

***Freedom of Information Act 1982***

**Part II Statements**

**Statements on Council information and documents**, **prepared in accordance with sections 7 & 8 of the *Freedom of Information Act 1982*. The purpose of the Statements is to provide assistance to applicants to identify relevant agencies and to sufficiently describe documents sought, with as much precision as possible.**

 AS AT: December 2017

**CURRENTLY UNDER REVIEW**

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# INTRODUCTION

Wyndham City Council (Council) is one of over 900 local and State government bodies in Victoria that are subject to the *Freedom of Information Act* 1982(**the Act**). Members of the public may, subject to certain exceptions and exemptions, obtain access to documents in the possession of Council by lodging a written application with a description of the documents sought.

Freedom of Information (FOI) is one of several ways to gain access to Council held documents. The FOI Act sets out a number of exemptions in which Council may refuse a person access to the documents that have been requested. The main exceptions are documents which; affect the personal affairs of another person, are commercially confidential; would undermine law enforcement or the administration of the law; or which contain information supplied in confidence or affect legal proceedings.

There are other ways to access Council documents these are detailed below.

**Part II of the FOI Act** requires agencies to publish relevant information on an annual basis so as to assist members of the public to direct their FOI requests to the most appropriate agency and also to define the types of documents being sought. These include:

* the organisational structure, functions and responsibilities;
* how documents are stored and categorised;
* key decision makers and the different pieces of legislation that determined the responsibilities of Council;
* information that is publicly available ; and
* how to obtain access to documents when an FOI request is required.

## Exempt Information not published in Part II Statements

The Council has endeavoured to provide as much information as possible in the Part II Statements except for circumstances where publication would disclose exempt information such as legal advice, sensitive commercial or trade secrets, material obtained in confidence, internal working documents, documents to which secrecy provisions of enactments apply or documents affecting personal privacy.

Part II Statements are published on the Council’s website.

## Rights under Section II

Section II of the FOI Act provides members of the public with certain rights if required information is not published or made available.

**For example**: Council must publish a list of documents used to make decisions that affect people’s rights, obligations and privileges. Failure to comply with this requirement could, in certain circumstances, provide an individual with a right to challenge a Council decision.

## List of Part II information

Part II of the Act requires information to be published as statements or lists. Each statement must contain the information prescribed in the legislation. The statements are a logical way of providing the information so that members of the public can better understand the operation of Council. The Council has organised its information under the headings prescribed in the FOI Act.

Section 7(1)(a)(i): Details of the Organisational Structure and Functions of Council

 Powers affecting members of the public

 Details of consultation with the public

Section 7(1)(a)(ii): Categories of documents maintained by the Council

Section 7(1)(a)(iii): Documents available for publication or inspection

Section 7(1)(a)(iv): Council literature

Section 7(1)(a)(v) & (vi): Procedure for accessing documents under freedom of information and contact officer

Section 7(1)(a)(vii) List of Council committees, working groups and similar bodies

Section 7(1)(a)(viii): Reading room or library facilities for viewing Council documents

Section 8: Index of internal publications, guidelines, rules and practices relied on by Council (must be made available for inspection and for purchase by the public)

## Other forms of access to Council information

In addition to Part II Statements, information about accessing various Council documents is available on the Council’s website (www.wyndham.vic.gov.au) or by contacting Customer Service on telephone (03) 9742 0777.

# STATEMENT 1: Section 7(1)(a)(i) - Organisation and Functions of Council

## Organisation Details

The City of Wyndham (WCC) is a city Council created by Order of the Governor in Council. The structure is determined by the *Local Government Act* 1989 (**the LG Act**) and comprises an elected body and an operational arm which is the Chief Executive Officer and employees.

The elected body has eleven councillors, including a Mayor. It is a body corporate and has the power (subject to limitations or restrictions imposed by legislation) to do all things necessary to achieve its objectives and functions.

## The Council

The Municipal District of Wyndham City Council comprises of three wards with a total of eleven councillors, including the Mayor. Councillors are elected every four years by eligible residents of the City of Wyndham. The Mayor is elected by the Councillors for a term of one or two years.

The Council exercises its decision making powers by resolution at public meetings or in limited circumstances, in a closed session of a public meeting. Some powers are delegated to the Chief Executive Officer (CEO).

## The Chief Executive Officer and Employed Staff

The CEO is appointed in accordance with *the Local Government Act* 1989 and is responsible for the day to day management of the Council’s operations. The CEO exercises functions and powers conferred by legislation and by delegation from Council.

## Functions

Local Councils form the third tier of Australia’s system of government, and as such, the functions of Wyndham City Council are to provide certain services, facilities, regulatory functions and the management of resources at a local community level.

Section 3E of *the Local Government Act* 1989 sets out the general functions of all Victorian Councils including:

* advocating and promoting proposals which are in the best interests of the local community;
* planning for and providing services and facilities for the local community;
* providing and maintaining community infrastructure in the municipal district;
* undertaking strategic and land use planning for the municipal district;
* raising revenue to enable the Council to perform its functions;
* making and enforcing local laws;
* exercising, performing and discharging the duties, functions and powers of Councils under this Act and other Acts;
* any other function regarding peace, order and good government of the municipality

For the purpose of achieving its objectives, a Council may perform its functions inside and outside its municipal district.

The core functions of the Wyndham City Council are divided into the following categories:

* Advocacy for the local community
* Aged & Disability
* Animal & Pet Management
* Arts and Culture
* Building & Planning
* Business & Investment
* Children’s Services
* Community Centres & Venues
* Community Consultation
* Community Support
* Emergency Management
* Engineering Services
* Environmental Health
* Environment & Sustainability
* Events, Promotions & Functions
* Family Services
* Landscaping & Urban Design
* Learning Community
* Libraries
* Local Laws & Permits
* Major Projects
* Rates and Valuations
* Roads, Footpaths, Parking & Transport
* Sports, Parks, & Recreation
* Volunteering & Grants
* Waste & Recycling
* Youth Services

## Wyndham City Organisational Structure

The Organisational Structure can be viewed on Council’s Website under the ‘About Council’ tab via the following link: [www.wyndham.vic.gov.au](http://www.wyndham.vic.gov.au)

## Powers Affecting Members of the Public (Decision Making Powers)

Council is a statutory entity and is able to do only those things which it is authorised by the *Local Government Act* 1989. It can act in only one of two ways: by resolution or through Legislation (others acting on its behalf).

a). By Resolution

Council exercises its decision-making powers at Ordinary Council Meetings and Special Meetings of Council (which are called from time to time to deal with any matters that may arise).

The Ordinary Council meetings are held on the first Tuesday of each month, at Wyndham Civic Centre. The meetings are held in the Council Chambers and start at 7pm. These meetings are open to the public. However, in some instances, part of a Meeting may be closed to the public to consider confidential items.

The dates of all meetings are published in local newspapers. Agendas for all meetings are made available on Council’s website and in hardcopy on request, generally the Friday prior, and minutes in the same format are available to the public within one week after the meeting.

Council’s Meeting Procedures are documented in the *Governance Local Law* 2013; which applies to all meetings of Council. *[You can obtain a copy of the Governance Local Law 2013 document via the following link:* [*http://www.wyndham.vic.gov.au*](http://www.wyndham.vic.gov.au) *]*

b). Through Legislation:

The *Local Government Act 1989* makes provision for the appointment of delegates to act on behalf of Councils. Most Council decision-making power is made by formal instruments of delegations via delegation to members of staff. The decision of a delegate of Council is ‘deemed’ to be a decision by Council.

The ‘Instrument of Delegation to the Chief Executive Officer’ enables the CEO to exercise various powers of the Council, including the power to sub-delegate power to Council Officers.

##

## Acts Administered

Council performs its functions through the enforcement and administration of a principal Acts and Regulations and Council Local Laws (*see the following table*).

|  |  |
| --- | --- |
| *Aboriginal Heritage Act 2006* | *Land Acquisition & Compensation Act 1986* |
| *Aged Care Act 1997* | *Land Act 1958*  |
| *Audit Act 1994* | *Libraries Act 1988* |
| *Building Act 1993* | *Liquor Control Reform Act 1998* |
| *Building Interim Regulations 2017* | *Local Government Act 1989* |
| *Catchment & Land Protection Act 1994* | *Local Government (Long Service Leave) Regulation 2012* |
| *Cemeteries & Crematoria Act 2003* |  |
| *Charter of Human Rights and Responsibilities Act 2006* | *Magistrates’ Court Act 1989* |
| *Children Youth & Families Act 2005* | *Major Transport Projects Facilitation Act 2009* |
|  | *Metropolitan Fire Brigade Act 1958* |
| *Climate Change Act 2010* | *Mineral Resources (Sustainable Development) Act 1990* |
| *Conservation Forests & Lands Act 1987* | *National Parks Act 1975* |
| *Country Fire Authority Act 1958* | *Occupational Health and Safety Act 2004* |
| *Country Fire authority Regulations 2014* | *Occupational Health and Safety Regulations 2017* |
| *Cultural & Recreational Lands Act 1987* | *Pipelines Act 2005* |
| *Dangerous Goods Act 1985* | *Planning & Environment Act 1987* |
| *Dangerous Goods (Explosives) Regulations 2011* | *Privacy & Data Protection Act 2014* |
| *Development Victoria Act 2003* | *Protected Disclosure Act 2012* |
| *Disability Act 2006* | *Public Health & Wellbeing Act 2008* |
| *Domestic Animals Act 1994* | *Public Health & Wellbeing Regulations 2009* |
| *Domestic Building contracts Act 1995* | *Public Records Act 1973* |
| *Drugs, Poisons & Controlled Substances Regulations 2006* | *Rail Safety Act 2006* |
| *Education & Care Services National Law Act 2010* | *Residential Tenancies Act 1997* |
| *Education & Training Reform Act 2006* | *Road Management Act 2004* |
| *Electricity Safety Act 1998* | *Road Safety Act 1986* |
| *Emergency Management Act 1986* | *Road Safety (General) Regulations 2009* |
| *Emergency Management Act 2013[operates concurrently with the 1986 Act]* | *Road Safety (Traffic Management) Regulations 2009* |
| *Environment Protection Act 1970* | *Road Safety (Vehicles) Regulations 2009* |
| *Equal Opportunity Act 2010* | *Road Safety Road Rules 2017* |
| *Fences Act 1968* | *Rooming House Operators Act 2016* |
| *Fences Amendment Act 2014* | *Second Hand Dealers & Pawnbrokers Act 1989* |
| *Filming Approval Act 2014* | *Sex Work Act 1994* |
| *Fire Services Property Levy Act 2012* | *Sheriff Act 2009* |
| *Flora and Fauna Guarantee Act 1988* | *Sport & Recreation Act 1972* |
| *Food Act 1984 [Major amendments came into effect July 2010 - Food Act 1984(Vic) 2010]* | *Subdivision Act 1988* |
| *Freedom of Information Act 1982* | *Subdivision (Fees) Regulations 2016* |
| *Gambling Regulation Act 2003* | Subdivision (Procedures) Regulations 2011 |
| *Geographical Name Place Act 1998* | *Summary Offences Act 1966* |
| *Graffiti Prevention Act 2007* | *Taxation Administration Act 1997* |
| *Health Records Act 2001* | *Transfer of Land Act 1958*  |
| *Heavy Vehicle National Law 2012* | *Transport Integration Act 2010* |
| *Heavy Vehicle National Law Application Act 2013* | *Transport (Safety Schemes Compliance & Enforcement) Act 2014* |
| *Heritage Act 1995 Heritage Act 1995* | *Valuation of Land Act 1960* |
| *Housing Act 1963 Housing Act 1963* | *Victoria Grants Commission Act 1976* |
|  | *Victorian Planning Authority Act 2017* |
| *Impounding of Livestock Act 1994* | *Victorian Inspectorate Act 2011* |
| *Independent Broad Based Anticorruption Commission Act 2011*  | *Victorian Planning Authority Act 2017*  |
| *Infringements Act 2006* | *Water Act 1989* |
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## Consultation with the Public

Our plans, services and policies serve you, so we need to consult with you about the best ways to do that. Consultation with the public occurs through various formal and informal forums including:

* direct contact with a Councillor;
* advertised invitation to make a submission or provided feedback on major strategies or plans that affect the public spaces of the city or the wellbeing of residents, businesses or visitors;
* local Neighbourhood Listening Posts: an informal event where members of the public, particularly residents of a local neighbourhood, are encouraged to discuss ideas and concerns about their neighbourhood with Councillors and Senior Council staff;
* formation of Working Parties to address specific issues, comprising of Councillors, Community and Business Representatives as required.
* Portfolio committees which provide advice on a range of strategized and policies that contribute to making Wyndham a great place to live, work and play. The portfolios are safer communities, cultural diversity, family friendly city, future focused economy, learning city, environment and sustainability, smart city, tourism and major events, sports development, arts, culture and heritage, urban futures, growth and transport. [You can obtain a copy of Portfolio Committees by contacting Council’s Legal Unit].
* District Advisory Committees to oversee the progress of District Plans which have been prepared as part of the Wyndham 2040 Community Plan.

Wyndham City Council has made provision in the Business Agenda of each Ordinary Meeting of Council, to hold a Public Question time.

You can also check the Council web site at <http://www.wyndham.vic.gov.au/> and search under “About Council” for specific announcements and information.

# STATEMENT 2: Section 7(1)(a)(ii) - Documents Maintained by Council

Wyndham City Council is a public office and is required to comply with the *Public Records Act 1973 (***the Act***)*. Under section 13 of the Act, the CEO is responsible for ensuring that full and accurate records of the Council’s business are created and maintained in accordance with relevant standards. A record is documented evidence of a step in a process at a certain time and not only acts as evidence of Council business but is also essential to the corporate memory and history of the Council.

Records or documents are any material that contain recorded information and are not limited to written information or paper material. Examples of documents include information in databases, books, maps, plans, drawings, photographs, electronic storage devices such as discs, memory sticks and USBs, audio-visual material, emails, faxes, text messages, film, CCTV footage and notes. As well as documents created by the Council, these must also be kept and maintained as a Council record.

Currently Council documents are stored mainly in an Electronic Document Records Management System known as ‘Objective’’ and in specialist electronic systems. Please note that a limited number of documents exist in hard copy and are predominantly archived.

## Description of Record Keeping Systems

In order for records to be easily identified and retrieved, a business classification scheme is used to ensure relevant and consistent naming of records.

Wyndham City Council has a three tiered, functional based records classification scheme. An example of how the scheme works is shown below:

**Tier One**: a general category based on function. It is the broadest tier and represents the major responsibilities or functions of Council.

Examples:

* Animal Management
* Arts and Culture

**Tier Two**: is a sub category based on activity or the major tasks performed to accomplish a function. There are often several activities for each function.

Examples:

* Animal Management – Animal Registration
* Arts and Culture – Performing Arts

**Tier Three**: is the most specific category based on a transaction. It is the smallest tier and helps define the scope of the activity. Files at this level are typically created on a daily basis across the Council.

Examples:

* Animal Management - Animal Registration - 2014 Cats and Dogs
* Arts and Culture – Performing Arts - Venue Administration

**RecFind System Files** : *(system decommissioned)*

This series of files was recorded in the previous Records Management System prior to the current Electronic Document Records Management System (EDRMS) known as ‘Objective’. Some documents have been migrated electronically into ‘Objective’ from the RecFind system while others, consisting of hardcopy paper files, have been archived.

**Document Categories**

The table below provides the general categories for classifying documents. This level of classification is generally sufficient to identify documents. If additional information is required, please contact the FOI Officer on tel. 9742 0777.

| **General File Category (Tier One)** | **Sub Category (Tier Two)**  |
| --- | --- |
| Animal Management |  |
|  | Animal Permits |
|  | Animal Registration |
|  | Council Pound |
|  | Enforcement |
|  | Responsible Animal Ownership |
| Arts and Culture |  |
|  | Cultural Development |
|  | Performing Arts |
|  | Public Art |
| Assets |  |
|  | Facilities |
|  | Fleet |
|  | Footpaths |
|  | Kerb & Channel |
|  | Parks, Reserves & Open Space |
|  | Recreational Facilities |
|  | Roads |
|  | Stormwater |
|  | Utilities - Electricity |
|  | Utilities - Gas |
|  | Utilities - Sewerage |
|  | Utilities - Street Lighting |
|  | Utilities - Water |
| Building Services |  |
|  | Building Appeals |
|  | Building Enforcement |
|  | Building Information Requests |
|  | Building Permits |
|  | Building Safety Programs & Audits |
|  | Report and Consent |
| Community Services |  |
|  | Aged & Disability – Resident Support |
|  | Aged & Disability – Social Support |
|  | Aged & Disability - Clients  |
|  | Aged & Disability - Services |
|  | Children’s Planning |
|  | Children’s Service  |
|  | Children’s Services – Best Start |
|  | Children’s Services – Family Support |
|  | Community Development |
|  | Community Engagement |
|  | Community Grants |
|  | Community Safety |
|  | Diversity |
|  | Electronic Gaming |
|  | HACC Planning – Home and Community Care |
|  | Health |
|  | Healthy Ageing  |
|  | Housing |
|  | Kindergartens |
|  | Maternal & Child Health |
|  | Neighbourhood Hubs |
|  | Occasional Care |
|  | Playgroup |
|  | Preschool Field Officer Clients |
|  | Primary Holiday Program |
|  | Volunteers |
|  | Youth  |
|  | Youth Counselling |
|  | Youth Entertainment Events |
|  | Youth Mentoring |
|  | Youth Programs |
|  | Youth Support |
| Contracts & Projects  |  |
|  | Contracts – by contract  |
|  | Projects – by Project Name |
|  | Quotations |
|  |  |
| Corporate Management |  |
|  | Accommodation |
|  | Audits – External |
|  | Audits – Internal |
|  | Communications & Marketing |
|  | Continuous Improvement |
|  | Corporate Reporting |
|  | Department and Business Unit Files |
|  | Equipment & Stationery |
|  | Executive and Directorate Files  |
|  | Freedom of Information (FOI) |
|  | Geographic Naming |
|  | Governance |
|  | Information Management |
|  | Legal Advice |
|  | Legislation |
|  | Meetings |
|  | Ombudsman |
|  | Organisational Planning |
|  | Policies, Strategies & Plans - Council |
|  | Policy - Governance |
|  | Population & Demographics |
|  | Privacy |
|  | Public Relations & Marketing – Photo Library |
|  | Publications |
|  | Social Club |
|  | Standards |
|  | Surveys Council Conducted – External |
|  | Surveys Council Conducted - Internal |
|  | Surveys - Non- Council |
| Economic Development |  |
|  | Business Development |
|  | Industry Development |
|  | Tourism |
|  | Vibrant City Centres |
| Environmental Management |  |
|  | Environmental Education |
|  | Environmental & Sustainability Data |
|  | Land and Ecosystem Management |
|  | Litter Education |
|  | Sustainability |
|  | Waste Education |
|  | Water Management  |
| Event Management |  |
|  | Annual Civic Events |
|  | Community Events – Council run |
|  | Community Events - Externally run |
|  | Corporate Events |
|  | Council Sponsored Events |
|  | Major Events |
|  |  |
|  |  |
| External Relationships  |  |
|  | Advocacy |
|  | Committees & Associations |
|  | Committees of Management |
|  | Community Panels / Consultations |
| Financial Management  |  |
|  | Asset Data Financials - AMIS |
|  | Asset Data Financials – Finance One |
|  | Banking |
|  | Borrowing |
|  | Council Budget |
|  | Expenditure |
|  | Financial Planning  |
|  | Financial Reporting |
|  | Financial Statements |
|  | General Ledger Reconciliations |
|  | Grants & Subsidies – Awarded by Council |
|  | Grants received by Council |
|  | Investment  |
|  | Procurement |
|  | Taxation |
|  | Trust & Bank Guarantees |
| Human Resources |  |
|  | Councillors |
|  | Employee Files |
|  | Employee Relations |
|  | Industrial Relations  |
|  | Learning & Capability |
|  | Organisational Structure |
|  | Payroll |
|  | Recruitment |
|  | Reward and Recognition |
|  | Superannuation |
|  | Terms and Conditions of Employment |
|  | Volunteer Management – Community Volunteers |
|  | Volunteer Management – Council Volunteers |
|  | Volunteer Programs |
| Land Use Planning |  |
|  | Activity Centres  |
|  | Coastal Planning |
|  | Development Contributions |
|  | Green Wedge Planning |
|  | Growth Corridor Planning |
|  | Heritage & Biodiversity Planning |
|  | Housing & Growth Studies |
|  | Infrastructure Planning |
| Land Use Planning (continued) | Interface Planning |
|  | Planning Permit Applications |
|  | Planning Investigations & Enforcement |
|  | Planning Scheme Amendments |
|  | Pre Application Advice |
|  | Regional Planning |
|  | State Planning Policy |
|  | Strategic Planning |
|  | Subdivision Applications |
|  | Town Planning |
|  | Town Planning Development Planning Applications |
|  | Town Planning Permit Applications |
|  | Waterway Planning |
|  |  |
| Libraries |  |
|  | Collection Management |
|  | Customer Notifications |
|  | Library Programs - Children |
|  | Library Programs & Services |
|  | Outreach Services |
|  |  |
| Local Laws |  |
|  | Infringements and Enforcement |
|  | Local Law Development |
|  | Permits |
| Property Management |  |
|  | Certificate of Title |
|  | Crown Land |
|  | Easements |
|  | Leases |
|  | Licences |
|  | Transfers of Land |
|  |  |
|  |  |
| Public and Environment and Health |  |
|  | Enquiries |
|  | Equipment Calibration |
|  | Food Monitoring |
|  | Housing Complaints |
|  | Immunisation |
|  | Infringements |
|  | Markets, Events & Street-trader (on-line registration) |
|  | Pest & Insect Complaints & Enquiries |
|  | Pollution Complaints |
|  | Premises  |
|  | Premises - Caravans |
|  | Premises - Septic |
|  | Public Amenities |
|  | Recreational Waters  |
|  | Regulatory Reporting |
|  | Single Incident & Outbreak Investigations – Non-Premises Related |
|  | Tobacco Monitoring |
| Rates & Valuations |  |
|  | Property Valuations |
|  | Rates Management |
| Recreation and Leisure |  |
|  | Health Promotional Programs |
|  | Leisure Programs |
|  | Sporting Programs |
| Risk Management |  |
|  | Business Continuity |
|  | Emergency Planning and Disaster Recovery - Facilities |
|  | Health and Safety |
|  | Incident Management |
|  | Insurance |
|  | Insurance Claims & Incidents |
|  | Municipal Emergency Management |
|  | Operational Risk |
|  | Western Leisure Services  |
| Technology and Telecommunications |  |
|  | Application Development |
|  | Cloud Computing |
|  | GIS |
|  | Hardware |
|  | Infrastructure |
|  | Software and Corporate Systems |
|  | Telecommunications |
|  |  |
| Traffic and Transport Management |  |
|  | Footpaths |
|  | Roads |
|  | Transport Planning |
| Waste Management |  |
|  | Refuse Disposal Facility |
|  | Waste Services |

# STATEMENT 3: Section 7(1)(a)(iii) - Documents prepared for publication or Public Inspection

Wyndham City Council is required under *the Local Government Act* 1989 to make a number of documents and registers available for public inspection at the Council Office upon request.

Some documents can be viewed from the Council website by clicking on the relevant links for the particular document. Access to others may require the completion of a specific form.

It is usually advisable to make an appointment to inspect a document or register prior to visiting the Civic Centre.

For more information about inspection of particular documents or registers members of the public can contact council staff on 9742 0777.

**Documents available for inspection at the Council Civic Centre or on Councils website:**

| **Documents** | **Available on Website** |
| --- | --- |
| Adopted budget or revised budget s130(9) | Yes |
| Annual Report s131(11)Assemblies of Councillors | YesYes |
| Auditor’s Report (on annual report) s131(12)Council adopted Budget or revised Budget s130(9)Council Meetings / Ordinary Council Agenda & Minutes of Meeting | YesYesYes |
| Council Plans s125(11) | Yes |
| Councillor Code of Conduct | Yes |
| Councillor ExpensesCouncillor Allowances fixed (includes the Mayor) S74 (Reg. 11q) | YesYes |
| Details of the CEO’s total remuneration s94(6) | No |
| Differential Rate information s161(3) | Yes |
| Documents incorporated by local laws s120(3) | Yes (if applicable) |
| Electoral Representation Review Report - final s219F(11) | Yes (if applicable) |
| Electoral Representation Review Report - preliminary s219F(8) | Yes (if applicable) |
| Exhibition Roll (unless Electoral Commission engaged) s23A(6)Instrument of Delegation s98(2) and s98(3) | NoNo |
| Local Laws s120(2) | Yes |
| Procurement Policy s186A(8) | Yes |
| Proposed budget or revised budget s129(3) | Yes |
| Proposed local law 119(2A) | Yes (if applicable) |
| Proposed special rate/charge declaration 163(1B) | No |
| Public Notices 82A(2) | Yes (if applicable) |
| Quality or cost standards adopted under Best Value 208F | No |
| Register of Interests Returns s81(11)Register of Authorised Officers appointed under s224 Special Council Committees List of establishments and their purpose\*Special Council Committees List of abolishment  | NoNo |
| Strategic Resource Plan 126(4) | Yes |
| Voters’ Roll (period from certification to 30 days past election) 24B | No |
|  |  |

**\*** **Wyndham City Council has no established Special Committees of Council.**

# STATEMENT 4: Section 7(1)(a)(iv) - Council Publications and Pamphlets

Council produces a range of publications and literature to ensure residents, ratepayers, community groups and businesses have easy access to information about Council, community services and the municipality.

Most of the publications are available on Councils website, see following link <https://www.wyndham.vic.gov.au/planspoliciesstrategies> , or from the Council Civic Centre.

# STATEMENT 5: Section 7(1)(a)(v)&(vi) - Procedure to Access Documents under Freedom of Information (FOI)

*The Freedom of Information Act* 1982 (FOI Act) provides members of the public with a legal right of access to documents held by Council. Members of the public are entitled to seek access to:

* Documents about their personal affairs, regardless of the age of the documents.
* Documents held by a Council, not older than 1 January 1989.

The FOI Act does not apply to documents such as library material maintained for reference purposes or documents open to public access under another Act for a fee or charge. The term 'document' is broad and includes information in many formats, whether printed or in electronic form, photographs, letters, maps, film, reports, audio and video recordings. The protection of the public interest and private and business affairs may cause some documents to be exempted from access.

Requests for access to Council documents under the FOI Act must be:

* in writing accompanied by a non-refundable application fee; and
* provide sufficient information to enable the documents to be identified.
* Where possible this should include the approximate date range of the

documents sought, if known.

The application fee may be waived or reduced if payment of the fee would cause hardship to the applicant. If applicants consider they are entitled to have the application fee waived, they should submit a request with supporting documentation (e.g. current Health Care card, current pensioner card as evidence).

An application form can be located on the Council web site.

However, a letter or email will suffice. On receipt of a valid request, the FOI Officer has 30 days to respond to the applicant with a decision. Under the Act, the time period may be extended by 15 days if consultation is required under certain sections of the Act. Further extensions of the period can be sought with agreement by the Applicant for not more than 30 days at a time. Where a decision is made to deny or defer access, the applicant will be notified in writing of the reasons for the denial and the procedures available to appeal the decision.

Under the FOI Act, Council may deny access to ‘exempt’ documents. Examples of ‘exempt’ documents include:

* confidential matters considered by Council
* law enforcement documents
* some internal working documents
* documents covered by legal professional privilege, such as legal advice
* documents obtained in confidence or containing personal information about other people
* documents containing "commercial in-confidence" information or trade secrets
* documents to which secrecy provisions of enactments apply.
* documents where disclosure would be contrary to the public interest.
* documents that are an official record of deliberation or decision of a closed meeting or documents and/or ancillary documents that are likely to be used in a closed meeting of council.

**Other Costs**

Where an application for access is granted, costs will be incurred by the applicant (in addition to the application fee) to access the documents. These charges are levied under the Freedom of Information Access Charges) Regulations 2014 and relate to:

* Search charges
* Inspection supervision charges -
* Photocopying charges

Firstly, where Council is of the opinion that the access charges exceed $50, the applicant will be advised and asked if they wish to proceed with the request.

Secondly, where a Council is of the opinion that access charges in respect of a request are likely to be in excess of $100.00, the deposit must be 50% of the calculated charges. The applicant will be advised and asked if they wish to proceed with the request.

**Appeal Rights**

If you are not satisfied with Council’s decision on access, you may within 28 days of receiving your decision letter, seek a review by writing to the:

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

If you dispute the access charges you may seek external review by writing to the VCAT within 60 days of receiving the decision letter, provided the Information Commissioner has certified that this matter is one of sufficient importance for the Tribunal to consider.

VCAT may be contacted at 55 King Street, Melbourne 3000 on 9628 9755, or via email.

For further information on the FOI Act and procedures, please contact the FOI Officer on 9742 0777

# STATEMENT 6: Section 7(1)(a)(vi) - Responsible Officers for Freedom of Information

The Council administration has an officer who handles Freedom of Information matters and Privacy matters. The contact details are:

Freedom of Information Officer
Wyndham City Council
PO Box 197
WERRIBEE VIC 3030

Telephone: (03) 9734 0777

Email: mail@wyndham.vic.gov.au

# STATEMENT 7: Section 7(1)(a)(vii) - Groups Providing Advice to the Council with Public Access to Meetings or Minutes

**Ordinary Council Meeting**

The principal decision-making body is the Council. Minutes of the Council Meetings, any Special Meeting of Council and the Meeting to elect the Mayor are available for public inspection. The Minutes can be accessed on the Council website.

The time and place of the Council meetings is also listed on the website.

Wyndham City Council has made provision in the Business Agenda of each Ordinary Meeting of Council, to hold a Public Question Time. There are rules governing the conduct of Public Question Time. Each person can lodge a maximum of two questions.

Questions must be submitted in the box provided in the Council Chamber no later than the commencement of each Council Meeting.

However, the earlier they are lodged with Council the more likely that considered responses can be provided on the night of the meeting. As a guide, we recommend you lodge your question no later than midday on the day of the meeting.

**How do I lodge a question?**

The ‘Public Question Time Form’ can be downloaded from the above website. It also has important Guidelines that need to be read and understand before completing the form.

Once completed, the form can be lodged in the following ways:

* Delivered to Wyndham Civic Centre, 45 Princes Highway, Werribee
* Mailed to PO Box 197, Werribee 3030
* Emailed to Governance@wyndham.vic.gov.au

**RDF Community Reference Group**

The Wests Road Refuse Disposal Facility & Waste Management Community Reference Group (CRG) has been established to provide a forum for consultation, provision of advice and information exchange in relation to waste management and resource recovery and the Wests Road Refuse Disposal Facility (RDF) between Wyndham City, key stakeholders and the community.

# STATEMENT 8: Section 7(1)(a)(viii) - Council Libraries & Reading Rooms

Wyndham City has five Library and Learning Centres throughout the municipality with many services offered including book hiring, computer access, and free seminars.

You will find a large variety of services and information on Councils Website.

<https://www.wyndham.vic.gov.au>

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### [Julia Gillard Library Tarneit](https://www.wyndham.vic.gov.au/venues/julia-gillard-library-tarneit)

150 Sunset Views Boulevard
TARNEIT VIC 3029 Tel: (03) 8734 0200 **Operating Hours**

 Mon to Thur 9am – 8pm

Friday 9am – 6pm

Saturday 10am – 4pm

Sunday 1.30pm – 5pm

[Plaza Library](https://www.wyndham.vic.gov.au/venues/plaza-library)

Shop MM11, Level 1,
Pacific Werribee Shopping Centre
Derrimut Road
WERRIBEE VIC 3030 Tel: (03) 8734 2600

Mon to Thur 10am – 8pm

Friday 10am – 6pm

Saturday 10am – 4pm

Sunday 1.30pm – 5pm

[Werribee Library](https://www.wyndham.vic.gov.au/venues/werribee-library)

Wyndham Cultural Centre
177 Watton St
WERRIBEE VIC 3030 Tel: (03) 9742 7999

Mon to Thur 10am – 6pm

Friday 10am – 8pm

Saturday 10am – 4pm

Sunday Closed

[Wyndham Vale Library](https://www.wyndham.vic.gov.au/venues/wyndham-vale-library)

86 Manor Lakes Blvd
MANOR LAKES VIC 3030 Tel: (03) 8734 8930

 Mon to Tues 10am – 6pm

Wednesday 10am – 8pm

 Thurs, Fri 10am – 6pm

Saturday 10am – 4pm

Sunday Closed

[Point Cook Library](https://www.wyndham.vic.gov.au/venues/point-cook-library)

1-21 Cheetham Street
Point Cook VIC 3030 Tel: (03) 9395 7966

 Mon to Thur 10am – 8pm

Friday 10am – 6pm

Saturday 10am – 4pm

Sunday 1.30pm – 5pm

# SECTION 8(2)(a)(ii) - Index of Council’s Internal Publications, Guidelines, Rules and Practices

Section 8(2)(a)(ii) of the Act requires any written material (apart from legislation and regulations) that assist Council staff in making decisions or exercising statutory power.

The following table contains of a comprehensive listing of Council Policies, Strategies and Plans. Please note that this list is currently under review.

|  |  |  |
| --- | --- | --- |
| **TITLE** | **Classification - Document Type** | **DESCRIPTION - EXPLANATION** |
| (Schedule 2 - Meeting Procedure Protocol) Guidelines for Petitions 2013 | **PROTOCOL** | Adopted Guidelines and Form for Petitions. |
| Aged and Disability Service Access Policy | **POLICY** | A Service Access Policy has been prepared with the objective of providing an equitable and consistent approach to the provision of services in the municipality. The community’s need for services will continue to increase with the growing population, and the demand on finite resources requires considered and consistent management approaches. |
| Ageing Well Strategy | **STRATEGY** | The Ageing Well Strategy provides direction to Council efforts in preparing our community for ageing and making Wyndham more age-friendly. |
| Art in Public Places | **POLICY** | This policy outlines the purpose for developing an art collection for Wyndham's public buildings and places and the mechanisms and procedures to be employed to effectively manage this program. This policy provides for the implementation and management of all Art in Public Buildings and Places under Council's Control. |
| Asset Management Improvement Strategy | **STRATEGY** | The objective of an Asset Management Improvement Strategy is to develop a structured set of actions aimed at enabling improved asset management by the organisation. As such, an Asset Improvement Strategy can be defined as "The framework that guides the choices that determine the nature and direction of Asset Management". |
| Asset Management Policy | **POLICY** | The aim of this Policy is to support Council's vision and strategic objectives through the development and implementation of a corporate asset management framework. Such a framework will assist in dealing with changes to legislation, information needs and community expectations. |
| Beautification of Nature Strip Landscape Policy | **POLICY** | Traditionally, most nature strips have been turfed or grassed; however, the new policy allows some alternative landscape treatments. |
| Bicycle Network Strategy | **STRATEGY** | The 2011 Bicycle Network Strategy provides the principles adopted and a number of priority projects and links to help expand and grow the bicycle network. |
| Biodiversity Policy | **POLICY** | The policy has been prepared to provide direction for Council’s planning, decision making and operations. It will also guide relevant strategic documents to ensure important biodiversity principles are supported throughout the organisation.  |
| CCTV Code of Practice | **POLICY** | This Code of Practice contains the basic standards in accordance with which Council’s CCTV Policy will be operated. It is supplemented by Standard Operating Procedure manuals (SOPs) which provide instructions on aspects of the day to day operation of the Policy |