

Maroondah City Council

Freedom of Information Act 1982

Part II Statements

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Purpose of Part II Statements

The purpose of the *Freedom of Information Act 1982 (Vic)* (FOI Act) is to ensure that individuals and organisations can effectively exercise their right to obtain access to relevant government information/or documents. Section 7 of the Act specifies that Council provides information about:

- The set of statements which Maroondah City Council must publish describing its powers and functions.
- The documents and information maintained.
- The ways in which people can view or access copies of the above.

Statements

Maroondah City Council has compiled a series of Freedom of Information Statements where information may be accessed about:

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

Statement 1 - Organisation and Functions of Council

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

The role and function of local government

Purpose of Council

The purpose of local government is to provide a system under which Council's perform functions and exercise the powers conferred on them by, or under the *Local Government Act 2020*, along with any other Acts which relate to the peace, order and good government of their municipal districts.

A Council consists of a number of Councillors who are democratically elected in accordance with the Act.

Council has responsibility for managing over a 120 different functions, activities and services. Some of these include:

- Aged and Disability Services
- Animal Management
- Arts and Cultural Services
- Asset management
- Building Services
- Bushland and parks maintenance
- Business support
- Community development
- Facilities Management
- Engineering services
- Emergency management
- Immunisation services
- Land use planning
- Leisure and recreation facilities
- Library services
- Local laws
- Maternal and child health services
- Open space planning and facilities
- Public health services
- Roads, footpaths and drainage
- Traffic and transport planning
- Waste management
- Youth and children's services

Role of Council

A Council is elected to provide leadership for the good governance of the municipal district and the local community. Maroondah City Council takes pride in our role supporting and leading our community. Our role includes:

- Delivering services that meet the needs and expectations of the Maroondah community.
- Advocating on behalf of community needs to other levels of Government.
- Facilitating the delivery of outcomes by working partnership with residents, businesses, community organisations and key stakeholders.

Functions of Council

The *Local Government Act 2020* gives effect to section 74A(1) of the *Constitution Act 1975* which provides that local government is a distinct and essential tier of government consisting of democratically elected Councillors (Council) having the functions and powers that the Parliament considers are necessary to ensure the peace, order and good government of each municipal district.

Section 8 of the *Local Government Act 2020* prescribes the role of a Council as providing a good governance in its municipal district, for the benefit and wellbeing of the municipal community.

In performing its role, a Council may:

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

If it is necessary to do so for the purpose of performing its role, a Council may perform a function outside its municipal district.

Authority of Council

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

About Maroondah City Council

Our history

The Wurundjeri Woiwurrung People of the Kulin Nation are the Traditional Owners of the land now known as the City of Maroondah. The Wurundjeri People have a deep spiritual connection to the land and waterways, and a unique ability to care for Country.

European settlers began arriving in the area from the 1830s and started using the land for grazing cattle. The original Ringwood village emerged in the mid to late 19th century, following the initial sale of land and the local proliferation of grazing, fruit growing, antimony mining and brick making activities. The Borough of Ringwood was proclaimed in 1924 and the Shire of Croydon was declared in 1961.

The City of Maroondah was formed on the 15 December 1994 by the amalgamation of the former Cities of Ringwood and Croydon, as well as parts of the former Shire of Lilydale and the former City of Doncaster and Templestowe. The name 'Maroondah' is an Aboriginal word that means 'throwing' and 'Maroon' means 'leaves' reflecting the green environment of the city.

Our location

The City of Maroondah covers a land area of 61.4 square kilometres in Melbourne's outer east, 22 kilometres from Melbourne's central business district. The City of Maroondah comprises of the suburbs of Bayswater North, Croydon, Croydon Hills, Croydon North, Croydon South, Heathmont, Kilsyth South, Ringwood, Ringwood East, Ringwood North and Warranwood. The city also includes small sections of Kilsyth, Park Orchards, Vermont and Wonga Park

As of the 30th June 2023, the estimated resident population for the City of Maroondah was 117,434, with a population density of 1,913 persons per square kilometre.

Contacting Council

Postal address:

PO Box 156

Ringwood VIC 3134

Phone: 1300 882 233 or (03) 9298 4598

Email: maroondah@maroondah.vic.gov.au

To communicate with Council in a language other than English, please call our Telephone Interpreter Service (TIS) on 131 450 and ask to be connected to Maroondah City Council. Alternatively, please visit <https://www.tisnational.gov.au/>.

Service Centres

Realm

Ringwood Town Square (opposite Ringwood Station)

179 Maroondah Highway

Ringwood 3134

Croydon Service Centre

7 Civic Square

Croydon 3136

Library locations

The City of Maroondah has two major libraries - Realm in Ringwood and the Croydon Library. Both Ringwood and Croydon libraries are managed by Your Library Ltd and include library services across Maroondah, Knox and the Yarra Ranges.

Both libraries offer:

- A wide range of print, audio and video materials for on-site reference and for loan
- Internet access
- Business information collection
- Pre-school story times for young children
- Holiday activities for school children
- Book clubs
- Community programs for adults

Croydon Library

Civic Square, Mount Dandenong Road, Croydon

Phone: 9800 6448

Monday to Friday 9am-8pm

Saturday 9am-4pm

Sunday 1pm-4pm

Realm

Ringwood Town Square, 179 Maroondah Highway, Ringwood (opposite Ringwood Station)

Phone: 9800 6430

Monday to Friday 9am-8pm

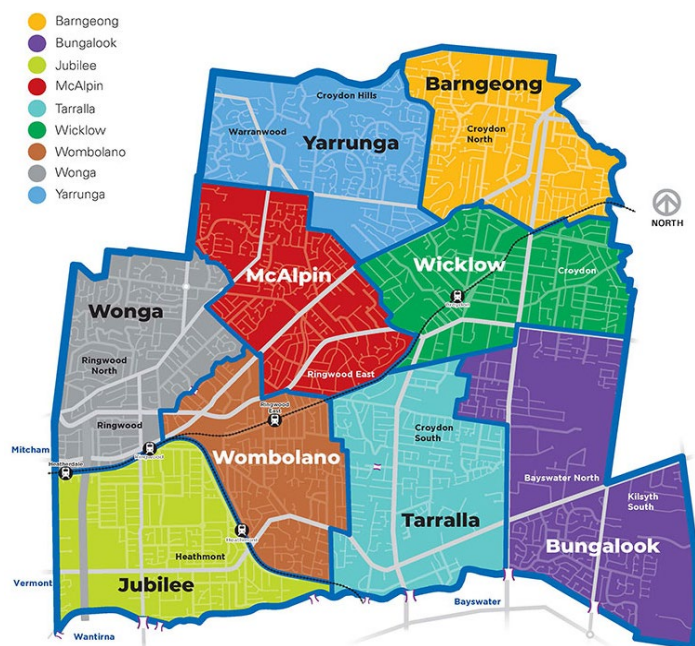
Saturday and Sunday 10am-5pm

The governance of Council

Council Wards

Local Government is the level of government closest to the community. It creates the foundation for democracy and accountability at a local level. Local Councils govern, provide services and advocate.

Maroondah City Council has nine (9) single member wards: Barnegeong, Bungalook, Jubilee, McAlpin, Tarralla, Wicklow, Wonga, Wombolano and Yarrunga. Each ward is represented by one councillor, with a total of nine elected councillors.



Role of Mayor

A Mayor is elected by the Councillors, typically for a one-year term. The role of Mayor is significant as they are the leader and spokesperson of Council. The Mayor performs an important leadership, social and ceremonial function and chairs all Council meetings. Key functions of the Mayor are to:

- chair Council meetings and other meetings of Council where the Mayor is present;
- lead regular reviews of the performance of the CEO;
- promote behaviour among Councillors that meets the standards of conduct set out in the Councillor Code of Conduct;
- assist Councillors to understand their role;
- provide advice to the CEO when the CEO is setting the agenda for Council meetings;
- perform civic duties on behalf of the Council;
- report to the municipal community on the implementation of the Council Plan;
- lead engagement with the municipal community on the development of the Council Plan;
- be principal spokesperson for the Council.

Mayors also have the power to:

- appoint a Councillor to be the chair of a delegated committee
- direct a Councillor, subject to any procedures specified in the Governance Rules, to leave a Council meeting if their behaviour is preventing the Council from conducting its business.
- require the CEO to report to the Council on the implementation of a Council decision.

Role of Councillors

Elected by the residents, the nine Councillors work together to set Council's strategic direction and to make important decisions regarding the whole municipality. Councillors are responsible for the stewardship and governance of Council. Key functions of Councillors are to:

- Participate in the decision-making of the Council;
- Represent the interests of the municipal community when making decisions;
- Contribute to the strategic direction of the Council through the development and review of key strategic documents, including the Council Plan;
- Determine the Council's financial strategy and budget and allocate resources;
- Liaise with other levels of government, the private sector and non-government community groups;
- Attend Council meetings and relevant community events; and
- Appoint a CEO and manage and review their performance.

In performing the role of Councillor, a Councillor must:

- Consider the diversity of interests and needs of the local community;
- Observe principles of good governance and act with integrity;
- Provide civic leadership in relation to the exercise of the various functions and responsibilities of the Council under the *Local Government Act 2020* and other Acts;
- Participate in the responsible allocation of the resources of Council through development of the Annual Budget;
- Facilitate effective communication between Council and the community.

For further information on Maroondah City Council's current Councillors, please visit the website.

<http://www.maroondah.vic.gov.au/About-Council/Councillors-and-wards/Your-councillors>

Council decision making

Councils derive decision-making authority primarily from the *Local Government Act 2020*. However, there are a number of underlying processes that contribute to Council's decision making; some of which are formal and structured, with others being less formal. Formal decisions are made at Council meetings, or by Council Officers under formal powers of delegation. In this way, Council's decision making remains transparent and accountable to the community.

Council Meetings

Council meetings are typically held on the third Monday of each month at 7.30pm, in the Council Chamber at Realm, however Council is in recess each January. All Council meetings are scheduled in advance for the twelve (12) month calendar year period and the dates can be found on Council's website: <http://www.maroondah.vic.gov.au/About-Council/Council-meetings>

All members of the public are welcome to attend Council meetings with agendas and minutes published on Council's website: <http://www.maroondah.vic.gov.au/About-Council/Council-meetings/Agendas-and-minutes>

If members of the public are unable to attend a Council meeting in person, live streaming is available to enable access to Council debate and decisions. Past livestreamed meetings are also available on Council's website.

During formal Council meetings, the CEO and Directors present written reports on matters that require a Council decision. These reports comprise the Council Meeting Agenda and provide background to, and details of the recommendations regarding each matter being considered.

If it is not possible to deal with a matter, of a statutory matter within the normal Council meeting cycle, special meetings may be held. These are also known as statutory meetings. Final decisions made by Council at special meetings are then confirmed at the next Council meeting.

All meetings are open to the public unless Council resolves to close the meeting to the public to consider a confidential item.

All scheduled meetings are subject to change if necessary and changes to the meeting cycle will be advised by public notice.

Public Question Time

Question time provides an opportunity for community members to raise an issue with Council. Fifteen minutes of each Council meeting is allocated to questions from members of the public. Any person may submit a maximum of two questions in writing to Council no later than 12midday on the day of a Council meeting, using the *Public question time form and process* which can be found on Council's website: <http://www.maroondah.vic.gov.au/content-migration/Forms-and-Permits/Public-Question-Time-form>

The chairperson will nominate the appropriate Councillor or Council officer to answer a question. Any unanswered questions will be responded via a letter from Council.

Councillor briefings

Before making decisions at Council meetings, Councillors are presented with information to understand details of the issue(s) being considered. This information is provided at Councillor Briefing sessions. Importantly, Councillors do not make decisions in these informal forums.

Briefing sessions are an important forum for officers to provide Councillors with information about what are often complex issues concerning the municipality, in the lead up to formal decisions being made by Councillors at Council meetings.

At Councillor Briefings and at other times, Councillors have opportunities to request additional information to assist them in their decision-making process. Briefing sessions are not open to the public but are attended by Council Officers at times, consultants, who provide Councillors with detailed information about the issues under consideration, to a level of detail that would otherwise inhibit timely decision-making in a Council meeting, where decision-making related debate is governed by strict meeting procedures and time limits.

Councillor Briefings include a planned or scheduled meeting, comprising of at least five Councillors and one Council Officer, involving matters that are intended or likely to be: the subject of a decision of the Council; and/or are subject to the exercise of a delegated function, duty, or power of Council.

Delegations

Council has delegated specific functions to nominated employees, which enables routine decisions to be made in a timely and efficient manner and ensures that Council meetings are not taken up with procedural and operational administrative decisions. This also enables Council to utilise the technical knowledge, training, and experience of its employees to provide high quality information to Council, to assist in making informed decisions.

Delegations are made by a resolution of Council at a Council meeting and specify the degree of decision making and action for which the relevant employees are empowered to make decisions. In exercising their delegated powers, employees must observe the strategies, policies and guidelines that have been adopted by Council. All delegations are subject to one or more of three types of formal Instruments:

1. Council delegates to the Chief Executive Officer (CEO) - with the CEO having power to sub-delegate to nominated Council officer positions;
2. Council direct to nominated Council officer positions. A small number of Acts do not permit any sub-delegation, and these are delegated directly from Council to nominated Council officer positions;
3. Chief Executive Officer delegating several their powers under the *Local Government Act 2020* directly to nominated Council officer positions.

Councillor representation

There are two types of committees requiring formal Council representation, namely internal and external committees.

Internal committees are initiated by Council. They typically consider in-depth issues that are related to council policy or service delivery activities. Their primary purpose is to advise and provide feedback regarding specific matters and therefore have a high number of community and/or partner agency representatives.

External committees provide Council with the opportunity to advocate and influence a broad range of issues, on behalf of the local community. External bodies and committees are those outside the control of Council, operating under their own charter, procedures, policies, and practices.

Council appoints Councillor delegates annually to both internal and external committees at the beginning of a new mayoral term.

Council Committees

- Maroondah Access, Inclusion and Equity Advisory Committee
- Maroondah Arts Advisory Committee
- Maroondah Audit and Risk Committee
- Maroondah Business Advisory Committee
- Maroondah Community Health and Wellbeing Advisory Committee
- Maroondah Environment Advisory Committee
- Maroondah Disability Advisory Committee
- Maroondah Liveability, Safety and Amenity Committee

External Committees

- Eastern Affordable Housing Alliance
- Eastern Alliance for Greenhouse Action
- Eastern Regional Group of Councils
- Eastern Transport Coalition
- METEC (Metropolitan Training Education Centre Inc.)
- Municipal Association of Victoria - State Council
- Victorian Local Government Women's Charter
- Your Library Ltd

Local laws

Council has the ability to create local laws in order to achieve its objectives and perform its functions under the Local Government Act 2020.

Maroondah City Council currently has the following local laws in operation:

- Community Local Law 2023
- Local Law No. 15 - Common Seal and Conduct and Meetings

More information on these local laws may be found on Council's website:

<https://www.maroondah.vic.gov.au/About-Council/Our-organisation/Local-laws>

Legislation and regulations

Council implements a wide variety of services, programs, and initiatives, operating within a highly regulated environment, defined by Acts and regulations.

These can:

- have a direct impact on Council and require significant compliance.
- contain specific provisions relevant to Council.
- have an indirect influence but require knowledge by employees carrying out their duties.

Legislation that impacts Council activities (but is not limited to) is identified below:

- Aboriginal Heritage Act 2006
- Aged Care Act 1997 (Commonwealth)
- Associations Incorporation Reform Act 2012
- Australian Accounting Standards
- Building Act 1993
- Building Regulations 2018
- Carers Recognition Act 2012
- Catchment and Land Protection Act 1994
- Charter of Human Rights and Responsibilities Act 2006
- Child Wellbeing and Safety Act 2005
- Children Youth and Families Act 2005
- Children's Services Regulations 1998
- Climate Change Act 2017
- Conservation, Forests and Land Act 1987
- Constitution Act 1975
- Country Fire Authority Act 1958
- Country Fire Authority (Community Fire Refuges) Regulations 2014
- Crown Land (Reserves) Act 1978
- Cultural and Recreational Lands Act 1963
- Dangerous Goods Act 1985
- Dangerous Goods (Explosives) Regulations 2011
- Development Victoria Act 2003 (formerly known as Urban Renewal Authority Victoria Act 2003,
- Victorian Urban Development Authority Act)
- Disability Act 2006
- Domestic Animals Act 1994
- Drugs, Poisons and Controlled Substances Regulations 2017
- Education and Care Services National Law Act 2010
- Education and Care Services National Law Regulations 2011
- Education and Training Reform Act 2006
- Electricity Safety Act 1998
- Emergency Management Act 2013
- Environment Protection Act 2017
- Environmental Protection Regulations 2021
- Estate Agents Act 1980
- Fences Act 1968
- Fire Rescue Victoria Act 1958 (formerly known as the Metropolitan Fire Brigades Act)
- Fire Services Property Levy Act 2012
- Flora and Fauna Guarantee Act 1988
- Flora and Fauna Guarantee Regulations 2020
- Food Act 1984
- Freedom of Information Act 1982
- Gambling Regulation Act 2003
- Gender Equality Act 2020
- Geographical Place Names Act 1998
- Geothermal Energy Resources Regulations 2016
- Graffiti Prevention Act 2007
- Health (Immunisation) Regulations 1999
- Health Records Act 2001
- Heavy Vehicle National Law Application Act 2013
- Heritage Act 2017
- Housing Act 1983
- Impounding of Livestock Act 1994
- Independent Broad-Based Anti-Corruption Commission Act 2011
- Infringements Act 2006
- Infringements Regulations 2016
- Land Acquisition and Compensation Act 1986

- Land Acquisition and Compensation Regulations 2010
- Land Act 1958
- Liquor Control Reform Act 1998
- Local Government Act 1989
- Local Government Act 2020
- 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
- Magistrates' Court Act 1989
- Major Transport Projects Facilitation Act 2009
- Mineral Resources (Sustainable Development) Act 1990 (formerly known as Mineral Resources Development Act)
- Municipal Association Act 1907
- Municipalities Assistance Act 1973
- Occupational Health and Safety Act 2004
- Occupational Health and Safety Regulations 2017
- Privacy and Data Protection Act 2014
- Planning and Environment Act 2021
- Planning and Environment (Fees) Regulations 2016
- Planning and Environment Regulations 2015
- Privacy Act 1988
- Public Interest Disclosure Act 2012 (formerly the Protected Disclosure Act 2012)
- Public Health and Wellbeing Act 2008
- Public Health and Wellbeing Regulations 2019
- Public Records Act 1973
- Public Records Regulations 2013
- Residential Tenancies Act 1997
- Road Management Act 2004
- Road Management (General) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015
- Road Safety (General) Regulations 2019
- Road Safety (Traffic Management) Regulations 2019
- Road Safety (Vehicles) Regulations 2020
- Road Safety Act 1986
- Road Safety Road Rules 2017
- Secondhand Dealers and Pawnbrokers Act 1989
- Sex Work Act 1994 (formerly known as the Prostitution Control Act)
- Sheriff Act 2009
- Sport and Recreation Act 1972
- Subdivision Act 1988
- Subdivision (Fees) Regulations 2016
- Subdivision (Procedures) Regulations 2011
- Subdivision (Registrar's Requirements) Regulations 2011
- Summary Offences Act 1966
- Tobacco Act 1987
- Transfer of Land Act 1958
- Transport (Safety Schemes Compliance and Enforcement) Act 2014
- Transport Integration Act 2010
- Valuation of Land Act 1960
- Victorian Civil and Administrative Tribunal Act 1998
- Victorian Local Government Grants Commission Act 1976 (formerly known as Victoria Grants Commission Act)
- Victoria State Emergency Service Act 2005
- Victorian Inspectorate Act 2011
- Water Act 1989

The full list of Victorian Acts and Regulations can be found at www.legislation.vic.gov.au

The Council organisation

Organisational Structure

To exercise its powers and functions, Maroondah City Council consists of the 15 service areas who work to deliver high quality outcomes that respond to the priorities of the local community:

Chief Executive Officer

- Senior Executive

People and Places

- Business and Precincts
- Communications and Citizen Experience
- Community Services
- People and Culture

Strategy and Development

- City Futures
- Community Safety
- Engineering and Building
- Statutory Planning

Operations, Assets and Leisure

- Leisure and Major Facilities
- Operations
- Projects and Asset Management

Chief Financial Officer

- Cyber and Technology
- Finance and Commercial
- Governance and Performance

Customer Service

Maroondah City Council seeks to advance its customer service commitment with an emphasis on evolving its service delivery to align with changing community expectations and priorities. It has an emphasis on highly responsive organisational customer service that matches Council's world class facilities and services and continues to be a focal point across all Council service areas into the future. Key areas of focus for Council includes customer service quality, experience, engagement and culture.

Community engagement

Council is committed to engaging with the Maroondah community in a meaningful, accountable, responsive and equitable way. Our community and stakeholders play a vital role in shaping the City of Maroondah. Council considers community engagement to be an essential component of good governance and strong leadership.

Community engagement is a planned process that provides a range of opportunities for our local community to be involved in Council's decision-making, relationship building and community strengthening. Effective community engagement enables Council to make well informed decisions at an operational and strategic level and creates a better level of understanding between Council and our community. Community engagement is achieved when the community is and feels part of a process.

Council's approach to community and stakeholder engagement is guided by the community engagement principles set out under Section 56 of the *Local Government Act 2020*.

The *Local Government Act 2020* and a range of other legislation set out minimum requirements for some specific engagement activities. In many instances, Council will go above and beyond the minimum requirements, to gain a strong understanding of our community's priorities and needs to ensure we are working towards achieving the best possible outcomes for our community.

Your Say Maroondah is an engagement hub where you can inform Council about your ideas, provide feedback and exchange views with others on key decision and priorities for the Maroondah community. <https://yoursay.maroondah.vic.gov.au/>

Statement 2 - Categories of documents maintained by Council

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

Council maintains a variety of documents, ranging from general correspondence with members of the public and external bodies, to Council adopted policies and resolutions. Council maintains a centralised record management system which stores information relating to Council business. The categories of documents at Council are:

- Animal management and pet registration records
- Annual and Financial reports
- Building and planning permits and associated documents, including plans
- Community Grants
- Council and committee agendas and minutes
- Council resolutions
- Councillor correspondence
- Departmental publications, including newsletters
- Disclosures of conflicts of interest
- Documents submitted by third parties
- Internal administration documents relating to employee management and the operation of Council (i.e. personnel records, audit records and internal procedures)
- Legal documents (i.e. Local Laws, contracts, leases, agreements, licences, instruments of delegation, instruments of appointment and authorisation, and court documents)
- Mailing lists
- Maternal and Child Health Records, including immunisation records
- Media releases and general advertising
- Notes of Meetings
- Officer Recommendations
- Permit applications and permits issued under Council's Local Laws
- Policies, procedures and guidelines
- Public and stakeholder consultation processes and outcomes
- Records of the administration and enforcement of legislation and Local Laws
- Records of complaints, investigations, fines and prosecutions
- Reports prepared by external consultants
- Requests for information under the Freedom of Information Act 1982
- Risk assessments
- Standard Operating Procedures
- Strategies and plans, including their development and implementation
- Surveys, statistics and data
- Tenders and evaluations
- Training materials
- Various registers

Statement 3 - Freedom of Information Arrangements

Freedom of information Act 1982 - section 7 (1)(a)(iii) (v) and (vi)

Background to Freedom of Information

What is Freedom of Information?

The *Freedom of Information Act 1982* (FOI Act) gives people a right to access information held by Ministers, Victorian Government departments, Local Councils, most semi-government agencies and statutory authorities, public hospitals, Universities, TAFE and schools.

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

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

Please Note: Freedom of Information relates to actual documents which already exist.

What information is available?

All people have a right to apply for access to documents held by Maroondah City Council, which are covered by the FOI Act. This includes documents created by Maroondah City Council and documents supplied to Maroondah City Council by external organisations or individuals.

People can apply for access to documents about their own personal affairs, regardless of the age of the document(s), as well as other documents held by the Maroondah City Council, no older than the 1 January 1989.

What information is not available for release under FOI?

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

The FOI Act sets out several situations in which Council may refuse a person access to documents that has been requested (Part IV of the Act). Some of these situations include:

- documentation created before 1 January 1989 (although individuals have the right to access their own personal information regardless of its age);
- requests for documents which relate to the personal affairs of another person;
- internal working documents;
- commercially confidential documents;
- information supplied in confidence;
- documents affecting legal proceedings
- documents relating to a closed meeting of Council.

These documents or information are referred to as 'exempt' documents. In some cases, you may be refused access to the entire document. Alternatively, you may be given access to a partial document with exempt information being redacted/deleted.

'Personal affairs' can include the name, address or any information that identifies somebody other than the applicant. For example, an applicant may wish to know the name and address of a neighbour regarding a complaint - this information is exempt under Section 33 of the Act and is not able to be released.

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

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

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

Information which you may obtain without an FOI application include:

- Information, which is available publicly,
- information on a public register,
- information which is available for a fee.

If a person requires documents for a court hearing or litigation, please seek advice from your legal adviser about the most appropriate methods available to gain access in those instances. An FOI request may or may not be the most appropriate approach.

What information is already publicly available?

A range of Council registers and documents are available for public inspection. Access to these documents does not require a Freedom of Information request.

Documents can be viewed at the Council offices at Realm, 179 Maroondah Highway, Ringwood, but cannot be removed. Some documents are also available online via Council's website:

<https://www.maroondah.vic.gov.au/About-Council/Our-organisation/Documents-for-public-inspection>

If you would like to inspect a document, contact Council's Coordinator Governance and Procurement on 1300 88 22 33 to arrange a viewing time. Documents that can be viewed, include:

- Register of delegations kept under sections 87 and 98 of the Act
- Register of leases entered into by Council
- Register of authorised officers appointed under section 224 of the Act
- A listing of donations and grants made by Council during the financial year, including the names of recipients and the amounts received
- Public record of Councillor briefing (available in Council Meeting minutes)
- Annual Report
- Annual Budget
- Agendas and minutes
- Councillors Code of Conduct
- Council Plan
- Councillor Expenses and Entitlements Policy
- Maroondah Local Laws
- Personal Interest Return Summary
- Procurement Policy
- Public Notices

How do I make a request under Freedom of Information?

People can make a request or 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,
- state very clearly the specific information that you are requesting,
- include the application fee.

An applicant may request to have the application fee waived if they provide evidence of financial hardship. An application made on behalf of an organisation or entity is not able to use a concession card that is in an individual's name.

An FOI request must provide sufficient information for Council to be able to identify and locate all relevant documents. When writing your request, be specific about which documents you are seeking and include as much information as possible.

It is important to consider:

- what the documents relate to (for example, a complaint you made, or a particular project).
- the date range in which the document may have been created.
- where the documents might be located (for example, in a particular email account, with a specific person, or held by a business or work unit)
- the type of documents you're seeking (for example, an email, report, CCTV footage).

Please avoid using wording such as "all documents" because your request may end up being too large for Council to process, or it may not be specific enough for Council to identify the documents. If you are not sure how to frame your request, please contact Council.

If the documents you are seeking access to relate to you personally, you may need to provide Council with a certified copy of your identification. Council may not be able to provide access to the requested documents if we cannot verify that you are the person who is the subject of the documents.

Information on the FOI process and the FOI application form can be accessed on Council's website <http://www.maroondah.vic.gov.au/About-Council/Our-organisation/Freedom-of-information>

What is the Freedom of Information application process?

Once a valid request is received, Council will conduct a thorough and diligent search for the documents, assess them for any applicable exemptions, and conduct mandatory consultations and notifications of affected third parties.

Council is required under the FOI Act to respond to valid applications within 30 days, however this time frame may be extended if:

- an application is not valid.
- the application fee has not been paid (or waived based on financial hardship)
- a deposit is required on estimated access charges.
- Council is required to consult with third parties.

Additional time may be needed to process your application where Council is required to seek the views of other entities or individuals (known as third party consultation). In such cases, Council may extend the period for deciding a request by up to 15 calendar days. You will be notified in writing if mandatory third party consultation is necessary and advised of the revised statutory due date.

In all cases, Council may seek an applicant's agreement to extend the timeframe for a decision by up to 30 days at a time. Council may do so any number of times.

What costs are involved with making an FOI request?

Application fee

The FOI application fee is currently \$31.80*. It is a fixed cost which is non-refundable (whether access is granted to the applicant or not). The only exception to the application fee is where applicants are able to provide evidence of financial hardship.

Access charges

In some instances, further charges may apply to a request in addition to the application fee. Where this is the case, the applicant will be advised of the estimated additional costs. The application is unable to proceed until the full amount or a deposit is paid. Access charges include:

- Searching for the documents is \$23.90 per hour* (or part of an hour rounded to nearest 10c)
- Supervision of document inspection is \$23.90 per hour* (or part of an hour rounded to nearest 10c)
- Photocopying charges - 20c per black and white A4 page*. Other charges will apply for documents larger than A4 in size or which are requested in colour.
- Providing access in a form other than a photocopy (electronic) - reasonable costs incurred by Council in providing a copy.
- Charge for listening to, or viewing a tape - reasonable cost for providing or making arrangements to listen to or view (supervision charges will also apply)
- Charge for making a written transcript out of a recording - reasonable costs incurred by Council in providing the written transcript.

For more information on access charges, please review the *Freedom of Information (Access Charges) Regulations 2014*.

**The application fee and access charges are subject to change and are reviewed by the Victorian Government annually, with changes applicable from the 1st of July every year. Current information may be found at:*

<https://www.maroonDAH.vic.gov.au/About-Council/Our-organisation/Freedom-of-information>

Who can I contact at Council on FOI matters?

Before submitting a FOI request, it is recommended you contact Council's FOI Officer to gain further advice, such as whether there is another way to obtain the information.

The FOI Officer can be contacted via:

- Email - foi@maroondah.vic.gov.au
- Phone - 1300 88 22 33
- Mail -
Freedom of Information Officer
Maroondah City Council
PO Box 156
Ringwood 3134

How can I appeal a decision?

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; or not amend a document (in accordance with section 39), the applicant may appeal the decision to the Office of the Victorian Information Commissioner for review:

Office of the Victorian Information Commissioner
PO Box 24274
Melbourne Vic 3001

Phone: 1300 006 842

Email: enquiries@ovic.vic.gov.au

website: <https://ovic.vic.gov.au/>

Statement 4 - Publicity Material

Freedom of Information Act 1982 - section 7 (1)(a)(iv)

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

Corporate documents

- **Community Vision**
Maroondah 2040: Our future together provides a roadmap for our community, Council and other levels of government to partner to create a future that enhances Maroondah as a great place to live, work, play and visit.
- **Council Plan**
The Council Plan is Maroondah City Council's medium-term strategic document that sets out the key directions and priority actions, to work towards the long-term community vision.
- **Financial Plan**
The Long-Term Financial Plan describes the financial resources required to give effect to the Council Plan and other strategic plans of Council and expresses them over a rolling 10-year period.
- **Asset Plan**
The Asset Plan provides information about the maintenance, renewal, acquisition, expansion, upgrade, disposal and decommissioning of assets under the control of Council, over a rolling 10-year period.
- **Revenue and Rating Plan**
The Revenue and Rating Plan describes how Council will generate income to deliver on the Council Plan, programs and services, and capital works commitments over a four-year period.
- **Budget**
The Budget documents the financial and non-financial resources required by Council to implement the key directions and priority actions identified in the Council Plan.
- **Annual Report**
The Annual report details Council's performance during the previous financial year and presents a snapshot of the hundreds of services, initiatives and programs that Council provides for its residents.

Corporate communications

Maroondah eNews

Maroondah eNews is Maroondah's community newsletter, produced fortnightly and emailed to all subscribed residents. It has up to date information and news on Council services and community projects. To access and subscribe to the newsletter and access previous newsletters, please visit <https://www.maroondah.vic.gov.au/About-Council/News/Maroondah-eNews>

Maroondah eNews is available as an audio version which is suited to the needs of people with vision impairment. Please contact Communications and Engagement on 9298 4390 to be placed on the mailing list.

Latest news

Click on <https://www.maroondah.vic.gov.au/About-Council/News/Current-Maroonah-News> to view latest news about Council's services and activities.

Corporate website

The purpose of Council's corporate website (www.maroondah.vic.gov.au) is to:

- Provide accurate, easy to find and up-to-date information about Council's activities, services, facilities and resources.
- Present a strong corporate image of Council.
- Develop a more efficient pathway for transactions and services (paying fines/fees, customer queries).
- Maintain a progressive image by utilising latest technologies.
- Allow Council's accessibility to increase and engage with members of the public.
- Efficiently publish information about Council to support strategic goals and meet legislative requirements.

Maroondah City Council maintains a range of facilities within the municipality, to provide a variety of different services to the community. Information on these facilities may be found at the websites listed below:

Aquanation Leisure
Aquahub Leisure
Croydon Memorial Pool
Dorset Golf
Ringwood Golf
Maroondah Nets
The Rings
Maroondah Edge

} <http://www.maroondahleisure.com.au/>

Karralyka - <http://www.karralyka.com.au/Theatre>

BizHub - <https://www.bizhubmaroondah.com.au/Pub/pStart.asp>

ArtSpace at Realm
Maroondah Federation Estate Gallery
Wyreena Community Arts Centre -

} <https://www.maroondah.vic.gov.au/Explore/ArtsInMaroondah/Arts-venues-and-spaces>

Social Media

Maroondah City Council connects with its community through a variety of different social media channels. Council has a Facebook page, YouTube account, LinkedIn profile, twitter and Instagram account. Some Council services and facilities also have their own separate social media accounts.

For more information on Maroondah's social media accounts, please head to:

<http://www.maroondah.vic.gov.au/About-Council/News/Social-media-links>

Statement 5 - Procedures and Guidelines

Freedom of Information Act 1982 - Section 8

Council strategic documents

Council has adopted a wide range of policies, strategies and plans to help guide Council decisions and to provide direction in achieving its outcomes and goals. Council adopted policies, strategies and plans are located on Council's website:

- <http://www.maroondah.vic.gov.au/About-Council/Our-organisation/Policies>
- <http://www.maroondah.vic.gov.au/About-Council/Planning-for-our-future/Strategies-and-plans>

Below is a list of current Council adopted policies, plans and strategies detailed under each thematic area of the Maroondah 2040 Community Vision:

A safe, healthy and active community

- Children and Families Strategy
- Children and Families Action Plan
- Child Safety and Wellbeing Policy
- Domestic Animal Management Plan
- Disability Policy and Action Plan
- Equally Active Strategy
- Equally Active Policy
- Maroondah Gambling Policy
- Melbourne East Sports and Recreation strategy
- Maroondah Extreme Sports Strategy
- Maroondah Golf Strategy 2020-2030
- Maroondah Liveability Wellbeing and Resilience Strategy
- Maroondah Tennis Strategy 2022-2032
- Open Space Policy
- Open Space Strategy
- Physical Activity Strategy
- Stadium Sport Facilities Strategy
- Youth Strategy
- Youth Strategy Action Plan

A prosperous and learning community

- Street Activities Policy
- Ringwood Metropolitan Activity Centre Master Plan

A vibrant and culturally rich community

- Arts and Cultural Development Strategy
- Community Facilities Standard Lease Policy
- Maroondah Heritage Action Plan
- Public Art Policy

A clean, green and sustainable community

- Carbon Neutral Strategy
- Carbon Neutral Offsets Policy
- Climate Change and Risk Adaption Strategy
- Sustainability Strategy
- Water Sensitive City Strategy
- Environmentally Sustainable Design (ESD) Policy for Council Buildings and Infrastructure
- Domestic Wastewater Management Strategy
- Electric Line Clearance Management Plan
- Maroondah Vegetation Strategy 2020-2030
- Waste, Litter and Resource Recovery Strategy 2020-2030

An accessible and connected community

- Road Management Plan

An attractive, thriving and well built community

- Croydon Town Centre Structure Plan
- Community Facilities Hire Policy
- Community Facilities Occupancy Policy
- Community Facilities Pricing Policy
- Community Facilities Dedication Policy
- Heathmont Structure Plan
- Maroondah Housing Strategy
- Ringwood East Structure Plan
- Croydon Major Activity Centre Parking Strategy
- Building over Easement Policy
- Maroondah Affordable and Social Housing Policy
- Community Local Law 2023
- Public Lighting Policy

An inclusive and diverse community

- Gender Equality Action Plan 2021-25
- Disability Policy and Action Plan
- Positive Ageing Framework and Action Plan 2021-2025
- Reconciliation Action Plan

A well-governed and empowered community

- Asset Plan
- Customer Service Strategy
- Community Engagement Policy
- Complaints Policy
- Councillor Code of Conduct Policy
- Councillor Expenses Policy
- Council Honours/Recognition of Milestones and Achievements Policy
- Councillor Gift Policy
- Election Period (Caretaker) Policy
- Events on Council Land Policy
- External Grants Policy
- Fireworks on Council Land Policy

- Governance Rules
- Interim Financial Hardship Policy
- Municipal Emergency Management Plan
- Municipal Fire Management Plan
- Petitions Policy
- Privacy Policy
- Procurement Policy
- Public Interest Disclosure Act Policy
- Revenue and Rating Plan
- Risk Management Policy
- Risk Management Strategic Plan

Community satisfaction with Council services

The annual *Community Satisfaction survey* is conducted by Local Government Victoria on behalf of participating councils. A random selection of Maroondah residents and ratepayers are asked to participate in the survey. The survey is designed to measure community satisfaction with Local Government performance and provide Council with insights into how communities view the performance of their local authorities. More information may be found on Council's website: <http://www.maroondah.vic.gov.au/About-Council/Reporting-on-our-progress/Community-satisfaction-survey>

Performance of Council services

The Local Government Performance Reporting Framework (LGPRF) was introduced in 2014 and is a mandatory reporting process developed by Local Government Victoria to ensure all Victorian Councils are measuring and reporting on their performance, in a consistent way.

The LGPRF is a Victorian Government initiative aimed at ensuring transparency and accountability of the local government sector performance, to ratepayers and the community.

The Framework consists of:

- service performance
- financial performance
- a governance and management checklist.

Quarterly LGPRF service performance outcomes are reported to Council quarterly, whilst all other components are reported on in Council's Annual Report as required by the *Local Government (Planning and Reporting) Regulations 2020* as well as relevant sections of the *Local Government Act 2020*. Council data may be found in the Annual Report available on Council's website:

<https://www.maroondah.vic.gov.au/About-Council/Reporting-on-our-progress/Annual-Report>