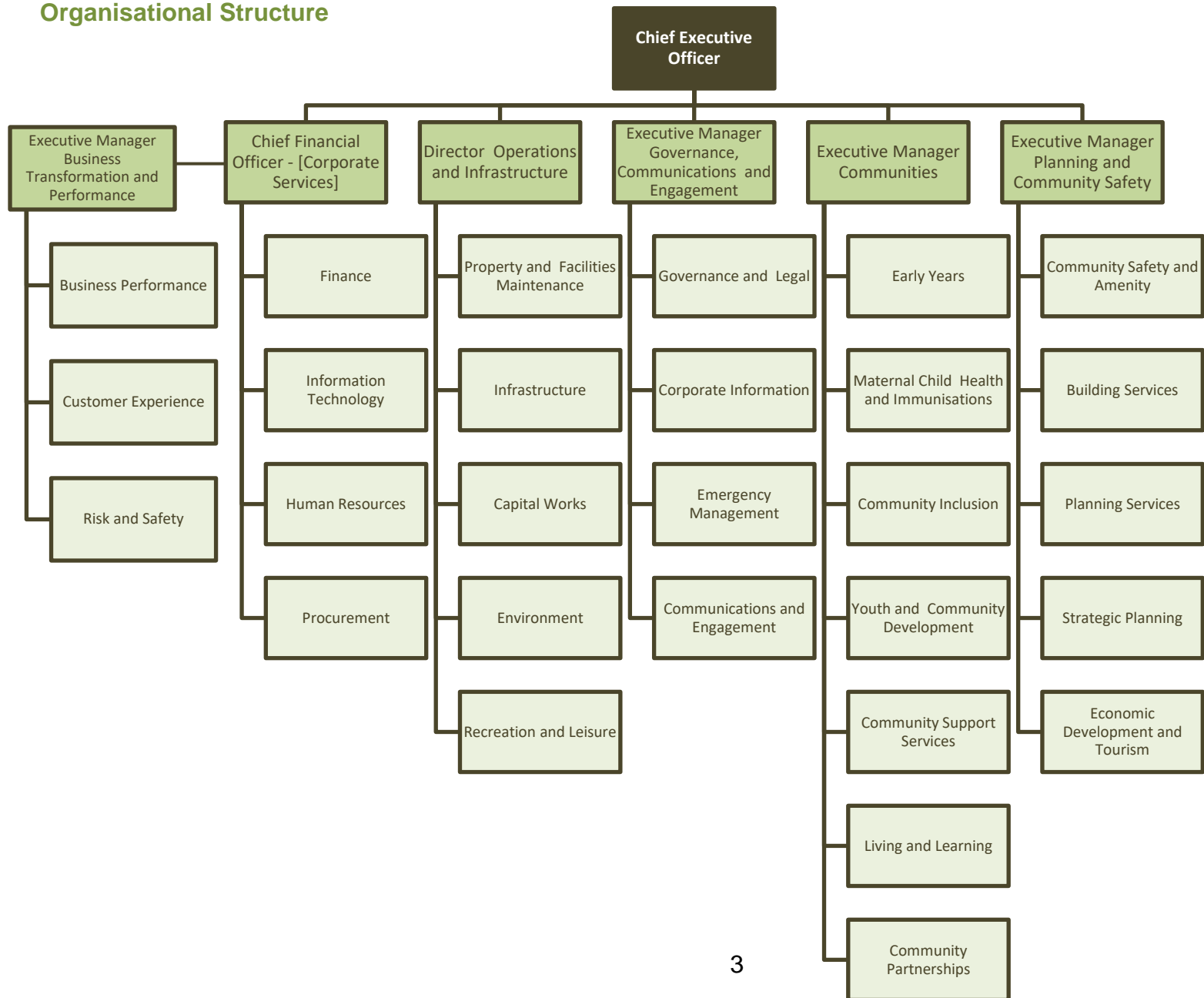
The Shire of Nillumbik is located less than 25 kilometres north-east of Melbourne, and has the Yarra River as its southern boundary. It extends 29 kilometres to Kinglake National Park in the north. The Shire stretches approximately 20 kilometres from the Plenty River and Yan Yean Road in the west to Christmas Hills and the Yarra escarpment in the east.

The Shire covers an area of 431.94 square kilometres and has an estimated population of 64,720 (Annual Report 2017-2018), who live in close-knit communities which range from typical urban settings to remote and tranquil bush properties. Nillumbik is a collection of townships and major activity centres.

Areas and townships of the Shire of Nillumbik:

- Arthurs Creek
- Bend of Islands
- Christmas Hills
- Cottles Bridge
- Diamond Creek
- Doreen (parts of)
- Eltham
- Eltham North
- Greensborough (parts of)
- Hurstbridge
- Kangaroo Ground
- Kinglake (parts of)
- Kinglake West (parts of)
- North Warrandyte
- Nutfield
- Panton Hill
- Plenty
- Research
- Smiths Gully
- St Andrews
- Strathewen
- Watsons Creek
- Wattle Glen
- Yan Yean
- Yarrambat

Organisational Structure



Principal Officer

The Principal Officer is the Chief Executive Officer, Mr Carl Cowie.

Contacting Council

Nillumbik Shire Council Offices:

14 Civic Drive
Greensborough Vic 3088
Telephone: (03) 9433 3111
Fax: (03) 9433 3777
Web: www.nillumbik.vic.gov.au

By post:

Nillumbik Shire Council
PO Box 476,
Greensborough Vic 3088
Email address:
nillumbik@nillumbik.vic.gov.au

Service Centres

Recycling and Recovery Centre

290 Yan Yean Road, Plenty

Normal opening hours for Recycling & Recovery Centre

Open: 8am-4pm, Friday, Saturday, Sunday and Monday
Closed: Tuesday, Wednesday, Thursday and public holidays

Closed: During extreme weather, including catastrophic fire danger rating days and high wind.

Reuse Shop at the Recycling and Recovery Centre

Normally Open: 9.30am-3.30pm, Friday, Saturday, Sunday and Monday
Closed: Tuesday, Wednesday, Thursday and public holidays

Closed: During extreme weather, including catastrophic fire danger rating days and high wind.

Council Wards and Councillors

Initially consisting of nine wards, the Victorian Electoral Commission (VEC) undertook an electoral representation review in 2008 and reduced the number of wards to seven with one elected Councillor representing each ward.

In 2019 the VEC again undertook a review of Council's electoral structure. The findings after community consultation and consideration of submissions was that the existing seven ward structure with one elected Councillor representing each ward is still appropriate, with a minor amendment to the existing boundaries.

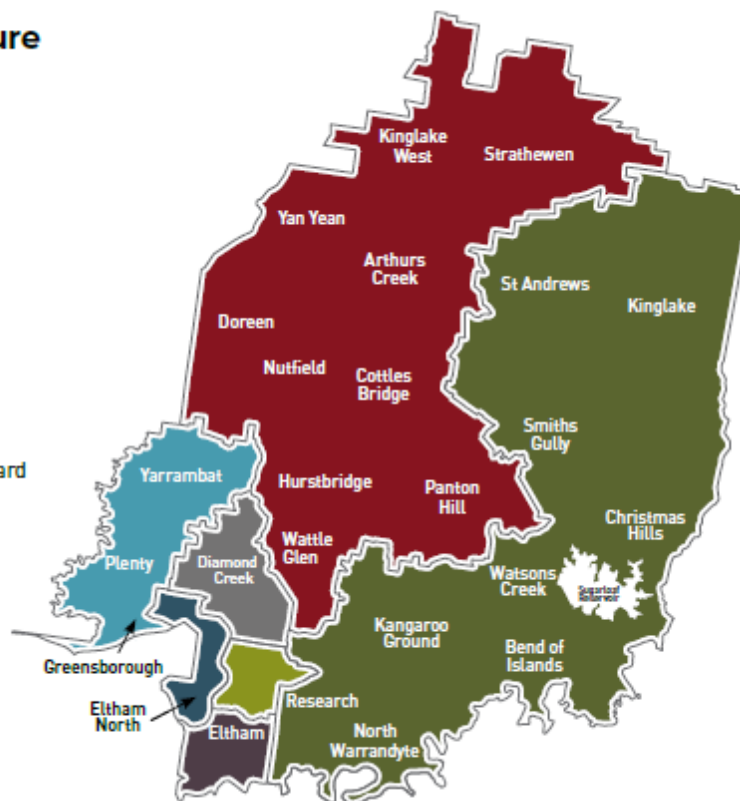
The seven wards and elected Councillors are:

- Blue Lake Ward Cr Richard Stockman
- Bunjil Ward Cr Karen Egan
- Edendale Ward Cr Natalie Duffy
- Ellis Ward Cr Peter Perkins
- Sugarloaf Ward Cr Ben Ramcharan
- Swipers Gully Ward Cr Frances Eyre
- Wingrove Ward Cr Geoff Paine

Ward Structure

KEY

- Blue Lake Ward
- Bunjil Ward
- Edendale Ward
- Ellis Ward
- Sugarloaf Ward
- Swipers Gully Ward
- Wingrove Ward



The seven Councillors vote at the first statutory meeting after the election and then each October to elect the Mayor and Deputy Mayor for a term of 12 months.

November 2021 – November 2022

- Mayor – Cr Frances Eyre
- Deputy Mayor – Cr Ben Ramcharan

The current Council was elected in October 2020 for a four year term.

The next local government elections will be held in October 2024.

Role and powers of a Council

Section 8 of the *Local Government Act 2020* outlines the role of a Council as:

- (1) The role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community.
- (2) A Council provides good governance if—
 - a) it performs its role in accordance with section 9;
 - b) the Councillors of the Council perform their roles in accordance with section 28.
- (3) In performing its role, a Council may—
 - a) perform any duties or functions or exercise any powers conferred on a Council by or under this Act or any other Act; and
 - b) perform any other functions that the Council determines are necessary to enable the Council to perform its role.
- (4) If it is necessary to do so for the purpose of performing its role, a Council may perform a function outside its municipal district.

Section 9 of the *Local Government Act 2020* outlines the overarching governance principles and supporting principles:

- (1) A Council must in the performance of its role give effect to the overarching governance principles.
- (2) The following are the overarching governance principles—
 - a) Council decisions are to be made and actions taken in accordance with the relevant law;
 - b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;
 - c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
 - d) the municipal community is to be engaged in strategic planning and strategic decision making;
 - e) innovation and continuous improvement is to be pursued;
 - f) collaboration with other Councils and Governments and statutory bodies is to be sought;
 - g) the ongoing financial viability of the Council is to be ensured;
 - h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
 - i) the transparency of Council decisions, actions and information is to be ensured.

- (3) In giving effect to the overarching governance principles, a Council must take into account the following supporting principles—
- a) the community engagement principles;
 - b) the public transparency principles;
 - c) the strategic planning principles;
 - d) the financial management principles;
 - e) the service performance principles.

Local Government Functions and Activities

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

- Aged and disability services
- Animal management
- Arts and cultural services
- Assets and civic facilities management
- Building services
- Community transport
- Early years, Playhouses and Pre-Schools
- Economic development
- Environment and biodiversity
- Environmental health
- Heritage
- Leisure and recreation services
- Libraries
- Maternal child health
- Parking management
- Parks and open space
- Recreation and Leisure
- Roads, footpaths and drainage
- Tourism
- Traffic safety
- Transport planning
- Strategic and statutory planning
- Waste management and recycling
- Youth services

Administrative functions

- Committees
- Community Relations
- Financial Management
- Fleet Management
- Government Relations
- Industrial Relations
- Information Management
- Legal Services
- Occupational Health & Safety
- Personnel Management
- Policy
- Property Management
- Publications
- Reporting
- Staff Development
- Strategic Management
- Technology and Telecommunications

Decision Making Powers

Subject to any limitations or restrictions imposed by or under *Local Government Act 2020* or any other Act, 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 functions.

Council may exercise its decision-making powers in one of the following ways:

1. Council Meeting or Extraordinary Council Meeting

Council's Governance Rule Meeting Procedure documents the manner of voting and making resolutions of Council.

All Council Meeting times and dates for the year are published on Council's website after the Statutory Council Meeting typically held in October each year.

Council Meetings are usually held on the fourth Tuesday of the month commencing at 7pm. Meetings are held at the Civic Centre, Civic Drive, Greensborough, unless advertised otherwise.

In accordance with the Governance Rule Meeting Procedure, Council may hold an Extraordinary Council Meeting when the Mayor or at least 3 Councillors by written notice call an extraordinary meeting. Notice of the extraordinary meeting will be given via Council's Public Notices page on the website and advertised via Council's Social Media pages.

2. Delegated Committee

Council currently has one Delegated Committee established under section 63 of the *Local Government Act 2020*.

Planning and Consultation Committee

The Planning and Consultation Committee (**Committee**) was established by Council resolution on 23 February 2021 effective from 11 March 2021. The Instrument of Delegation to the Committee and Committee Terms of Reference were also approved on this date.

The seven Councillors are members of the Committee.

The Committee consists of two areas being Planning Matters and Consultation Matters, with the chairperson for the two areas being elected annually by Council resolution at the Council Meeting (Election of Mayor).

All Planning and Consultation Committee times and dates for the year are published on Council's website after the Council Meeting (Election of Mayor) typically held in October each year.

Planning and Consultation Committee meetings are generally held on the second Tuesday of the month commencing at 7pm, at the Civic Centre, Civic Drive, Greensborough.

A Delegated Committee meeting may be called by Council resolution, Committee resolution or by the Mayor. Notice of meetings will be given via Council's Public Notices page on the website and advertised via Council's Social Media pages.

Future Nillumbik Committee

The delegated committee known as the Future Nillumbik Committee was abolished by Council resolution on 23 February 2021, effective 10 March 2021.

3. Delegation

Council delegates some powers, duties and functions to Council officers to effectively and efficiently carry out its business. This is formalised through a written Instrument of Delegation.

A decision made by a 'delegate' of Council is deemed to be decision by Council.

Section 11(8) of the *Local Government Act 2020* requires Council to keep a register of its delegations made under section 11.

Council maintains registers of the following Instruments of Delegations:

- Instrument of Delegation to the Chief Executive Officer
- Instrument of Delegation to Members of Council Staff
- Instrument of Sub-Delegation from Chief Executive Officer to Council staff
- Instrument of Delegation and Authorisation by Municipal Building Surveyor
- Instrument of Delegation of CEO powers, duties and functions
- Instrument of Delegation by CEO for VicSmart Applications under the *Planning and Environment Act 1987*

The Register of Delegations is available for public inspection at the Civic Centre, Civic Drive, Greensborough.

Meeting attendance

Members of the public are invited to attend for all public meetings.

Meetings are closed to the public when discussing matters deemed confidential under section 66 of the *Local Government Act 2020*.

Attendance at Council meetings may be restricted subject to Covid-19 advice and restrictions. You should refer to Council's website for up to date arrangements.

Advisory Committees

Council has a range of Advisory Committees (listed below), which provide a formal mechanism for Council to consult with key stakeholders, seek specialist advice and enable community participation. Although they do not make any formal decisions, they provide valuable advice to Council.

In accordance with Advisory Committee Terms of Reference, the minutes of meetings are presented to Council.

- Arts Advisory Committee
- Audit and Risk Committee
- CEO Employment Matters Committee
- Economic Development Advisory Committee
- Environment and Sustainability Advisory Committee
- Health and Wellbeing Plan Advisory Committee
- Inclusion Advisory Committee
- Living and Learning Advisory Committee
- Nillumbik Youth Council
- Panton Hill Bushland Reserves System Advisory Committee
- Positive Aging Advisory Committee
- Recreational Trails Advisory Committee

External Organisations

Council is a member or participant in a range of external organisations at a local, regional or sector level.

Councillors are appointed to represent Council as delegates to those organisations. In some cases, an alternate is also appointed who can attend if the primary councillor is not available.

The list below details the organisations that Council appointed representatives to at the Extraordinary Council Meeting held 24 November 2020.

- Banyule/Nillumbik Local Learning and Employment Network Inc. Board
- Diamond Creek Traders' Association
- Eltham Chamber of Commerce and Industry
- Hurstbridge Traders' Association
- Interface Councils Group
- Metropolitan Transport Forum Inc
- Metropolitan Local Government Waste Forum
- Municipal Association of Victoria
- Nillumbik Reconciliation Group
- Nillumbik Tourism and Business Association
- Northern Alliance for Greenhouse Action
- Northern Council Alliance
- Victorian Local Governance Association
- Yarra Plenty Regional Library Board

Consultative arrangements

Community Consultation

- Community consultation is undertaken by Council for various projects and when required by legislation.
- Examples of community consultation could include asking the community for feedback on Council policies, performance on service delivery or involving the community in the development or review of specific projects or developments.
- Participate Nillumbik is Council's online community engagement site. This is where community members can help inform Council's decision-making by sharing your ideas or feedback on a variety of projects. Updates on projects are also published and you can read about how your input has contributed to Council's decisions.
- Council's webpage, and local newspapers may also outline a project that Council is undertaking consultation on, in addition to direct mail when this is required.

Libraries

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

Diamond Valley Library**

Civic Drive, Greensborough Vic 3088

Monday	9:00am – 5:30pm
Tuesday	9:00am – 7:00pm
Wednesday	9:00am – 5:30pm
Thursday	9:00am – 5:30pm
Friday	9:00am – 5:00pm
Saturday	10:00am – 5:00pm
Sunday	1:00pm – 5:00pm

Eltham Library

Panther Place, Eltham Vic 3095

Monday	9:00am – 7:00pm
Tuesday	9:00am – 7:00pm
Wednesday	9:00am – 7:00pm
Thursday	9:00am – 7:00pm
Friday	9:00am – 6:00pm
Saturday	10:00am – 5:00pm
Sunday	10:00am – 5:00pm

Mobile Library

The mobile library service is for residents who cannot visit a library. The mobile library bus is wheelchair accessible and members can borrow any of the 14,000 items in stock, including books, videos, DVDs, magazines, talking books and large print publications.

More information can be found on the Yarra Plenty Regional Library [website](#).

Acts Administered

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

Acts

- *Aboriginal Heritage Act 2006*
- *Associations Incorporation Reform Act 2012*
- *Australian Citizenship Act (Cth) 2007*
- *Building Act 1993*
- *Catchment and Land Protection Act 1994*
- *Cemeteries & Crematoria Act 2003*
- *Children, Youth and Families Act 2005*
- *Climate Change Act 2017*
- *Conservation, Forests and Land Act 1987*
- *Country Fire Authority Act 1958*
- *Crown Land (Reserves) Act 1978*
- *Cultural and Recreational Lands Act 1963*
- *Dangerous Goods Act 1985*
- *Disability Act 2006*
- *Domestic Animals Act 1994*
- *Electrical Safety Act 1998*
- *Emergency Management Act 2013*
- *Environment Protection Act 1970*
- *Equal Opportunity Act 2010*
- *Estate Agents Act 1980*
- *Family Violence and 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*
- *Graffiti Prevention Act 2007*
- *Health Act 1958*
- *Health Records Act 2001*
- *Health Services Act 1988*
- *Heritage Act 1995*
- *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*
- *Landlord and Tenant Act 1958*
- *Liquor Control Reform Act 1998*
- *Local Government Act 1989*
- *Local Government Act 2020*
- *Magistrates' Court Act 1989*
- *Major Transport Projects Facilitation Act 2009*
- *Metropolitan Fire Brigades Act 1958*
- *1958 Mineral Resources (Sustainable Development) Act 1990*
- *National Parks Act 1975*
- *Occupational Health and Safety Act 2004*
- *Pipelines Act 2005*
- *Planning and Environment Act 1987*

- *Prevention of Cruelty to Animals Act 1986*
- *Privacy and Data Protection Act 2014*
- *Protected Disclosure Act 2012*
- *Public Health and Wellbeing Act 2008*
- *Public Interest Disclosures Act 2012*
- *Public Records Act 1973*
- *Rail Safety (Local Operations) Act 2006*
- *Residential Tenancies Act 1997*
- *Road Management Act 2004*
- *Road Safety Act 1986*
- *Second Hand Dealers and Pawnbrokers Act 1989*
- *Sex Work Act 1994*
- *Sherriff Act 2009*
- *Sport and Recreation Act 1972*
- *Subdivisions Act 1988*
- *Summary Offences Act 1966*
- *Tobacco Act 1987*
- *Transfer of Land Act 1958*
- *Transport Integration Act 2010*
- *Transport (Safety Schemes Compliance and Enforcement) Act 2014*
- *Urban Renewal Authority Victoria 2003*
- *Valuation of Land Act 1960*
- *Victorian Inspectorate Act 2011*
- *Victorian State Emergency Services Act 2005*
- *Victorian Urban Development Authority Amendment (Urban Renewal Authority Victoria) Act 2011*
- *Water Act 1989*
- *Working with Children Act 2005*

Regulations

- *Aboriginal Heritage Regulations 2018*
- *Associations Incorporation Reform Regulations 2012*
- *Australian Consumer Law*
- *Building Regulations 2018*
- *Country Fire Authority Regulations 2014*
- *Drugs, Poisons and Controlled Substances Regulations 2011*
- *Family Violence Protection (Information and Risk Management) Regulations 2018*
- *Food Standards Code 2016*
- *Geothermal Energy Resources Regulations 2006*
- *Health (Immunisation) Regulations 1999*
- *Health (Prescribed Accommodation) Regulations 2001*
- *Heavy Vehicle National Law 2012*
- *Infringements (General) Regulations 2006*
- *Land Acquisition and Compensation Regulations 2010*
- *Local Government (Electoral) Regulations 2020*
- *Local Government (General) Regulations 2015*
- *Local Government (Governance and Integrity) Regulations 2020*
- *Local Government (Long Service Leave) Regulations 2012*
- *Local Government (Planning and Reporting) Regulations 2020*
- *Occupational Health and Safety Regulations 2007*
- *Planning and Environment (Fees) Regulations 2016*

- Planning And Environment Regulations 2015
- Public Health and Wellbeing Regulations 2009
- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010
- Road Management (General) Regulations 2016
- Road Safety (Road Rules) 2009
- Road Management (Works and Infrastructure) Regulations 2015
- Road Safety (Vehicles) Regulations 2009
- Road Safety (Traffic Management) Regulations 2009
- Subdivision (Fees) Regulations 2016
- Subdivision (Procedures) Regulations 2011

Local Laws

- Amenity Local Law
- Amenity Local law – Administrative Policy Guidelines
- Meeting Procedure Local Law 2017
- Infrastructure Assets Local Law
- Prohibition of Fireworks Local Law 2019

A review of the Amenity Local Law and Infrastructure Assets Local Law will commence in 2021.

Requirements of the *Local Government Act 2020*

The following documents were adopted by Council on 25 August 2020, in accordance with the requirements of the *Local Government Act 2020* and unless replaced will apply beyond the review date of August 2024.

- Governance Rule – Decision-making Policy
- Governance Rule – Election Period Policy
- Governance Rule – Election of Mayor and Deputy Mayor
- Governance Rule – Meeting Procedure
- Governance rule – Procedure of Disclosure for Conflict of Interests
- Public Transparency Policy

Statement 2 - Categories of Documents

Freedom of Information Act 1982, Section 7(1)(a)(ii)

Section 7(1)(a)(ii)

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

Information Management System

Council's EDRMS – Content Manager came into operation in February 2021. Content Manager is the single repository for all documents produced by Council and incoming correspondence.

Previously Council operated Sharepoint as its document management system. Sharepoint was decommissioned in February 2021, with all records and those from the previous Infovision system transferred to Content manager as Legacy Records.

Other Records

In addition to the centralised records system several service units maintain their own hard copy and electronic records including but not limited to:

- Home and Community Care – client files
- Children's Services and Maternal & Child Health - client files, including immunisation records
- Finance Unit – accounts/receipts
- Infrastructure – parks and gardens and other infrastructure maintenance, plans and drawings and maps,
- Geographic Information on GIS
- Governance Unit – registers containing original and copies of Council Minutes
- Rates, Finance, Planning and Building – Pathway is the current operating system
- All units – standard operating procedures and records

Retention schedules apply to documents held by Council in accordance with the *Public Records Act 1973*.

Historically there were 5 types of files maintained by the Corporate Information Team

1. Subject Files

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

These files have now been scanned and located under the Legacy area in SharePoint.

Subject Files in hard copy have ceased to exist.

2. Street Files

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

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

These files have now been scanned and located under the Legacy area in SharePoint.

Street Files in hard copy have ceased to exist.

3. Property Files

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

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

These files have now been scanned and located under the Legacy area in SharePoint.

Property Files in hard copy have ceased to exist.

4. Contract Management Files

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

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

These files have now been scanned and located under the Legacy area in SharePoint.

Contract Files in hard copy have ceased to exist.

5. Vital Record Holdings

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

- Council Titles
- Leases
- Agreements
- Contracts

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

6. Other unit specific files

- Building Files contain all the relevant information relating to building of a property. Building files do not contain any information that would have been stored under the Property file;
- Planning Files contain all the relevant information relating to the planning of a property. Planning files do not contain any information that would have been stored under the Property file;
- Recruitment Files: Files managed internally by the Human Resources; and
- Personnel Files: Files managed internally by the Human Resources.

7. Secondary Storage and Archived Records

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

All files and archives that are stored offsite are recorded and tracked via Infovision, spreadsheets as well as Grace Information Management's Systems.

8. Other file type records

Council uses many other programs to manage programs and store records relating to for example, finance, assets, maternal child health and volunteers. Some examples of programs used by Council are:

- Pathway
- SharePoint
- InfoVision
- Rapid Asset
- SMEC
- Expedite
- CareLink
- IRIS
- JD Edwards
- Power Budget (Magic)
- Fleet Mex
- AssetMap
- QGIS
- Aurion
- Contract eTender
- Pinforce
- eLumina
- VM2020
- Open Cities

Principal Records

Documents maintained in the possession of Council include:

- Abandoned or dumped cars
- Access – Land Use
- Accident reports
- Accounts payable/receivable
- Accreditation
- Acquisition – (Procurement) equipment, land, fleet, furniture, IT, property
- Acquisition & Disposal Notices
- Acts of Parliament
- Addresses – Speeches
- Administrative Reporting
- Advertising
- Advisory Committees/Groups
- Aged & Disability and Aged Care
- Agency Wide Policy/Procedures
- Agreements
- Allowances – Councillors
- Allowances – Staff
- Amalgamations
- Animal Management incl permits, complaints, registration, attacks, de-sexing
- Annual Budget
- Annual Reporting
- Annual Statements of Accounts
- Applications – development, enrolments, services, burning off, grants, voters lists, heritage building, pensioner rebates, road funding, septic tanks, sporting ground, temporary food premises
- Appointments – members of committees, Council elections, government relations
- Approved point of discharge – drainage
- Asbestos
- Asset Management
- Audit Committee
- Australia Day – awards, nominations, celebrations, meetings, permits, committee
- Australia Post
- Australian Bureau of Statistics
- Authorised Officers
- Awards – community, industrial, local government, staff
- Ballot papers
- Banking – fees, cards, guarantees, debit tax, reconciliation, statements
- Bankruptcy notices
- Banners
- Benchmarking
- Best Value Reporting
- Billboards – roadside advertising permits
- Bins – new, payments, requests, replacement
- Birth Notices
- Bookings – halls, reserves
- Boundaries – amalgamation, Councils, electoral, review
- Building – applications, compliance, Council buildings, final inspections, Form 10, MBS requests, appointments, occupancy permits, levy returns, public commercial buildings, notices
- Building permits – extension, register, permits, complaints, enquiries, specifications
- Bushfires
- Business Classification Schemes
- Business Process Mapping – ProMapp
- Business Registrations – food
- Business Unit Plans
- Campaign Donation Returns – Elections
- Candidates – electoral
- Capital Works – budget, progress
- Car parks
- Car registrations
- Carers – agreements, payments
- Cash – records, ledgers, rebates
- Catering
- Celebrations, Ceremonies and Functions
- Cemeteries
- Ceremonies
- Certificates – Occupancy, food handling, sick leave, training, animal registration
- Charitable Organisations
- Cheques – cancelled, dishonoured, stopped
- Child Care
- Cigarettes – retailers/inspections
- Circulars
- Citizen of the Year Award
- Citizenship ceremonies
- Civic events

- Claims – Industrial relations, public liability insurance, vehicle insurance, workers compensation
- Cleaning inspections
- Client Files
- Closures – roads
- Code of Conduct - Staff and Councillors
- Committees of Management – halls and reserves, membership. Minutes, accounts
- Common boundary fencing
- Common seal – register of use
- Community Bulletins
- Community Group of the Year Award
- Community Plans
- Community Resource Guide
- Community Services
- Compensation – legal, OH&S
- Complaints
- Complaints – air pollution, health, animal control, general, noise, graffiti, ombudsman, routine, street lighting OH&S
- Compulsory fire clearances
- Compulsory land acquisitions
- Computers – use of
- Conferences – arrangements, attendance, catering, duplicates, invitations, staff development, reports
- Confirmation of ownership (rates) Notices of Acquisition and Notices of Disposition
- Conflict of Interest Register
- Conservation – information management, property
- Construction – Council owned buildings
- Construction of Council assets
- Contaminated Land
- Contract Management Guidelines – OH&S
- Contract Payment Summaries
- Contractor registers
- Contracts – summary of tenders, register
- Council buildings – building of, construction and maintenance
- Council buildings – general, use
- Council elections – applications for enrolment, appointments, ballot papers, campaign donations, candidates, counting of votes, declarations, donations, extraordinary, failure to vote, final results, how to vote cards, late returns, list of non-voters, nominations, non-voting excuses, notices of appointment, candidature, organisation, polling booths, postal votes, prosecutions, publicity, results, returning officer, polls, eligibility, voters list, voters roll, infringements
- Council facilities – fees and charges, memberships
- Council Meetings – Agendas and minutes
- Council meetings – submissions, agenda, deferred items, invitations, minutes, notices, notices of motion, questions, reports
- Council owned land
- Council Plans – development, copies
- Councillor Communications
- Councillors – allowances, entitlements, functions, general, handbook, invitations, orientation, register of interest
- Credit notes
- Crossovers – inspections, enforcement
- Customer Experience Strategy
- Customer Service – developing strategies, information management, telecommunication equipment, telephone calls
- Daily work sheets – Operations Centre
- Dangerous dogs – notification, records, registration
- Database management
- Debt collection
- Debtor listings, reports and collection
- Deceased Animal – animal registration
- Delegations of Authority
- Delivery dockets
- Demolition documents and permits
- Depot Works After Hours requests
- Depreciation
- Development Plan – Strategic Planning
- Development Plans – planning
- Dial before you dig
- Digital signatures
- Direct debit
- Disabled Parking Permits
- Discontinued Roads
- Disposal – fleet, property, equipment, stores, IT, telecommunication equipment
- Donations and grants
- Drainage – building, cleaning construction, maintenance
- Dumped rubbish, litter,
- Early Years
- Easements – creation
- Economic Development
- Education – pet ownership
- Elections – Council, advertising, appointments
- Electoral boundaries – establishment, reviews
- Emergency Management – community education support, planning, response, plans, support
- Employment enquiries
- Enforcement – animal management, elections, food, illegal dumping, littering, planning permits, rates, traffic

- Enquiries – fencing, planning, public reaction, submissions and complaints
- Enterprise Bargaining Agreements
- Environment – pest control
- Environment Grants
- Events – invitations, permits, support media
- Excess animal permits
- Executive Management Team – Meetings
- Exhibitions
- Expressions of interest – tenders
- External committees
- External Committees – Agendas and minutes
- Family Day Care
- Fencing
- Festivals
- Financial Receipts and Statements
- Fire Hydrants – installation, markers
- Fire prevention – enforcement, notices
- Fire Wardens
- First Aid – registers, kits, usage,
- Fleet management
- Flood Level Certificates
- Food – business registration, enforcement, handling certificates, poisoning, premises applications, audits, inspections, recall notices, regulations, safety plans, sampling, selling at events, stalls, transport vehicles
- Footpaths – complaints, trading, building of, enforcement, inspections, maintenance
- Forms
- Freedom of Information registers and requests and documents
- Fringe Benefit Tax (FBT) – Council and personnel
- Funding
- Fundraising
- General Ledgers
- Goods and Services Tax (GST)
- Government wide policy
- Graffiti – inspections, complaints, removal
- Grants – Applications -
- Green Waste collection
- Hairdressers – complaints, registration, applications
- Halls – bookings, cleaning
- Handbooks – Councillors
- Hard waste collection
- Hazardous substance/waste
- Health Inspection reports
- Health Premises
- Heritage Buildings – Amended Applications, applications, final inspection, notifications, occupancy permits
- Home and Community Care – applications, assessment, funding, services, funding,
- Illegally Dumped Waste – Collection
- Immunisations
- Impounded Vehicles
- Impounding Animals & Notices
- Induction Courses
- Infectious Disease
- Infringement Appeals – Cat and dog Registration
- Infringement Appeals – Parking
- Insurance – Property, fleet, claims, renewals, policies, professional indemnity, public liability
- Interest Generated – Rate Reports
- Internal Meetings – Agendas and minutes, reports, submissions
- Investments
- Invoices
- Job Advertisements
- Job Safety Analysis – OH&S
- Job Safety Analysis – Worksheets
- Kennel Registration and compliance
- Kerb and Channel – Maintenance
- Kindergarten Applications and Enrolments – Summary Records, placement officers
- Land – Exchange of Ownership – Roads
- Land – Purchase and sales
- Land Information Certificates
- Land Tax
- Landfill Sites – Operational Management, rehabilitation, security, water management
- Landslip Reports
- Leasing
- Legal Advice
- Legal Services
- Legislation – Government Relations
- Legislation – Liaison - Direct relation to Council
- Leisure Centres
- LGPA Local Government Town Planners Group
- Library services
- Licence – Liquor
- Licence – Telecommunication Equipment
- Littering – Enforcement
- Livestock – Destruction / Putting Down
- Local Laws
- Magazine – Subscription
- Mail Management
- Maintenance – Equipment and Stores
- Maintenance – Fleet Management
- Maintenance – Playground Equipment
- Maintenance – Playground Graffiti
- Maintenance – Property
- Maintenance – Service Infrastructure
- Maintenance – Telecommunication Equipment

- Maintenance of Council assets
- Maintenance Records – Vehicles
- Marketing
- Master Control Records
- Material Safety Data Sheets
- Maternal & Child Health
- MCH
- Meals on Wheels
- Media requests and relations
- Member Organisations
- Memberships – Council Facilities
- Memberships – To external Organisations
- Memorandums of Understanding
- Memorials
- Metadata
- Microchipping
- Municipal Association of Victoria
- Name and Address Amendment – Ratepayers
- Names – Roads and streets
- NAR Forms – Ratepayers
- Nature strip
- Needle / Sharps / Syringes
- New Residents Kits
- New Title Details
- Noise – Complaints
- Notice Boards – Community
- Notices of Motion – Council Meetings
- Notices to comply
- Notification of Appointment
- Occupancy Permits – Building, classes 1b, 3a-f, Class 5, class 6a-d, Class 7b, Class 8, Classes 9a-c, heritage buildings and temporary building
- Occupational Health & Safety – air testing, audits, committees, computers, contract management, contractors, hearing tests, job safety analysis, noise assessment, routine workplace inspections and incident reports
- Ombudsman – Complaints and correspondence
- Orders Notices & Certificate Files
- Outstanding Balance Reports - Rates
- Parking – Complaints and infringements
- Parking Permits – Disabled
- Parks – Planning
- Payments – development contributions
- Payroll
- PBS Private Building Surveyor
- Penalties – Failure to Vote Council Elections
- Pensioner – Concessions and rebates
- Permits - Animal
- Permits – Australia Day Celebrations
- Permits – Burn off
- Permits – Collecting Money for Charity
- Permits – Demolition
- Permits – Excess Dogs / Cats
- Permits – Festivals
- Permits – Fire
- Permits – Roadside Advertising
- Permits – Roadside Signage
- Permits – Roadside Trading
- Permits – Statutory Registers of Building Permits
- Permits – Tree – Removal
- Permits – Vehicle Crossing
- Personnel files
- Pest Control – Environmental
- Petitions – Register
- Petty Cash Records
- Photos – Permissions to use
- Piggeries – Applications
- Planning – General Enquiries
- Planning – Studies
- Planning Permit – Prosecutions
- Planning Permit – Revocations
- Planning Permits - Appeals
- Planning Permits – Enforcement
- Planning Permits – Liaison
- Planning Permits – Register
- Planning Scheme – Amendments
- Planning Scheme – Delegations
- Planning Scheme – General
- Planning Scheme – Legislation
- Planning Scheme – Rezoning – Approved – No Scheme Amendments
- Planning Scheme – Rezoning – Approved – Scheme Amendments
- Planning Scheme – Rezoning – Not Approved
- Planning Scheme – Rezoning – Revoked
- Plaques – Memorial
- Policy – Administration
- Postal Votes – Council Elections
- Pound
- Preschool – All records
- Press Releases
- Privacy – Information Management
- Procedures
- Project Management
- Property – Rental
- Property – Valuations
- Prosecutions – Local Laws
- Public Toilets
- Publications
- Publications – Articles, copyright, corporate style,
- Publicity – Advertising, elections, liaison
- Purchase – Orders
- Questions – Council Meetings

- Quotes
- Rates – Abandonments
- Rates – Certificates, change of address details, deferment, direct debit audit reports, enforcement, establishing rates, farmland, farmland classifications, general, liaison, interest generated, legislation, non-rateable properties, outstanding balance reports, payment audit reports, payments direct debit, payments, outstanding penalties, property owners, rating rounds, refunds, reports, sale of properties, separate, special charge schemes, Title searches
- Recall – Food / Product Notifications
- Receipts Reports - Committee Meetings
- Receivership Notices
- Reconciliation – Bank
- Record Management Systems
- Recruitment
- Refunds – Rates
- Register – Authorised Officers
- Register – Planning Permits
- Register – Security Pass
- Register – Tenders Received
- Registration – animal
- Registration – Fleet Vehicles
- Registration – Food Business
- Remuneration Registers
- Rental – Council owned
- Renting – by Council
- Renting – from Council
- Representations Representatives - OHS
- Requests – Building Information Request from a Building Surveyor
- Requests – House Plans
- Requests – Information - General
- Requests – Invoices
- Resurfacing – Infrastructure Maintenance
- Retaining Walls
- Returning Officer Correspondence
- Risk Management – OHS
- Risk Management – Strategic Management
- Road Funding
- Road maintenance – Grading
- Roads – Accident Reports
- Roads – Building of
- Roads – Closure Permits for Public Events
- Roads – Closures
- Roads – Closures - Discontinuations
- Roads – Closures - Events
- Roads – Construction
- Roads – Discontinued
- Roads – Exchange of Land Ownership
- Roads – Improvements - Maintenance
- Roads – Maintenance
- Roads – Maintenance - Work Requests
- Roads – Maintenance, Road Opening Permits
- Roads – Reserve Permit
- Roads – Signs
- Roads – Speed Limits
- Roads – VicRoads – Claims
- Roads – VicRoads Funding
- Roadside Advertising – Permit
- Roadside Signage – Permit
- Roadside Signs – Permits
- Roadside Trading – Permits
- Rosters – Home Care
- Rubbish – Collection
- Salaries – Payment Processing
- Sales Tax
- School Crossing Supervisors
- School Crossings
- Security – Equipment and Stores
- Senior Citizen of the Year Award
- Septic Tanks
- Service Requests
- Sewage
- Smoking – Restrictions
- Social Clubs – Staff Development
- SPAM
- Special Charge Schemes
- Special Charge Schemes
- Speeches
- Sporting Facilities – Hire
- Sports Ground – Hire and Maintenance
- Sports Ground Pavilion Inspections
- Staff development
- Staff Meetings
- Statutory Council Meetings
- Strategic Management
- Strategic Planning
- Street – Lighting
- Street – Tree Planting
- Street Numbering
- Street Stalls – Permits
- Structural Maintenance – Public Buildings
- Study Leave
- Subdivision Files
- Submissions – Council Meetings
- Submissions – Government Relations
- Subpoenas – Legal Discovery Process
- Subscriptions
- Subsidies
- Summary of Tender Contracts
- Sundry Debtors
- Supplementary Valuations
- Supplementary Valuations – Details
- Surveys

- Swimming Pool – Council facilities
- Swimming Pool – Residential
- Tax – Land
- Temporary Food Applications
- Tendering/Procurement
- Tennis Courts – Building of
- Thank you letters
- Title Search
- Tourism – General
- Town Planning
- Traffic – Counts
- Traffic – Management
- Traffic Signals
- Training – Attendance / Certificates
- Training – Material
- Transfer of Land
- Transfer of Ownership – Animal Registration
- Travel Register
- Tree – Removal – Permit
- Tree Lopping – By Council Staff
- Tree Planting – Streets
- Trust Accounts – Audit – Major Changes
- Unsightly Premises
- Usage – Vehicle Reports
- Valuations - General
- Vehicle – Fleet
- Vehicle infringements
- Vic Roads
- Volunteer of the Year Award
- Volunteers
- Waste Collection
- Waste Management
- Water
- Water Accounts
- Water Authority – Notice of Access
- Wedgetails
- Weeds – Management
- Work Orders
- Workplace Agreements
- Young Citizen of the Year Award

Statement 3 - Freedom of Information Arrangements *Freedom of Information Act 1982, Section 7(1)(a)(iii),(v),(vi)*

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.

Freedom of Information

What is Freedom of Information?

The FOI Act gives the public a legal, right of access to documents held by Ministers, State Government departments, Local Councils, and public sector agencies.

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.

What Information is available?

Any person has a right to apply for access to documents held by Council, which are covered by the FOI Act.

This includes documents created by Council, and documents supplied to Council by an external organisation or individual.

You can apply for access to documents regardless of the age of the documents, and other documents held by Council, not older than 1 January 1989 unless the request is for a document about the applicant within the meaning of section 33 of the FOI Act.

Do I need to use Freedom of Information to access documents?

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

Information which you may obtain without an FOI application includes information which is available publicly, such as on a public register and information which is available for purchase or documents listed in Council's Public Transparency Policy.

How do I make a request under Freedom of Information?

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

Applications under FOI must be in writing, stating very clearly the specific information that you are requesting and include the application fee which is not refundable. Application fees and Access Charges are calculated in accordance with the Freedom of Information (Access Charges) Regulations 2014.

How long does it take to receive documents under Freedom of Information?

The timelines for processing a Freedom of Information request are governed by the FOI Act.

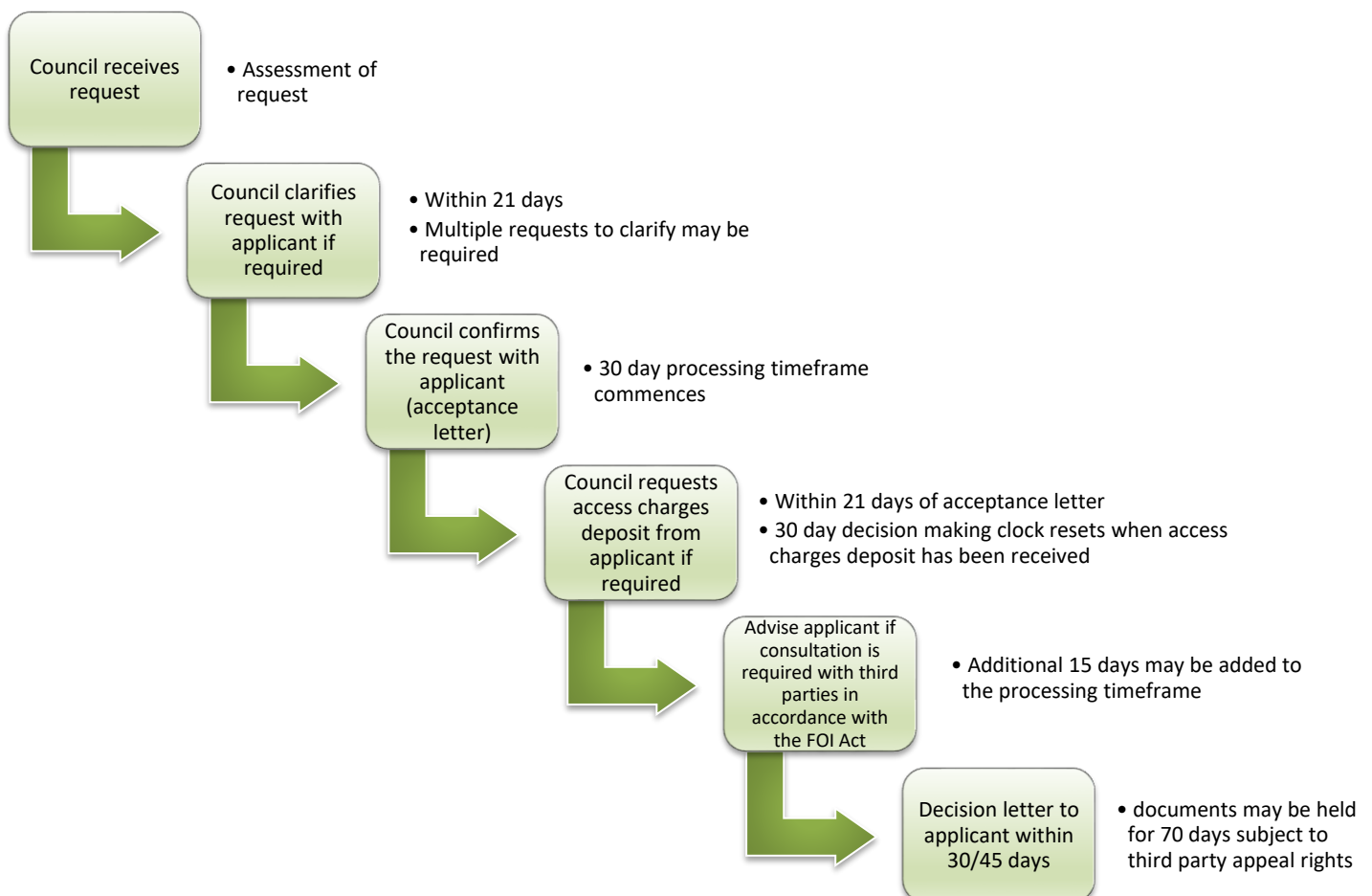
A decision must be made as soon as possible but within 30 days when a request is valid in accordance with section 17 of the FOI Act. The 30 day timeframe may be extended by 15 days when consultation is required in accordance with section 21(2)(a) of the FOI Act.

Section 21(2)(b) of the FOI Act allows for the timeframe to be extended by a period of not more than 30 days, if agreed to the applicant.

Part 1B – section 6U(1) of the FOI Act allows for the Information Commissioner to develop professional standards that Council must comply to. The professional standards that came into effect on 2 December 2019 outline additional timeframes in which Council must:

- seek to clarify a request that does not comply with section 17 of the FOI Act; and
- request an access charges deposit

Timeline for processing a Freedom of Information request



Freedom of Information overview

The FOI application form is available on Council's [website](#), or can be requested from the FOI Officer. Completing the FOI form is not a mandatory requirement. A request can be accepted in any written form.

Applications may be sent to:

Freedom of Information Officer
Nillumbik Shire Council
PO Box 476
Greensborough Vic 3088
Email: foi@nillumbik.vic.gov.au

Or alternatively be made at Council's Customer Service Centre:

Nillumbik Shire Council
14 Civic Drive
Greensborough Vic 3088

The application fee current as at 1 July 2021 is \$30.10. This fee is reviewed each year and may vary from 1 July 2022.

Unless all requirements are met in accordance with section 17 of the FOI Act, there is no valid request for access. The 30 day timeframe within which a decision must be made on a request does not commence until the request complies with section 17 of the FOI Act.

If payment of the application fee is deemed to cause financial hardship it may be waived or reduced. If applicants are seeking a fee waiver or reduction the request must be in writing with written evidence supporting their claim.

The FOI officer will send applicants an acknowledgement letter and process a valid request within 30 days as stipulated in the FOI Act. Where the decision is to refuse in full, partially grant, or defer access, the applicant will be notified in writing of the reason for refusal, partial access or deferral.

What information is not available?

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

The FOI Act sets out a number of situations in which a Council may refuse a person access to the documents he or she has requested. The main exemptions are requests for documents which:

- Affect the personal affairs of another person
- Contains information of a business, commercial or financial nature
- Which would undermine law enforcement
- Contains information supplied in confidence.

'Personal Affairs' includes the name and/or address of somebody who is not the applicant. For example, where an applicant may wish to know the name and address of a complainant, this may be considered to be exempt material under section 33 of the FOI Act or section 38 of the FOI Act in conjunction with section 125 of the *Local Government Act 2020*.

Documents may be deemed 'exempt' documents. In some cases you may be refused access to an entire document. Alternatively, you may be given access to a document with exempt information deleted.

An application may also be refused if it is considered 'voluminous in nature', in that "it would substantially and unreasonably divert the resources of the agency from its other functions".

Additional charges

Section 22 of the FOI Act outlines the charges for access to documents that may be required to be paid by the applicant before access to a document is given.

Charges in accordance with the FOI Regulations can be applied to time spent searching for documents, and costs occurred for proving copies of documents.

If the estimated charge may be in excess of \$50, the agency must notify the applicant and inquire whether they wish to proceed with the request. If the estimated access charge is \$50-\$100, a deposit of \$25 may be required. Should the estimated access charges be in excess of \$100, a 50 per cent deposit may be requested. When estimated access charges exceed \$50, Council must if requested by the applicant discuss practicable alternatives to alter the request or reducing the anticipated charge.

Decision making – Responsible officers

Any officer of Council may receive a Freedom of Information request.

Officers requesting an Access Charges deposit and making decisions in relation to FOI requests are authorised to do so in accordance with section 26(1) of the FOI Act.

Right of appeal

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

Victorian Information Commissioner
Office of the Victorian Information Commissioner
PO Box 24274
Melbourne Vic 3001
Email: enquiries@ovic.vic.gov.au
Web: www.ovic.vic.gov.au
Telephone : 1300 006 842

Freedom of Information Authorised Officers:

- Emma Christensen – Senior Governance Advisor
- Janet Taylor – Governance Officer
- Blaga Naumoski – Executive Manager Governance, Communications and Engagement

All enquiries relating to Freedom of Information at Council should be directed to:

foi@nillumbik.vic.gov.au;

Freedom of Information Officer
Nillumbik Shire Council
PO Box 476
Greensborough Vic 3088; or
Telephone: 9433 3111

Statement 4 - Publicity Material

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

Section 7(1)(a)(iv)]

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

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

Annual Budget

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

Annual Report

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

Council Plan

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

Policies and Strategies

Council has adopted a number of policies and strategies to help guide decisions and to achieve outcomes and goals. All adopted strategies and policies are located on Council's website under, [Strategies, policies and legislation](#).

Nillumbik News – Council's quarterly publication

Mailing lists and subscriptions – more information is available on Council's [website](#) or by contacting the relevant program area.

- Arts and Culture
- Ageing Well in Nillumbik
- Business in Nillumbik
- Community Connect
- Edendale
- Environment
- Inclusion
- Rec Round Up
- School Wrap Up

Other Documents

Documents Council has a legislative requirement to make available to the public are set out below.

Record	Type	Compliance	Section	Act	Access	Location of Access	Contact person or program area
Public Health & Wellbeing Plan	Document	Duty to make copy of current municipal public health and wellbeing plan available for public inspection	s.26(7)	<i>Public Health and Wellbeing Act 2008</i>	Public	Council offices Council website	Social Planning and Policy Officer
Delegations	Register	(8) A Council must keep a public register of delegations made under this section.	S11(8)	<i>Local Government Act 2020</i>	Public	Council offices Council website	Governance
Campaign Donation Returns	Register	(2) The Chief Executive Officer must ensure that, within 14 days after the period specified in section 306(1), a summary of each election campaign donation return given to the Chief Executive Officer under section 306 is made available on the Council's Internet site. (3) If an election campaign donation return is given after the end of the period specified in section 306(1), the Chief Executive Officer must ensure that a summary of the return is made available on the Council's Internet site.	S307(2) and (3)	<i>Local Government Act 2020</i>	Public	Council offices Council website	Governance

Record	Type	Compliance	Section	Act	Access	Location of Access	Contact person or program area
Personal Interest Returns	Summary	(3) The Chief Executive Officer must— (a) publish the summary of personal interests on the Council's Internet site; and (b) ensure that the summary of personal interests is available for inspection at the Council office.	S135(3)	<i>Local Government Act 2020</i>	Public	Council offices Council website	Governance
Making a Local Law	Document	The Council must ensure that— (a) a copy of the proposed local law; and (b) an explanatory document setting out prescribed details in relation to the local law— is available for inspection at, and obtainable from, the Council office during ordinary business hours.	s.119 (2A)	<i>Local Government Act 1989</i>	Public	Council offices Council website	Program area
Local Law	Document	(1) A Council must print copies of every local law which is in force in its municipal district. (2) A Council must ensure that a copy of every local law— (a) is available for inspection at the Council office during the Council office's office hours; and (b) can be purchased on demand at the Council office during the Council office's office hours. (3) A Council must ensure that a copy of every document incorporated by a local law under section 112 is available for inspection at the Council office during the Council office's office hours.	s.120(1) (2) and (3)	<i>Local Government Act 1989</i>	Public	Council offices Council website	Program area

Record	Type	Compliance	Section	Act	Access	Location of Access	Contact person or program area
Making a Local Law	Document	(5) The Council must ensure that a copy of the proposed local law is available for inspection— (a) at the Council's office; and (b) on the Council's Internet site	S73(5)	<i>Local Government Act 2020</i>	Public	Council offices Council website	Program area
Local Law	Document	The Council must ensure that a copy of a local law made under section 74 is available for inspection— (c) at the Council's office; and (d) on the Council's Internet site	S75	<i>Local Government Act 2020</i>	Public	Council offices Council website	Program area
Differential Rates (forms part of Budget document)	Document	A Council which declares a differential rate must ensure that copies of the following information are available on its Internet website and for public inspection at the Council office— (a) the definition of the types or classes of land which are subject to the rate; (b) the objectives of the differential rate; (c) the rate and amount of rates payable in relation to each type or class of land and what proportion of the total rates and charges this represents; (d) any other information which the Council considers it necessary to make available.	s.161(3)	<i>Local Government Act 1989</i>	Public	Council offices, website and libraries	Finance
Procurement Policy	Document	A copy of the current procurement policy must be available for inspection by the public— (a) at the Council office; and (b) on the Council's Internet website.	s.186A (8)	<i>Local Government Act 1989</i>	Public	Council offices Council website	Procurement

Record	Type	Compliance	Section	Act	Access	Location of Access	Contact person or program area
Best Value (forms part of the Annual Report)	Document	Duty to ensure that the program for the application of the Best Value Principles is available to the public	s.208E (2)	<i>Local Government Act 1989</i>	Public	Council offices Council website	Business Performance
Register of Building, Occupancy Permits & Temporary Approvals	Register	Council required to keep a register of all building permits issued, and make the register available during office hours for any person to inspect free of charge.	s.31(2)	<i>Building Act 1993</i>	Public	Council offices	Building
Register of Occupancy Permits & Temporary Approvals	Register	Council required to keep a register of all occupancy permits and temporary approvals and amendments given to it and make the register available during office hours for any person to inspect free of charge.	s.74(2)	<i>Building Act 1993</i>	Public	Council offices	Building
Register of Orders	Register	Council required to keep a register of all emergency orders, building notices or building orders given to Council, and make the register available during office hours for any person to inspect free of charge.	s.126(2)	<i>Building Act 1993</i>	Public	Council offices	Building
Building Permits	Document	Duty to make documents available on request of owner or mortgagee or person authorised in writing by owner or mortgagee	r.50	<i>Building Regulations 2018</i>	Restricted - Owner or mortgagee	By request	Building
Neighbourhood Safer Places Plan	Document	Document Duty to publish and make available Neighbourhood Safer Places Plan	s.50F(4)	<i>Country Fire Authority Act 1958</i>	Public	Council offices Council website	Emergency Management

Record	Type	Compliance	Section	Act	Access	Location of Access	Contact person or program area
Dog & Cat Register	Register	Council required to keep a register of all registered dogs and cats, and make the register available during office hours for any person to inspect, upon payment of a fee fixed by Council. A person, upon payment of a fee fixed by Council, can make a record of the information contained in the registration of a dog or cat, or obtain a certificate from Council setting out all or any requested particulars in relation to the registration of a dog or cat.	s.18	<i>Domestic Animals Act 1994</i>	Public	Council offices	Community Safety
Food Safety Audits	Document	Council has a duty to ensure that information relating to costs of a food safety audit are available for inspection by the public	s.19U(4)	<i>Food Act 1984</i>	Public	Council offices	Environmental Health
Food Safety Audits	Document	Council has a duty to ensure that the method of determining a fee under subsection (3)(a) and the considerations that apply under subsection (4) are available for inspection by the public	s.19UA (5)	<i>Food Act 1984</i>	Public	Council offices	Environmental Health
Registration	Document	Duty to make available information held in records, free of charge, on request if Council is the registration authority	s.43(3)	<i>Food Act 1984</i>	Public	Council offices	Environmental Health
Freedom of Information Part II Statement	Document	The principal officer of an agency shall— (a) as from a date as soon as practicable after the commencement of this Part— (i) cause copies of all documents to which this section applies in respect of the agency to be made available for inspection and for purchase by members of the public;	s.11(2) (a)	<i>Freedom of Information Act 1982</i>	Public	Council offices Council website	Governance

Record	Type	Compliance	Section	Act	Access	Location of Access	Contact person or program area
Planning Scheme Amendments	Register	The planning authority that prepared an amendment and any person who is given a copy of an amendment under section 17(1)(a) or (c) must make the amendment, the explanatory report, any document applied, adopted or incorporated in the amendment and any accompanying agreement available at their respective offices during office hours for any person to inspect free of charge until the amendment is approved or lapses.	s.18	<i>Planning & Environment Act 1987</i>	Public	Council offices	Strategic Planning
Planning Scheme Amendment Submissions	Document	The planning authority must make a copy of every submission available at its office for any person to inspect during office hours free of charge until the end of two months after the amendment comes into operation or lapses.	s.21(2)	<i>Planning & Environment Act 1987</i>	Public	Council offices	Strategic Planning
Planning Scheme Amendments	Document	<p>(1) The planning authority may make the panel's report available at its office during office hours for any person to inspect free of charge at any time after the planning authority receives the report and must make it so available forthwith if—</p> <p>(a) the planning authority has decided whether or not to adopt the amendment ; or</p> <p>(b) 28 days have elapsed since it received the panel's report.</p> <p>(2) A report made available for inspection under subsection 26(1) must be kept available for inspection until the end of two months after the amendment comes into operation or lapses.</p>	s.26(1) and (2)	<i>Planning & Environment Act 1987</i>	Public	Council offices	Strategic Planning

Record	Type	Compliance	Section	Act	Access	Location of Access	Contact person or program area
Planning Scheme Amendments	Document	The Minister, each responsible authority and any person with whom a copy of an approved amendment is lodged under section 4G must make the copy and any documents lodged with it available at their respective offices during office hours for any person to inspect free of charge for two months after the amendment comes into operation and after that period on payment of the prescribed fee.	s. 4H	<i>Planning & Environment Act 1987</i>	Public	Council offices	Strategic Planning
Planning Scheme Amendments	Document	The Minister, the responsible authority and any person with whom an amendment is lodged under section 4G must keep a copy of the Victoria Planning Provisions incorporating all amendments to them and of all documents lodged with those amendments available at their respective offices during office hours for any person to inspect free of charge.	s.41	<i>Planning & Environment Act 1987</i>	Public	Council offices	Strategic Planning
Planning Scheme Amendments and schemes (approved)	Register	The planning authority, the Minister, the responsible authority and any person with whom a copy of an approved amendment is lodged under section 40 must make the copy and any documents lodged with it available at their respective offices during office hours for any person to inspect free of charge for two months after the amendment comes into operation and after that period on payment of the prescribed fee.	s.41	<i>Planning & Environment Act 1987</i>	Public	Council offices	Strategic Planning
Planning Scheme Amendments and schemes (approved)	Register	The Minister, the responsible authority and the municipal council, if it is not the responsible authority, must keep a copy of the planning scheme incorporating all amendments to it and of all documents lodged with those amendments under section 40 available at their respective offices for any person to inspect during office hours free of charge.	s.42	<i>Planning & Environment Act 1987</i>	Public	Council offices	Strategic Planning

Record	Type	Compliance	Section	Act	Access	Location of Access	Contact person or program area
Planning Permit Applications	Register	<p>(1) The responsible authority must keep a register containing the prescribed information in respect of—</p> <p>(a) all applications for permits; and</p> <p>(b) all decisions and determinations relating to permits.</p> <p>(2) The responsible authority must make the register available during office hours for any person to inspect free of charge.</p>	s.49(1) & (2)	<i>Planning & Environment Act 1987</i>	Public	Council offices	Statutory Planning
Planning Permit Applications	Document	<p>The responsible authority must make a copy of every application and the prescribed information supplied in respect of it available at its office for any person to inspect during office hours free of charge until—</p> <p>(a) the end of the latest period during which an application for review may be made under section 77, 79, 80 or 82 in relation to the application or the permit; or</p> <p>(b) if an application for review is made to the Tribunal within that period, the application is determined by the Tribunal or withdrawn.</p>	s.51	<i>Planning & Environment Act 1987</i>	Public	Council offices	Statutory Planning
Planning Permit Applications	Document	<p>The responsible authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.</p>	s.57(5)	<i>Planning & Environment Act 1987</i>	Public	Council offices	Statutory Planning

Record	Type	Compliance	Section	Act	Access	Location of Access	Contact person or program area
Planning Permit Applications	Document	The Minister and the responsible authority specified in the planning scheme must make a copy of every permit issued under section 97F available at their respective offices for inspection by any person during office hours free of charge.	s.97G (6)	<i>Planning & Environment Act 1987</i>	Public	Council offices	Statutory Planning
Planning Permit Applications	Document	The responsible authority must keep a copy of each agreement indicating any amendment made to it available at its office for any person to inspect during office hours free of charge.	s.179(2)	<i>Planning & Environment Act 1987</i>	Public	Council offices	Statutory Planning
Planning Permit Applications	Document	If a responsible authority considers any document under section 60(1A)(g) of the Act, before deciding on the application— (a) it must make a copy of the document available for inspection free of charge at its offices; and (b) if the land to which the planning scheme applies is within the municipal district of a municipal council that is not the responsible authority, it must give a copy of the document to the municipal council for the purpose of making the document available for inspection free of charge at the municipal council's offices.	r.25(a) and (b)	Planning & Environment Regulations 2015	Public	Council offices	Statutory Planning
Public Interest Disclosure Procedures	Document	Duty to make procedures established under s.58 available to the public and to staff and Councillors	s.59(4)	<i>Public Interest Disclosure Act 2012</i>	Public	Council offices Council website	Governance

Record	Type	Compliance	Section	Act	Access	Location of Access	Contact person or program area
Register of Public Roads	Register	A road authority must ensure that the register of public roads is available for inspection by members of the public free of charge, during normal business hours, at the place or places determined by the road authority.	s.19(5)	<i>Road Management Act 2004</i>	Public	Council offices	Infrastructure
Road Management Plan Review	Document	After a road authority has completed a review of its road management plan, it must— (a) produce a written report summarising the findings and conclusions of the review; and (b) make the report available for copying or inspection— (i) at the place where the road management plan may be inspected or obtained in accordance with section 55(1)(b) of the Act; or (ii) on an Internet site maintained by the road authority.	r.9(2)	Road Management (General) Regulations 2016	Public	Council offices	Infrastructure
Subdivision Permits	Register	Council has a duty to make a register available for inspection	r.33(4)	Subdivision (Procedures) Regulations 2011	Public	Council offices	Statutory Planning
Management Plan	Document	Duty to keep copy of approved management plan available for inspection	s.32H	<i>Water Act 1989</i>	Public	Council offices	

To arrange an inspection of any of the above documents, please contact the program area directly or Council's Governance Officer on (03) 9433 3271

Statement 5 - Rules, Policies and Procedures *Freedom of Information Act 1982, 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.*

This list incorporates documents, policies and procedures used by Council Officers as guidance for decision making processes.

Council is currently undertaking a review of current policies, procedures and guidelines. This list will be updated as required following this review process.

- Art Collection Policy 2014-2017
- Asset Management Policy and Strategy
- Asset Sale and Disposal Policy
- Biodiversity Strategy
- Build Over Easement Policy
- Building Asset Management Plan
- Climate Change Action Plan
- Community Engagement Policy
- Community Facility Guidelines (hire terms and conditions)
- Community Gardens Guidelines
- Community Gardens Policy
- Community Inclusion Policy for people with a disability
- Council Plan 2017-2021
- Councillor Code of Conduct
- Diamond Creek Major Activity Centre Car Parking Strategy Report
- Diamond Creek Major Activity Centre Structure Plan and Leisure Facilities Plan
- Disability Action Plan
- Domestic Animal Management Plan
- Domestic Waste Water Management Plan
- Drainage Asset Management Plan
- Drainage Design Guidelines
- Economic Development Strategy
- Edendale Farm Masterplan
- Election Period Policy
- Electric Line Clearance Management Plan [Statutory]
- Eltham Library Community Gallery Exhibitor Guidelines
- Eltham Lower Park Masterplan
- Eltham Major Activity Centre Car Parking Strategy Report
- Eltham Major Activity Centre Structure Plan
- Environmental Education Strategy
- Financial Hardship Policy
- Financial Sustainability Plan
- Fire Danger Period Policy
- Gambling Harm Minimisation Policy
- Governance Rule – Decision-making Policy

- Governance Rule – Election of Mayor and Deputy Mayor
- Governance Rule – Election Period Policy
- Governance Rule – Meeting Procedure
- Governance Rule – Procedure of Disclosure for Conflict of Interest
- Green Wedge Management Plan
- Guidelines for Community Events
- Health and Wellbeing Plan
- Heritage Strategy
- Human Rights and Responsibilities Guidelines
- Indoor Stadium Pricing Policy
- Information Privacy Policy
- Integrated Water Management Strategy
- Integrating Child, Youth and Family Services Strategy
- Invasive Species Action Plan
- Leisure Facilities Style Guidelines
- Lifetime Play Strategy
- Municipal Emergency Management Plan [Statutory]
- Municipal Fire Management Plan
- Nillumbik [Recreation] Trails Strategy
- Nillumbik Community Fund Annual Grant Guidelines
- Nillumbik Community Fund Quick Response Grant Guidelines
- Nillumbik Destination Management Plan
- Nillumbik Integrated Transport Statement
- Nillumbik Major Activity Centres: Sustainable Transport Study and Strategy
- Nillumbik Planning Scheme – including Municipal Strategic Statement, Zones, Overlays, Local Policies
- Nillumbik Soccer Strategy
- Northern Regional Trails Strategy [Multi-council strategy]
- Open Space Strategy
- Positive Ageing Strategy
- Procurement Policy and Guidelines
- Public Lighting Policy
- Public Transparency Policy
- Rates Debt Collection Policy
- Rating Strategy
- Recreation Strategy
- Reserve Asset Management Plan
- Road Asset Management Plan
- Road Management Plan [Statutory]
- Roadside Management Plan
- Sportsground Lighting Strategy
- State Government Guidelines for the Community Building Program (MetroAccess)
- Stormwater Management Plan
- Strategic Resource Plan [Statutory]
- Tourism Marketing Strategy (Artesian Hills)
- Tree Management Policy
- Vehicle Crossing Policy
- Volunteering Development Strategy

Statement 6 - Report Literature
Freedom of Information Act 1982, Section 11

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

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

The search engine on Council's website can assist in the location of certain documents. If assistance is required you may contact the relevant program area through the Customer Experience team (03) 9433 3111 or the Governance area (03) 9433 3718.