

FREEDOM OF INFORMATION ACT 1982

PART II STATEMENT

Introduction

This information has been produced by Hume City Council in accordance with Part II of the *Freedom of Information Act 1982* and outlines the role of Council, its key functions, procedures, reports and how a member of the public can access the information that it keeps.

This information is set out in the statements below. Information about Council and its functions and activities can be found on Council's website.

To locate the specific information that you require please refer to the A-Z reference or the search function provided on the top page of this website. You may also email Council at contactus@hume.vic.gov.au or phone on 9205 2200 to seek direct assistance.

Detailed statements required under Part II of the Freedom of Information Act are as follows:

Statement 1 – Organisation and Functions

About Council:

Hume City Council is one of Australia's fastest growing and culturally diverse communities and is home to just over 262,000 residents. Spanning a total area of 504 square kilometres, the City is located in Melbourne's northern fringe, just 15 kilometres from the centre of Melbourne. Further details of Hume City Council's profile can be obtained on [Council's website](#).

Council's organisational structure is based on six Divisions that collectively manage and coordinate the full range of activities and services to the Hume community. The Head of each division reports directly to the Chief Executive Officer:

Director City Services and Living

- City Lifestyle
- City Safety
- Community Health & Wellbeing
- Family, Youth & Children
- Active Living

Chief Financial Officer

- Finance & Property
- Governance
- Grants and Projects

Director Infrastructure & Assets

- Assets
- City Parks & Open Spaces
- Infrastructure Delivery
- Project Management Office
- Waste & Sustainability
- Climate Action Integration

Director City Planning & Places

- City Strategy
- Economic Development
- Strategic Projects & Places
- Planning & Development

Chief People Officer

- People & Culture
- Organisational Capability

Director Customer & Strategy

- Customer Experience
- Digital Transformation Program
- Information Technology
- Organisational Performance & Strategy
- Strategic Communications
- Government Relations & Advocacy

Role and Powers:

The role and Powers of Council are prescribed under Section 8 of the *Local Government Act 2020* (the Act) as follows:

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

Section 9 of the Act states that:

1. A Council must in the performance of its role give effect to the overarching governance principles, which are:
 - a. Council decisions are to be made and actions taken in accordance with the relevant law;
 - b. Priority is to be given to achieving the best outcomes for the municipal community, including future generations;
 - c. The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
 - d. The municipal community is to be engaged in strategic planning and strategic decision making;
 - e. Innovation and continuous improvement is to be pursued;

- f. collaboration with other Councils and Governments and statutory bodies is to be sought;
 - g. the ongoing financial viability of the Council is to be ensured;
 - h. regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
 - i. the transparency of Council decisions, actions and information is to be ensured.
2. In giving effect to the overarching governance principles, a Council must take into account the following supporting principles:
- a. The community engagement principles;
 - b. The public transparency principles;
 - c. the strategic planning principles
 - d. the financial management principles
 - e. the service performance principles.

Legislation and Decision-making powers:

Council derives its decision-making powers primarily from the Local Government Act. Decisions are made at Council meetings and by the Chief Executive Officer and other officers with delegated powers.

A register of delegations kept under sections 11(8) and 47(7) of the Act is available for inspection by appointment at the Customer Service Centre, 1079 Pascoe Vale Road, Broadmeadows.

Other key legislation from which Council derives its powers and performs its functions includes:

- *Aboriginal Heritage Act 2006*
- *Associations Incorporation Reform Act 2012*
- *Building Act 1993*
- *Catchment and Land Protection Act 1994*
- *Child Wellbeing and Safety Act 2005*
- *Children Youth and Families Act 2005*
- *Climate Change Act 2017*
- *Conservation, Forests and Land Act 1987*
- *Country Fire Authority Act 1958*
- *Dangerous Goods Act 1985*
- *Disability Act 2006*
- *Domestic Animals Act 1994*
- *Duties Act 2000*
- *Education and Care Services National Law Act 2010*
- *Education and Training Reform Act 2006*
- *Electricity Safety Act 1998*
- *Emergency Management Act 1986*
- *Environment Protection Act 1970*
- *Equal Opportunity Act 2010*
- *Fences Act 1968*
- *Filming Approval Act 2014*
- *Fines Reform Act 2014*
- *Fire Services Property Levy Act 2012*
- *Flora and Fauna Guarantee Act 1982*
- *Food Act 1984*
- *Freedom of Information Act 1982*
- *Gambling Regulation Act 2003*
- *Graffiti Prevention Act 2007*
- *Health Records Act 2001*
- *Heavy Vehicle National Law 2012*
- *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*
- *Land Act 1958*
- *Land Acquisition and Compensation Act 1986*
- *Liquor Control Reform Act 1998*
- *Local Government Act 1989*
- *Local Government Act 2020*
- *Local Government Amendment (Governance and Integrity) Act 2024*
- *Magistrates Court Act 1989*

- *Major Transport Projects Facilitation Act 2009*
- *Mineral Resources (Sustainable Development) Act 1990*
- *National Parks Act 1975*
- *Pipelines Act 2005*
- *Planning and Environment Act 1987*
- *Privacy and Data Protection Act 2014*
- *Public Disclosure Act 2012*
- *Public Health and Wellbeing Act 2008*
- *Public Records Act 1973*
- *Rail Safety Act 2006*
- *Residential Tenancies Act 1997*
- *Road Management Act 2004*
- *Road Safety Act 1986*
- *Sale of Land Act 2000*
- *Second Hand Dealers and Pawnbrokers Act 1989*
- *Sherriff Act 2009*
- *Sport and Recreation Act 1972*
- *Subdivision Act 1988*
- *Summary Offences Act 1966*
- *Transfer of Land Act 1958*
- *Transport Integration Act 2010*
- *Transport (Safety Schemes Compliance and Enforcement) Act 2014*
- *Urban Renewal Authority Victoria Act 2003*
- *Valuation of Land Act 1960*
- *Victoria Grants Commission Act 1976*
- *Victoria State Emergency Service Act 2005*
- *Victorian Inspectorate Act 2011*
- *Water Act 1989*
- *Hume City General Purpose Local Law No. 1 2023*
- *Building and Works Code of Practice 2023*
- *Building Interim Regulations 2017*
- *Drugs, Poisons and Controlled Substances Regulations 2006*
- *Infringements Regulations 2016*
- *Local Government (Electoral) Regulations 2020*
- *Local Government (Governance & Integrity) Regulations 2020*
- *Local Government (Planning & Reporting) Regulations 2020*
- *Local Government (Land Information) Regulations 2021*
- *Local Government (General) Regulations 2015*
- *Local Government (Long Service Leave) Regulations 2021*
- *Public Health and Wellbeing Regulations 2009*
- *Road Safety (General) Regulations 2009*
- *Road Safety (Traffic Management) Regulations 2009*
- *Road Safety (Vehicles) Regulations 2009*
- *Subdivision (Fees) Regulations 2016*

Annual Report:

Council publishes its [Annual Report](#) every financial year and makes it available on its website.

Council Plan and Strategies:

Council has published a number of [strategy documents](#) with the key plan being the Council Plan 2021-2025. The following commentary has been extracted from the Council Plan 2021-2025 (2024-25 update):

In response to the Community Vision, Council has developed a series of strategic objectives under three main themes for the next four-year Council Plan:

- Theme 1 – A community that is resilient, inclusive and thriving
- Theme 2 – A city that cares about our planet, is appealing and connected
- Theme 3 – A council that inspires leadership, is accountable and puts the community first

The strategic objectives developed under each of these themes will help us work towards achieving the community's vision and aspiration. We have also outlined the strategic indicators used to help monitor and evaluate the success of Council in achieving its objectives. Under this plan, Council aims to provide a balance to ensure we deliver the services, facilities and infrastructure that families and businesses need today, while planning for future generations.

Local Laws:

The objectives of the Council's General Purpose Local Law No.1 - 2023 are to:

- (a) Provide for the peace, order and good government of the municipal district;
- (b) Promote a physical and social environment free from hazards to health, in which the residents of the municipal district can enjoy a quality of life that meets the general expectations of the community;
- (c) Prevent and manage nuisances which may adversely affect the enjoyment of life or the health, safety and welfare of persons within the municipal district;
- (d) Regulate and manage activities of people which may be dangerous, unsafe or detrimental to the quality of life of other people in, or the environment of, the municipal district; and
- (e) Regulate and control the use of, activities on, and interference with, municipal places.

Council meetings:

Council holds regular meetings to make decisions. These meetings are open to the public and there are generally two meetings per month. A schedule of upcoming Council meetings is available on Council's website and Agendas for Council meeting are published at 3pm on the Thursday preceding the meeting. Copies of Agendas and minutes of previous Council meetings are also available on Council's website.

Audio and video recordings of Council meetings are published within 48 hours of the meeting and can be accessed via Council's website. Recordings of Council meetings held after a public holiday may be delayed by 24 hours.

Members of the public can participate in Council meetings by making public comments, submitting public questions and submitting petitions and joint letters. Further information regarding these processes can be found at the following link:

<https://www.hume.vic.gov.au/Your-Council/Council-Meetings/Participate-in-a-Council-Meeting>

Council Committees:

Council maintains a register of the major committees and other entities that incorporate representation by a Councillor and, where appropriate, a Council officer. These Committees include Community Asset Committees, advisory committees, external committees, incorporated entities and statutory authorities. These committees assist Council in its decision-making process and its consultation and liaison with the local community. We are committed to working in partnership with the community and local businesses and organisations in our activities and decision making. We recognise the knowledge and skills that these groups have to contribute to achieving Council's vision of building a progressive and prosperous city. Further details on these committees are available on Council's website.

External Policy Consultation:

Each year Council undertakes a range of community consultation and engagement activities to inform the setting of Council priorities and updating of the Council Plan 2021-2025 and Annual Budget. Community consultation and engagement activities are conducted in accordance with the Community Engagement Principles in the Local Government Act 2020 and Council's *Community Engagement Policy*. More information on community consultation and engagement activities are available from participate.hume.vic.gov.au

Statement 2: Document categories

Records management

Council's documents are organised under the following categories within Council's electronic documents management system Content Manager:

- Data Tapes
- Inwards Documents
- Internal Documents
- Internal Documents (Network File Capture)
- Internal Documents (SharePoint Document Capture)
- Outwards Documents
- Rates Correspondence
- Corporate Image Library
- Hume Plans
- HR Documents
- Birth Notices
- Immunisation Consent Cards
- Immunisation Consent Cards - Secondary Schools
- Bank Guarantee Register
- Council Minutes, Agendas & Report
- Council Policy / Procedures / Strategies
- Council Minute Books _ Digitisation Project
- Contracts Legal Agreements and Title Documents
- Building Envelopes
- Maintenance & Operation Manuals
- Health Manager Documents
- Media
- Humepedia Articles
- Humepedia Customer Forms
- Humepedia Working Instructions
- Waste Services - Bins
- Action Items
- CCTV Footage - Leisure
- Corporate Policy & Directions Library
- Internal
- Media Clippings
- PreTRIM Archive Documents
- PreTRIM Documents
- SR Documents

Council retains a collection of hard copy files and documents that are stored both on site and with commercial storage provider; Grace Records management. These files are digitised on demand..

The *Public Records Act 1973* governs the disposal of Council records. Section 13 requires Councils to undertake programs of records management in accordance with standards established by the Keeper of Public Record. No public records are destroyed or otherwise disposed of except in accordance with these standards.

Council maintains files under the following broad categories.

Subject files broadly cover policy, instructions, case material, and the like, dealing with the operations of the Council. Council maintains subject files based on the following top-level Thesaurus word:

Commercial Activities	Legal Services
Community Relations	Parks and Reserves
Community Services	Personnel
Corporate Management	Personnel Files
Council Properties	Plant Equipment and Stores
Customer Service	Property & Development
Development and Building Controls	Public Health
Economic Development	Rates and Valuations
Emergency Services	Recreation and Cultural Services
Energy Supply and Telecommunications	Risk Management
Environmental Management	Roads
Financial Management	Sewerage and Drainage
Governance	Traffic and Transport
Government Relations	Waste Management
Grants and Subsidies	Water Supply
Information Management	Sewerage and Drainage
Information Technology	Traffic and Transport
Land Use and Planning	Water Supply
Laws and Enforcement	
Learning Community	

Property files cover matters relating to that property such as:

- rates
- health
- services

Street files include matters common to that street.

Planning Permit files such as:

- Town planning applications relating to the use and development of land or buildings.
- Enquiries and due process relating to appropriate use and development of land in compliance with planning controls and/or planning approvals.

Building Permit files include documents relating to:

- Building permit applications
- plans
- specifications

- approvals/non-approvals
- all documents relating to inspections.

Subdivision files include all documents relating to applications and approvals.

Staff personnel files are individual files for each staff member containing documents like:

- position advertisement
- job description
- letter of appointment
- leave forms
- payroll deductions
- disciplinary procedures
- WorkCover (kept as a separate file).

Miscellaneous records - the functional activities of each department, normally stored in electronic containers. For example:

- registers
- emails
- accounts/invoices
- plans and drawings
- maps
- charts
- reports

Statement 3 – Freedom of information arrangements

Since its introduction in 1982, the Freedom of Information Act (FOI Act) has given people the right to obtain information held by State Ministers, State Government departments and statutory authorities. From 1994 this legislation also applied to local councils.

The Act gives people the right to request documents relating to their personal affairs and any activities of a government agency or council. A person may request documents created or received by an agency.

Making an application

An application form is available on Council's website [Freedom of Information - Hume City Council](#)

People wanting to access documents that are not available outside the FOI Act must make a Freedom of Information application in writing. For an application to be valid it must include the application fee of \$32.70 or evidence of hardship to have the fee waived.

Applications can be sent by post, with a cheque or money order made payable to Hume City Council and addressed to:

*Freedom of Information Officer
Hume City Council
PO Box 119
DALLAS VIC 3047*

Alternatively, your application may be emailed to contactus@hume.vic.gov.au.

Arrangements can also be made to pay the application fee online.

The \$32.70 application fee is a statutory fee and is current as of 1 July 2024. This fee is amended annually and applies from 1 July each year.

It is in the applicant's best interests to ensure that the request is clear in the following manner:

- the nature of the request, i.e. that the request is being made under the FOI Act
- the nature of the document/s requested - the more precise the request, the easier it will be for Council to assess it. This will avoid any possible misunderstanding and save time for both the applicant and Council.

The Council's Freedom of Information Officer can assist you with your request if you are unsure about the information you need to provide. A written response will be provided in accordance with the timeframes specified in the Freedom of Information Act.

Correction of Personal Information

Requests for correction or amendment of information about a person which is contained in a document held by Council may be made in writing, preferably on the FOI Form provided for this purpose, and should specify:

1. An address to where notices may be sent to the person making the request, and
2. Particulars of why the person making the request believes the information to be incomplete, incorrect, out of date or misleading, and specifying the amendments they want made.

Access Costs

Where an application for access is granted, costs will be incurred by the applicant (in addition to the application fee). These costs will relate to items such as:

- search fees
- photocopying charges
- providing access in a form other than a photocopy.

Where it is anticipated that costs will exceed \$50, the applicant will be advised and requested to pay a deposit. The applicant will also be asked if they wish to continue with the request. At this point, the applicant also has the right to request a review of the charges.

Access Exemptions

Not all information is automatically made available in response to a request. The Act sets out a number of reasons for an agency to exempt access to a document, including:

- it affects the personal affairs of another person
- it is commercially confidential
- it would undermine law enforcement
- the information was obtained in confidence
- it contains information of a commercial or financial nature.

If the applicant is not satisfied with Council's decision, the applicant may appeal the decision to the Victorian Information Commissioner:

*Information Commissioner
Office of the Victorian Information Commissioner
PO Box 24274
Melbourne Vic 3001
Ph 1300 006 842 (1300 00 OVICI)
enquiries@ovic.vic.gov.au*

To find out more about Freedom of Information contact Council on **9205 2200** or [email](#).

For additional information, visit the [Victorian Information Commissioner's website](#).

Statement 4 – Publications

Section 57 of the Local Government Act 2020 requires Council to adopt and maintain a Public Transparency Policy. The Public Transparency Policy formalises Council's support for transparency in its decision-making processes; it facilitates public awareness of Council information and provides community confidence and trust in its decision making.

A list of the categories of Council Information which will generally, subject to the Public Transparency Policy, be made available either on the Council Website, at the Council Offices or on request by a member of the community is set out below.

Where a request is made for access to Council information that is not on the Council website or otherwise available at the Council Offices, the Chief Executive Officer, or their delegate, will review the request, assess whether the Council Information requested is Confidential Information, or its release would be contrary to the public interest.

1. The following Council Information will be available on Council's website:

- Council Plan 2021-2025;
- Financial Plan;
- Annual Budget 2024/25;
- Annual Report 2023/24; Council Strategies and Plans;
- Hume City General Purpose Local Law No. 1 2023;
- Council's Policies;
- Council Meeting Agendas;
- Minutes of Council Meetings;
- Audit and Risk Committee Charter and membership;
- Terms of Reference for Delegated Committees;
- FOI Part II Statement;
- Councillor Code of Conduct;
- Councillor Expenses Policy and reports;
- Public Interest Disclosure Procedures;
- Community Asset Committees – Instruments of Delegation and membership
- Gift Registers for Councillors and Council Staff;
- Travel Registers for Councillors and Council Staff;
- Registers of Conflicts of Interest disclosed by Councillors and Council Staff;
- Registers of Leases entered into by Council;
- Register of Delegations;
- Register of Election Campaign Donations;
- Summary of Personal Interests; and
- any other Registers or Records required by the Act or any other Act.

2. Procedural information such as:

- application processes for approvals, permits, grants, access to Council services;
- decision-making processes;
- Guidelines and Manuals;
- Community Engagement Processes, and
- Complaints Handling Processes.

3. The following information will be available for inspection if not available on Council's website

- Register of Authorised Officers;

4. Publications

Council publishes a range of newsletters, reports and handbooks for residents, businesses and visitors to the Municipal District. These publications are available on the Council Website, at the Council Offices or on request to Council.

Statement 5 – Policies and Strategies

Council has prepared a number of Council policies and strategies that are available to the public on [Council's website](#).

Statement 6 – Report literature

Officer reports are presented to Council at each Council meeting to assist in the decision-making process. These reports are included in the [Agenda papers](#) and available to the public on Council's website:

A number of other reports are available to the public on the [Council website](#). These can be located by using the Search function on Council's website.