

Request for Access to Information or Documents

Under the *Freedom of Information Act 1982*

Office use only			
Application fee received		Receipt number	
Account number		FOI request number	

Information

Under the *Freedom of Information Act 1982* I request access to the following documents:
Please provide accurate and sufficient information to enable to document(s) to be identified. If there is insufficient space here, please provide the information on an attached sheet.

Form of requested documents

I request that access be provided in the following form:

- Copies of the document(s) be sent to the address shown below;
- Under S.25 where part of a document is exempt from release, or has irrelevant material to the request, I wish to receive access to the edited document(s) with deletions, in order to receive part of the documents(s) that can be released.
- The original document(s) be made available for inspection or a photocopied version if provision of the original documents is inappropriate.

Applicant details

Surname		First name	
Postal address			
Suburb		Post code	
Phone		Mobile	
Email			

Fees and signature

I enclose an application fee of \$28.90 for payment in respect of this request and I understand that I will be supplied with a statement of further charges if appropriate.

By ticking this box, I acknowledge that Surf Coast Shire Council will accept this communication as containing my electronic signature for the purpose of signing this document to identify me in accordance with the Electronic Transactions (Victoria) Act 2000.

Electronic signature (please type your name)

ACCESS TO INFORMATION - YOUR RIGHTS

A. UNDER THE FREEDOM OF INFORMATION ACTION 1982 ("the FOI Act")

1. For your application for information to be processed you must provide a request in the format required by the FOI Act (as shown on the application form).
If your application does not comply with the required format, or if you require information on how to make a complying request, contact the Freedom of Information Officer for assistance.
2. Once your (complying) request is received by the relevant officer, it will be processed to determine whether or not access will be granted by Council.
3. You have the right to be granted access to any documentation or information answering the description in your request, unless:
 - the document is exempted under the FOI Act;
 - the document is already publicly available;
 - processing the request would unreasonably divert Council's resources; or
 - access to the document or information has already been requested by or on behalf of you;and
the request was refused; and
 - the refusal was upheld by the Office of the Victorian Information Commissioner (OVIC); and
 - there appear to be no reasonable grounds for requesting the document or information again.
4. Council must notify you of its decision, whether or not to grant access to the documents or information requested, as soon as practicable, or, in any event, within 30 days of receiving the request or 45 days if consultation is required.
5. If Council refuses to grant access to any documents or information requested, it must give reasons for its decision in its notification of its decision. If you are dissatisfied with Council's decision, or with the way you believe Council is dealing with the request, you may seek redress by application to OVIC

6. If Council grants access to the documents requested, it may require you to pay charges for providing access, in addition to the application fee. You may also appeal to OVIC for review of the charges if you believe they are unreasonable.

Note: Definition of a document

Under the FOI Act the definition of a document includes a map, graph, drawing, photograph, label or other attachment, disc, tape, sound track, film as well as a document that has been hand written or typed. Information held on computer/pen drive or in a database fits the definition of a document.

B. UNDER OTHER LEGISLATION

Documents that are available under legislation other than the Freedom of Information Act 1982 should be sought under that legislation.

7. The *Local Government Act 1989*, Section 222, ensures that a *person is entitled upon payment of any relevant fee to inspect and/or request a copy of a prescribed document. Prescribed documents are described in section 12 of the Local Government (General) Regulations 2015 and include:*

- i. Register of Authorised Officers
- ii. Register of Building Occupancy Permits
- iii. Register of Delegations
- iv. Register of Interests
- v. Register of Leases Involving Land
- vi. Register of Overseas or Interstate Travel

For more information on available documents go to Council's website

at <https://www.surfcoast.vic.gov.au/About-us/Council/Documents-available-for-public-inspection>.

8. The *Planning and Environment Act 1987* allows for a range of documents to be made publicly available through the planning permit and planning scheme amendment process either on Council's website or by inspection at Council's Offices including:
 - i. Section 49: Planning Register
 - ii. Section 51: Copies of Permit Applications for specified timeframes
 - iii. Section 57(5): Objection to Permit Application
9. The *Building Act 1993* allows for a person to view a Register of Building Permits free of charge at the Council offices during office hours.

C. APPEALS PROCESS

In accordance with sections 49A(1) and 49B of the Act, you have the right to apply to the FOI Commissioner for a review of the decision within 28 days of the decision response by Council.

Information Commissioner – Complaints
Office of the Victorian Information Commissioner
PO Box 24274
Melbourne Victoria 3001
Telephone: 1300 842 364
Email: enquiries@foicommissioner.vic.gov.au
www.foicommissioner.vic.gov.au

Privacy Statement: Surf Coast Shire Council considers that the responsible handling of personal information is a key aspect of democratic governance, and is strongly committed to protecting an individual's right to privacy. Council will comply with the Information Privacy Principles as set out in the Privacy and Data Protection Act, 2014. Information will not be disclosed to any other party unless Council is required to do so by law.